

**SINE DIE MEETING
BOROUGH OF MONTVALE
MAYOR AND COUNCIL
MONDAY, JANUARY 1, 2024
12:00 P.M.**

SUNSHINE LAW STATEMENT

In accordance with the provisions of the Open Public Meetings Law, notification of this meeting was provided to the Bergen Record informing the public of time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L.1975) posted on the Montvale web site

MAYOR GHASSALI CALLS THE MEETING TO ORDER:

SALUTE TO THE FLAG:

ROLL CALL:

UNFINISHED BUSINESS OF 2023:

Resolution No. 243-2023 - Award Professional Service Contract to Colliers Engineering & Design, for Tier A Municipal Stormwater Permit, Storm Water Outfall Inspections and Storm Sewer Locations

Resolution No. 244-2023 - Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40a:4-87 – 2023 NJDA Spotted Lanternfly Program

Resolution No. 245-2023 Authorize Budget Transfers Between Appropriation Accounts Pursuant To N.J.S.A. 40a:4-58

ADJOURNMENT SINE DIE MEETING:

FOLLOWED BY RE-ORGANIZATION MEETING FOR THE YEAR 2024:

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 243-2023**

RE: Award Professional Service Contract to Colliers Engineering & Design, for Tier A Municipal Stormwater Permit, Storm Water Outfall Inspections and Storm Sewer Locations

WHEREAS, the Borough of Montvale is required to perform inspections on all stormwater outfalls within a three-year period. One third in 2024, one third in 2025 and the final third in 2026. This requirement deems it necessary to engage the professional services of an Engineer to provide inspection services for the Montvale's Tier A- Municipal Stormwater General Permit; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, Colliers Engineer & Design, 300 Tice Blvd, Suite 101, Woodcliff Lake, NJ 07677 has submitted a proposal dated December 15, 2023 which is attached to this resolution; and

WHEREAS, Colliers will perform the preparation of the MS4 compliance report, Storm Sewer Outfall and Detention Basin Inspections, and mapping of approximately one third of the Borough's stormwater conveyance system for a cost not to exceed \$50,000.00; and

WHEREAS, the Certified Municipal Finance Officer certifies funds are available said certification is hereto attached to the original of this resolution; and.

BE IT FURTHER RESOLVED a copy of this resolution shall be published in an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, 12 DePiero Drive, Montvale, NJ 07645.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

300 Tice Boulevard Suite 101
Woodcliff Lake New Jersey 07677
Main: 877 627 3772



December 15, 2023

Joseph Voytus, Borough Administrator
Borough of Montvale
12 Mercedes Drive
Montvale, NJ 07645

RE: Proposal for Professional Services
MS4 Reporting Storm Sewer Outfall Inspections and Storm Sewer Locations
Borough of Montvale, Bergen County, NJ
Proposal No. MVB0064P

Dear Mr. Voytus,

Colliers Engineering & Design (formerly Maser Consulting PA) is pleased to submit this proposal for Professional Engineering Services associated with the preparation of the Boroughs MS4 compliance report, inspection of approximately 124 stormwater outfalls within the Borough's jurisdiction, mapping of the Borough's stormwater conveyance systems and private detention basins within the Borough. This is a requirement of the Borough's Tier A - Stormwater General Permit.

The purpose of the inspections is to verify the physical condition of the outfalls (deterioration or scour) and to determine if there are any illicit connections (flow other than stormwater) into the Borough Storm Sewer System. The detention basin inspection is also to verify the physical condition of the basin, that it is functioning, and recommend required maintenance.

As you are aware, the NJDEP now requires all municipalities to map their entire stormwater conveyance system (including depth and size of pipe). This mapping is required to be completed within a three-year period. Our proposal is to map one third of the system this year, one third in 2025 and the final third in 2026.

A report of the stormwater outfall structures and detention basins will be delivered to the Borough DPW Superintendent for immediate work orders in those locations that are failing or require debris and sediment removal. The report will be accompanied by commentary and photographs pertaining to the outfall and stream scouring remediation, illicit connection elimination (if any) which discharges into the water bodies and roadway erosion control, and detention basin identification. Where corrective action is required, Colliers Engineering & Design will advise the DPW of the necessary corrective work and maintenance. For those areas that the DPW cannot address, coordination with outside vendors and/or contractors may be required. Certain cleaning or maintenance activities conducted in New Jersey's streams and rivers require permits pursuant to the Freshwater Wetland (FWW) Protection Act Rules (N.J.A.C. 7:7A) and the Flood Hazard Area Control (FHA) Act Rules (N.J.A.C. 7:13), however, minor cleaning activities can be conducted without the need to obtain either permit. Unless necessary, the corrective work will pertain to minor cleaning activities as defined by

NJDEP FHA and FWW regulations. Coordination with site access may be necessary and temporary or permanent easements may be required.

As part of the Tier A Municipal Stormwater Permit requirements as designated by NJDEP, the Borough is responsible to identify and eliminate the illicit connections that currently discharge into the water bodies. During our investigation, should illicit connections be identified, they shall be noted and the appropriate documentation forms specific to the outfall will be prepared.

If the source of the illicit connection is not able to be immediately identified, then a separate agreement will be prepared to perform the additional engineering services needed to further investigate the source of the illicit connection and responsible party.

Colliers Engineering & Design will perform the preparation of the MS4 compliance report, Storm Sewer Outfall and Detention Basin Inspections, and mapping of approximately one third of the Borough's stormwater conveyance system for a cost not to exceed \$50,000.00. This cost does not include testing discharge (other than stormwater) from the outfalls, if required. If discharge other than stormwater is observed, we will obtain a proposal from a laboratory for the testing. Testing is required by the NJDEP if the source of the discharge (other than stormwater) cannot be determined visually.

ADDITIONAL SERVICES

If additional services beyond the scope presented herein are required and authorized, then such work shall be provided. Additional services may include, but are not limited to, preparation of permit applications, reproduction costs for plans, additional specifications, reports, etc. Additional services may also include special studies not indicated herein as well as revisions and/or supplemental work, if required, after review of the prepared documents by the client and review agencies.

All fees for additional work will be based on our current Schedule of Hourly Rates or a negotiated fee basis after specific scope of work for additional services has been defined.

EXCLUSIONS

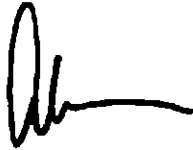
If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement, is deemed necessary, Colliers Engineering & Design may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the additional work. All unanticipated additional work shall be in accordance with the Schedule of Hourly Rates for the number of hours performed. No additional work will be performed without authorization from the Borough.

If you find the proposal acceptable, please forward a copy of the Resolution of Approval for this proposal to this office. This will constitute approval of the proposed work.

We thank you for the opportunity to submit this proposal and look forward to providing the services required. If you have any questions regarding this proposal, or if additional information is required, please do not hesitate to contact me.

Very truly yours,

Colliers Engineering & Design.



Andrew R. Hipolit, P.E., P.P., C.M.E.
Borough Engineer

ARH/ka

cc: Mayor and Council (via Clerk)

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 244-2023**

RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87 – 2023 NJDA SPOTTED LANTERNFLY 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 was not determined at the time of the adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2023 Municipal Budget in the sum of \$15,000, which is now available as revenue from:

Miscellaneous Revenues – Section F:
Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:
NJDA Spotted Lanternfly Program (FCOA 10-603).

BE IT FURTHER RESOLVED that the like sum of \$15,000 is hereby appropriated under the caption:

General Appropriations:
(A) Operations – Excluded from "CAPS"
Public and Private Revenues Offset by Revenues
NJDA Spotted Lanternfly Program (FCOA 41-603).

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 245-2023**

**AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION ACCOUNTS PURSUANT
TO N.J.S.A. 40A:4-58**

WHEREAS, certain transfers of funds for various 2023 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of appropriations with excess over and above the amount deemed necessary to fulfill their purposes to those appropriations considered to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40A:4-58 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2023 Municipal Budget as follows:

	FROM	TO
General Appropriations (A) Operations – within "CAPS" MUNICIPAL COURT FUNCTIONS Municipal Court Administration Salaries & Wages	\$1,800	
Municipal Court Administration Other Expenses		\$1,800
HEALTH & HUMAN SERVICES FUNCTIONS Environmental Commission Other Expenses	\$700	
Environmental Commission Salaries & Wages		\$700
UNIFORM CONSTRUCTION CODE State Uniform Construction Code Construction Official Salaries & Wages	\$500	
Electrical Subcode Official Salaries & Wages		\$500
General Appropriations (A) Operations – Excluded from "CAPS" Municipal Court Administration Salaries & Wages	\$4,200	
Municipal Court Administration Other Expenses		\$4,200

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**AGENDA
BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
Monday, January 1, 2024
Meeting to Commence 12:00 p.m.**

OPEN PUBLIC MEETING STATEMENT

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers of the Borough of Montvale, and notice posted on the municipal bulletin board at Borough Hall

OPENING PRAYER:

Pastor Sam Goertz – Montvale Evangelical Free Church

SWEARING IN OF MAYOR (4 YEAR TERM) – by Senator Holly Schepisi

Michael Ghassali

SWEARING IN OF COUNCILMEMBERS (3 YEAR TERM) – by Senator Holly Schepisi

Douglas Arendacs

Theresa Cudequest

SWEARING IN OF THE OFFICERS OF MONTVALE FIRE DEPARTMENT:

Geoffry Gibbons – Chief

Bruce Hopper – Deputy Chief

Michael Cintineo - Captain

Rick Alton – Lieutenant Company #1

Daniel Demarest – Lieutenant Company #2

PRESENTATION by Bergen County Commissioner Tom Sullivan

MEETING CALLED TO ORDER: ROLL CALL

ELECTION OF COUNCIL PRESIDENT:

(Council Appointment)

ELECTION OF PLANNING BOARD LIAISON:

(Council Appointment)

NON-CONSENT RESOLUTIONS:

00-2024 Temporary Budget

17-2024 Officers Fire Department

18-2024 Professional Service Contract Appointments 2024 - New Jersey Local Unit Pay to Play"
Law, N.J.S.A. 19:44A-20.4

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.

01-2024 THROUGH 16-2024, 19-2024 THROUGH 43-2024 - List attached

APPOINTMENTS:

2024 Staff, Boards, Committees and Mayoral Appointments
(see attached list)

CONFIRMATION OF APPOINTMENTS – ROLL CALL

MEETING OPEN TO THE PUBLIC:

MEETING CLOSED TO THE PUBLIC:

COUNCIL COMMENTS:

MESSAGE FROM MAYOR GHASSALI:

CLOSING PRAYER:

Pastor Sam Goertz – Montvale Evangelical Free Church

ADJOURNMENT:

All Budget Meetings will be held on Zoom on the following Mondays, January 8, 22, and 29 at 6:00pm

Next scheduled Mayor and Council meeting will be held January 11, 2024 at 7:30pm

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 00-2024**

TEMPORARY APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-19 provides that, where any contracts, commitments, or payments are to be made prior to the adoption of the 2024 budget, temporary appropriations be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2023 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, is the sum of \$19,769,296.00 for the Current Fund; and

WHEREAS, the temporary budget shall not exceed 26.25% of the total appropriations in the 2023 budget, exclusive of any appropriations made for principal and interest of debt service, public assistance, and capital improvement fund, which is the sum of \$5,189,440.20 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor & Council of the Borough of Montvale, County of Bergen, that the following temporary appropriations for 2024 operating purposes be made in the amount of \$5,189,000 for the Current Fund.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 17-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the following

Officers of the Montvale Fire Department be approved for the year 2024:

Fire Chief	-	Geoffrey Gibbons
Deputy Fire Chief	-	Bruce Hopper
Captain	-	Michael Cintineo
Lieutenant Co. #1	-	Rick Alton
Lieutenant Co. #2	-	Daniel Demarest

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 18-2024**

WHEREAS, on January 2006, the "New Jersey Local Unit Pay to Play" Law, N.J.S.A. 19:44A-20.4, et. seq., took effect; and

WHEREAS, the Borough of Montvale has a need to award certain professional contracts for services required by the municipality in calendar year 2024; and

WHEREAS, the Pay to Play Law permits such services to be acquired through the "non-fair and open" process as declined in N.J.S.A. 19:44A-20.4 or 20.5 on those contracts where it is anticipated that the total cost will exceed \$17,500.00; and

WHEREAS, the anticipated term of these contracts is 1 year; and

WHEREAS, the public good and interest of the citizens of the Borough of Montvale will best be served by the "alternative" process to secure experienced professional services, rather than the "fair and open" process awarding a contract to the lowest bidder; and

WHEREAS, each professional will be required to first complete and submit a Business Entity Disclosure Certification which certifies these professionals have not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that said professionals will be prohibited from making any reportable contributions through the term of the contract, and

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

The following professional 2024 contracts shall be awarded under the alternative process at the next regular meeting of the Governing Body:

Borough Attorney:

David S. Lafferty, Esq.
Huntington Baily, L.L.P.
373 Kinderkamack Rd
Westwood, NJ 07675

Borough Engineer:

Andrew Hipolit
Colliers Engineering & Design
400 Valley Road, Suite 304
Mount Arlington, NJ 07856

Auditor:

Jeff Bliss
Lerch, Vinci & Bliss, LLP
1717 Route 208
Fairlawn, NJ 07407

The said professionals, prior to securing such contract, shall execute and file with the Municipal Clerk, a 2024 *Business Entity Disclosure Certification* pursuant to N.J.S.A. 19:44A-20-8.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**CONSENT AGENDA RESOLUTIONS
2024 RE-ORGANIZATION MEETING**

- | | |
|---------|--|
| 01-2024 | Cash Management Plan |
| 02-2024 | Authorizing payment to the United States Postal Service to affect the use of a Postal Machine |
| 03-2024 | Establish 2024 Holiday Schedule For Administrative Non-Contractual Employees |
| 04-2024 | Designating the Mayor, Municipal Clerk, Administrator, Chief Municipal Financial Officer and Treasurer as Official signatories on Borough Warrants and the Judge, Municipal Court Administrator and Deputy Court Administrator as Official signatories on Municipal Court Accounts |
| 05-2024 | Roll Call of the Council members to be called in alphabetical order |
| 06-2024 | Authorizing the Mayor, Clerk and Collector to issue warrants for certain items with Ratification at the following meeting |
| 07-2024 | All bills to be presented in proper form to the Finance Department no later than the 25th of each month |
| 08-2024 | Change Fund in the amount of \$150.00 front counter Administration; Municipal Clerk petty cash \$500.00; Municipal Court \$150.00 each for a total of \$450.00; and \$300.00 for the Police Department |
| 09-2024 | Designation of official newspapers for advertising for the Borough of Montvale |
| 10-2024 | Fixing the rate of interest to be charged for the nonpayment of taxes, assessments and excess sewer fees |
| 11-2024 | Order of business to be followed at all regular meetings of the Mayor and Council |
| 12-2024 | All monies collected by any Borough Official or Employee of the Borough shall be turned over the Borough Treasurer within 48 hours |
| 13-2024 | Establish Mayor & Council Meeting Schedule for the Year 2024 |
| 14-2024 | Procedure for the Periodic Release of Closed Session Minutes |
| 15-2024 | Open Public Meetings Act, Chapter 231 of Public Laws of the State of New Jersey/Closed Executive Sessions of the Montvale Governing Body |
| 16-2024 | Adoption of year 2024 By-Laws of the Mayor and Council of the Borough of Montvale |
| 19-2024 | Adoption Borough Policy & Procedures Manual - Administration |
| 20-2024 | A Resolution Re-Affirming The Borough's Existing Policy For Eligible Municipal |

	Employees To Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program For Calendar Year 2024
21-2024	A Resolution To Affirm The Borough Of Montvale's Civil Rights Policy With Respect To All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, And Members Of The Public That Come Into Contact With Municipal Employees, Officials And Volunteers
22-2024	Authorize Designation of Public Agency Compliance Officer (P.A.C.O.) - Christine Kalafut
23-2024	Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
24-2024	Award Professional Service Contract - Borough Attorney, Huntington Bailly, L.L.P
25-2024	Award Professional Service Contract - Borough Auditor, Lerch, Vinci & Bliss, LLP
26-2024	Award Professional Service Contract - Engineering Services, Colliers Engineering & Design, Inc. Andrew R. Hipolit, P.E., PP., C.M.E.
27-2024	Award Professional Service Contract - Borough Planner, Colliers Engineering & Design, Inc. Darlene Green, P.P., AICP
28-2024	Awarding Service Contract - Agreement Tri-State Technical Services, Computers & Peripherals
29-2024	Authorize Contract Animal Control Services - Tyco
30-2024	Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale - Piazza & Associates, Inc.
31-2024	A Resolution of the Borough of Montvale Awarding a Contract To Flanagan Productions, LLC, as an Extraordinary Unspecifiable Service for Montvale Graphic Design - Borough Newsletter
32-2024	A Resolution of the Borough of Montvale Awarding a Contract to Spatial Data Logic, Inc. as an Extraordinary Unspecifiable Service for Website Design, Web Manage, Hosting and Support and Related Services
33-2024	A Resolution Awarding a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough's Affordable Housing
34-2024	Award Professional Service Contract - Public Defender and Alternate Public Defender - Pascack Joint Municipal Court to Aronsohn, Weiner, Salerno & Kaufman

- 35-2024 A Resolution Authorizing the Execution of the Continued Participation in the Interlocal Services Agreement with Northwest Bergen Central Dispatch for Emergency Dispatch Services
- 36-2024 Authorize Contract Health Awareness Regional Program (HARP) Hackensack Meridian Health - Hackensack University Medical Center
- 37-2024 Authorize Contract NorthWest Bergen Regional Health Commission – Years 2024-2026 - (3) year contract
- 38-2024 A Resolution Awarding a Professional Services Contract to Community Grants, Planning & Housing (“CGP&H”) for Professional Housing Rehabilitation Services
- 39-2024 A Resolution Of The Borough Of Montvale Of The Borough Of Montvale Adopting A Form Required To Be Used For The Filing Of Notices Of Tort Claims Against The Borough Of Montvale In Accordance The Provisions Of The New Jersey Tort Claims Act, N.J.S.A. 59:8-6.
- 40-2024 Award Professional Service Contract – Planning Board Attorney, Robert T. Regan
- 41-2024 Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2024 - Professional Insurance Associates, (P.I.A) A Division of World Insurance Associates, LLC
- 42-2024 A Resolution To Appoint A Health Benefits Consultant Relative To The Borough’s Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2024 - PIA, A Division of World Insurance Associates, LLC
- 43-2024 Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to Rosario Presti, Jr.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 01-2024**

WHEREAS, P. L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A:5-2, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies,

NOW THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Borough of Montvale be and hereby is adopted:

A. DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

Bank of America
Wells Fargo
N.J. Cash Management Fund
TD Bank

2. Designated Official depositories are required to submit to the Chief Financial Officer of the Borough of Montvale a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.
3. Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B. DEPOSIT OF FUNDS

All funds shall be deposited within Forty-Eight (48) hours of receipt in accordance with State statute.

1. Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.
2. Capital and Debt service funds may be deposited into interest bearing accounts. Non-Interest bearing accounts shall be regularly monitored for the availability of funds for investment.
3. Trust funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developer's escrow deposits. Non-Interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal laws prohibit the earning of interest on such funds.
4. Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services.

C. DEFINITION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C.17:9-44) and other instruments specified below:

1. United States Treasury Bills (T-Bills)
2. Borough of Montvale Bonds or Notes
3. Commercial Bank Deposits and Certificates of Deposit (CD's)
4. Repurchase Agreements (Repo's)
5. Investments in Savings and Loan Association
6. United States Government Agency and Instrumentality Obligations
7. State of New Jersey Cash Management Fund
8. School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS

1. All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.
2. All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough Assets (Demand and Certificate of Deposit)
3. Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.
4. For pledges by depositories on Borough Funds, the following securities will be considered acceptable for pledges:
 - a. Any security backed by the U.S. Government
 - b. Any direct obligation of any taxing authority within the Borough of Montvale
 - c. Real Estate Mortgage Loans for Real Estate property located within the Montvale market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits
 - d. All pledges of collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer or Treasurer

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service. Said agreement shall be reviewed annually.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Mayor and Council of the Borough of Montvale the following investment reports:

1. MONTHLY REPORTING: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.
2. QUARTERLY REPORTING: A detailed summary analysis of all investments by fund, specifying the quarterly interest rate earned, quarterly interest earned on NOW and Savings Accounts and Year-To-Date total interest earnings.
3. The Treasurer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st of each year and at other such times as required by the auditors.
4. The Treasurer shall also periodically provide analysis of average daily balances in interest bearing checking accounts vs. other investment vehicle potential.
5. All such reports may include a comparison of current investment income vs. forecast, prior year or market conditions.

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer and Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit and Repurchase Agreements will be solicited of at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited of designated depositories by the Chief Financial Officer or Treasurer or designated staff member.

The depository shall specify the principal amount of the investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the date of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer and/or Treasurer will not make the investment. The Chief Financial Officer and/or Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designed for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Treasurer shall review each day's activity.

L. BONDING:

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Tax Collector
Treasurer
Municipal Court Administrator
Deputy Municipal Court Administrator
Magistrate

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond in the minimum amount of \$50,000.00

M. COMPLIANCE:

The Cash Management Plan of the Borough of Montvale shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. The official charged with the custody of the monies of the Borough of Montvale shall deposit them as designated by the Cash Management Plan and shall thereafter be

O. relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

P. Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

Q. The Cash Management Plan shall be subject to the approval of the Borough Attorney.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 02-2024**

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Treasurer be authorized to issue payment through appropriate methods, to the United States Postal Service, not to exceed One Thousand Dollars (\$1,000.00) per month, to affect the use of a Postal Mailing System.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 03-2024**

RE: Establish 2024 Holiday Schedule for Administrative Non-Contractual Employees

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following 2024 Holiday Schedule for eligible Administrative non-contractual employees be and is hereby established:

SECTION 1. Mandatory holidays during which Borough Hall Administrative Offices shall be closed:

<u>HOLIDAY</u>	<u>DAY OBSERVED</u>
Martin Luther King Day	Monday, January 15
President's Day	Monday, February 19
Memorial Day	Monday, May 27
Juneteenth	Wednesday, June 19
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veterans Day	Monday, November 11
Thanksgiving Day and the Day After	Thursday, November 28 Friday, November 29
Christmas Eve	Tuesday, December 24 – ½ Day
Christmas Day	Wednesday, December 25
New Year's Eve	Tuesday, December 31 – ½ Day
New Year's Day	Wednesday, January 1, 2025

SECTION 2. Two Floating Holidays to be taken any time during the year. If not used during the calendar year, it will be lost with no ability to be carried or receive pay.

SECTION 3. If any of the above holidays fall on Saturday, the holiday shall be observed on Friday. If any of the above holidays fall on Sunday, the holiday shall be observed on Monday.

If Christmas Day and New Year's Day fall on Saturday, these two holidays shall be observed on Friday. Therefore, the two-1/2 holidays shall be observed on the Thursday before the holidays.

If Christmas Day and New Year's Day fall on Sunday, these two holidays shall be observed on Monday. Therefore, the two-1/2 holidays shall be observed on the Friday before the holidays.

SECTION 4. Pursuant to the Personnel Policy, those employees classified as full-time employees (working 35 hours or more each week) shall be entitled to all days, as outlined above in Section 1 through Section 3. Pursuant to the Personnel Policy, all employees classified as part-time employees (working less than 35 hours per week) and eligible to receive holidays, shall only be entitled to the holidays listed in Section 1, and only when the holidays fall on their regularly scheduled days of work.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo

Michael Ghassali

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 04-2024**

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Municipal Clerk, Treasurer, Borough Administrator, Certified Municipal Finance Officer are hereby designated as the official signatories on Borough Warrants.

BE IT FURTHER RESOLVED, that the Judge, Municipal Court Administrator and Deputy Court Administrator are hereby designated as the official signatories on all Municipal Court accounts.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 05-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J. that a Roll Call of the Council Members at the Council meetings is to be taken in alphabetical order.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 06-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Clerk and Collector be authorized to issue warrants for the following purposes, with ratification at the following meeting, on due dates for the following items:

Board of Education, Montvale, NJ
Pascack Valley Regional Board of Education
County Tax
Bergen County Sewer Authority
Medical Insurance
Life Insurance
Bond and Note Payments
Interest on Bonds and Notes
Payrolls
Investments
Gasoline
Scavenger Service

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 07-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all bills must be presented in proper form to the Finance Department no later than the 25th of each month, and;

BE IT FURTHER RESOLVED that any bills received later than this date shall be held over for payment until the following month.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 08-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the governing body approves the establishment of "a general change fund at the front counter in the municipal building in the amount of \$150.00, the Municipal Clerk has a petty cash fund in the amount of \$500.00, the Joint Municipal Court have (3) change funds in the amount of \$150.00 each; and the Police Department has a petty cash fund in the amount of \$300.00.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 09-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the Borough of Montvale, NJ for the year 2024:

The Bergen Record – Hackensack, N.J.

The Ridgewood News – Hackensack, N.J.

The Star Ledger – Newark, NJ

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 10-2024**

WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes, assessments and excess sewer fees subject to any abatement or discount for the late payment of taxes, assessments and excess sewer fees as provided by law; and

WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum of the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00;

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and excess sewer fees becoming delinquent after due date and 18% per annum on any amount of taxes and excess sewer fees in excess of \$1,500.00 becoming delinquent after due date, subject to any abatement or discount for the late payment of taxes and excess sewer fees as provided by law.
2. Re Chapter 72 laws of 94 CTC 94-3. If the new tax bills are not in the mail by June 14, interest will then be charged 25 calendar days after the bills were mailed. Interest shall be calculated from August 1.
3. No interest shall be charged if payment of any quarterly tax payment and bi-annual excess sewer fess is received within ten (10) days of the date upon which the same becomes payable.
4. In connection with any delinquency of taxes, assessments or municipal charges in excess of \$10,000 which has not been paid prior to the end of a calendar year, there shall be imposed a penalty in a sum equal to six (6%) percent of the delinquency in excess of \$10,000.
5. With respect to tax certificates in excess of the sum of \$200 the following additional penalties shall be charged: two (2%) percent on the amount due over \$200 up to \$5,000; four (4%) percent of the amount due over \$5,000 up to \$10,000; and six (6%) percent on the amount in excess of \$10,000; plus cost 2% and \$25.00 per Title 54.
6. Any payments not made in accordance with Paragraph Two of this resolution shall be charged interest from the due date, as set forth in Paragraph One of this resolution.
7. The Tax Collector is authorized to hold a tax sale for unpaid taxes and/or excess sewer charges.
8. This resolution shall be published in its entirety once in the newspaper.
9. A certified copy of this resolution shall be provided by the Office of the Municipal Clerk to each of the following officials: Tax Collector; Borough Attorney; Borough Auditor; Chief Financial Officer.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 11-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, the agenda to the extent known will be established and printed for each regular meeting of the Council.

BE IT FURTHER RESOLVED, the agenda is subject to amendments by a majority vote of the council and action may be taken on issues that are not listed on the agenda, as authorized by the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the following order of business shall be followed at all public meetings of the Mayor and Council of the Borough of Montvale, N.J.

1. Roll Call
2. Reading and/or approval of all unapproved minutes
3. Second reading, public hearing and final passage of ordinances and introduction of ordinances
4. Presentation of resolutions/consent resolutions
5. Presentation of bills
6. Reports of committees, Mayor, Treasurer and Administrator
7. Old Business
8. New Business
9. Reading of all communications, petitions, etc.
10. Both Public and Workshop Meetings are opened to the public to speak
11. Adjournment

The Borough Council will conduct a meeting on the last Tuesday of each month, which will serve as workshop sessions. Action may be taken at this meeting.

The public is invited to attend all meetings and speak at all public and workshop sessions of the Mayor & Council.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 12-2024**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all monies collected by any Borough Official or Employee of the Borough of Montvale, N.J. shall be turned over to the Borough Treasurer, in full, within forty-eight (48) hours, without any fees being deducted; and

BE IT RESOLVED, the Tax Collector or Borough Treasurer shall deposit funds collected within forty-eight (48) hours, as required by law; and

BE IT RESOLVED, all cash receivables will be posted and recorded; and

BE IT FURTHER RESOLVED that any fees to which any Borough Official or Employee is entitled shall be set forth in detail on a regular Borough Voucher and presented for payment in the same manner as all bills are submitted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 13-2024**

BE IT RESOLVED that public meetings of the Mayor and Borough Council shall be held on the following dates for the year 2024 at the location of Borough of Montvale, Municipal Complex, 12 DePiero Drive, 2ND Floor, Montvale, New Jersey.

*January 1 (Monday)	Organization Meeting
January 11	Public Meeting
January 30	Workshop Session
February 8	Public Meeting
February 27	Workshop Session
March 14	Public Meeting
March 26	Workshop Session
April 11	Public Meeting
April 30	Workshop Session
May 9	Public Meeting
May 28	Workshop Session
June 13	Public Meeting
June 25	Workshop Session
July 11	Public Meeting
August 8	Public Meeting
September 12	Public Meeting
September 24	Workshop Session
October 10	Public Meeting
October 29	Workshop Session
November 14	Public Meeting
November 26	Workshop Session
December 12	Public Meeting

All meetings will commence at 7:30 p.m. except where noted. Closed sessions of the Mayor and Council may commence before 7:30 p.m. as indicated on the agenda for the meeting.

Meeting dates are subject to change. 48-hour notification will be provided as per N.J.S.A. 10:4-18.

ACTION MAY BE TAKEN AT BOTH PUBLIC AND WORKSHOP MEETINGS.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 14-2024**

WHEREAS, the Borough Council of the Borough of Montvale periodically conducts executive session meetings pursuant to N.J.S.A. 10:4-12; and

WHEREAS, the Borough Council is desirous of establishing a procedure for the periodic release of minutes of executive session meetings.

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

- Borough Council Minutes Review Committee. There shall be a minutes review committee (MRC) consisting of the Borough Administrator, the Borough Attorney and the Municipal Clerk, whose job shall be to periodically review the minutes of closed sessions of the Borough Council and make recommendations to the Borough Council which minutes should be made public. The MRC shall have no power and shall not be a "public body" within the meaning of the Open Public Meetings Act.
- Meetings of MRC. The MRC shall meet on an as-needed basis. Meetings of the MRC shall be as scheduled at the convenience of the MRC members by the Borough Administrator.
- Preparatory staff work. Prior to each meeting of the MRC, the Borough Attorney shall prepare a list of all closed sessions minutes which have been prepared by the Borough Attorney that have not been made public. The list and the minutes listed shall be made available to the MRC at their meetings.
- Basis for recommendation. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining confidentiality set forth in N.J.S.A. 10:4-12 and the interest in prompt disclosure set forth in N.J.S.A. 10:4-14. The applicable guidelines set forth in paragraph 7 of this resolution may be considered as a general standard.
- Decision. The decision to make public the minutes of any closed session shall be made only by the Governing Body of the Borough of Montvale and shall be based on a finding that public disclosure of the matters discussed at such closed session will not be detrimental to the public interest. In making this finding, the public body shall take into consideration, but need not agree with, the recommendation of the MRC and the basis for the recommendation as set forth in paragraph 4 above. In cases where more than one matter was discussed in closed session, the public body may elect to make public only the minutes pertaining to certain of those matters, and to keep the remaining portion(s) of the minutes confidential. Should the minutes contain any material entitled to protection, the public body shall excise or redact such protected matter, provided, that all materials required to be contained in the minutes by N.J.S.A. 10:4-14 shall be set forth.
- Once public, always public. Minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person in the same manner as minutes of open meetings.

- Guidelines. The following general guidelines pertaining to the nine purposes for closed meetings set forth in N.J.S.A. 10:4-12.B, may be considered in recommending and deciding when to make public minutes of closed session;
 - (a) Matters required by law to be confidential. When the need to preserve the secrecy of the confidential information discussed no longer exists; provided, that material entitled to court protection shall not be disclosed.
 - (b) Matters affecting the right to receive federal funds. When disclosure would no longer impair the right to receive funds or cause funds already received to be forfeited.
 - (c) Matters involving individual privacy. Such matters shall not be disclosed except as ordered by a court of competent jurisdiction, or with the written consent of all of the individual(s) concerned.
 - (d) Matters relating to collective bargaining agreements. When the collective bargaining agreement has been made, executed, and ratified.
 - (e) Certain matters involving public funds. After the transaction involving the public funds has been made.
 - (f) Matters affecting public safety and property. When the disclosure would no longer impair the safety and property of the public or the conduct of any investigation.
 - (g) Litigation, contract negotiation and certain privileged matters. As to litigation, when a final decision has been rendered and all rights of appeal are exhausted; as to anticipated litigation, when the statute of limitations has been made as to contract negotiation, when either the contract has been made and is binding on all parties or if not made, when negotiation is terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosure would not violate the attorney's ethical duties.
 - (h) Employment matters. When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.
 - (i) Deliberations after hearing in penalty matters. After the decision of whether to impose the penalty has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 15-2024**

**RE: Open Public Meetings Act, Chapter 231 of Public Laws of the State of New Jersey-
Closed Executive Sessions of the Montvale Governing Body**

WHEREAS, it is necessary for the Mayor and Council of the Borough of Montvale to discuss matters relating to such matters and which matters are permitted by Section 7.b of the Open Public Meeting Act, Chapter 231 of the Public Laws of the State of New Jersey for 1975 to be discussed in closed session in the absence of the public from time to time:

- 1.) Any matter considered confidential by federal law, state statute, or court rule;
- 2.) Any matter in which the release of information would impair the receipt of federal funds;
- 3.) Any material which would constitute an unwarranted invasion of individual privacy if disclosed;
- 4.) Any collective bargaining agreements or other discussion of the terms and conditions of a collective bargaining agreement, including negotiations leading up to such an agreement.
- 5.) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where disclosure of such matter could adversely affect the public interest.
- 6.) Any tactics and techniques used in protecting the safety and property of the public and investigations of violations or possible violations of the law.
- 7.) Any pending or anticipated litigation or contract negotiations in which the public body is or may become a party, and any matter falling within the attorney-client privilege, to the extent that confidentiality is required to preserve the attorney-client relationship.
- 8.) Personnel matters related to the employment, appointment or termination of current or prospective employees, unless all individuals who could be adversely affected request, in writing, that the matter be discussed at a public meeting.
- 9.) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a fine upon an individual or the suspension or the loss of license or permit belonging to an individual.

WHEREAS, the Mayor and Council of the Borough of Montvale have determined that it is necessary in the public interest that the matters in fact be discussed in closed session, and has estimated that as nearly as can now be ascertained, the results of the discussion can be disclosed to the public at the conclusion of such matters; and

WHEREAS, any motion to go into closed session will be deemed to include a motion that the matters discussed at such closed session will be disclosed to the public when such matters are finally determined and there is no further reason to prohibit the public disclosure of information relating to such matters; and

NOW, THEREFORE BE IT RESOLVED, that any motion to go into closed session shall have the same effect as this resolution being adopted; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the public be excluded from said portions of the meetings, when said closed session is deemed necessary and the appropriate motion adopted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 16-2024**

RE: Adoption of year 2024 By-Laws of the Mayor and Council of the Borough of Montvale

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the By-laws of the Mayor and Council of the Borough of Montvale are hereby adopted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BY-LAWS
OF THE COUNCIL OF THE BOROUGH OF MONTVALE
ADOPTED January 1, 2024**

**ARTICLE I
Rules of Order**

- § 1. Governing rules.**
- § 2. Questions and motion require second.**
- § 3. Speakers must be recognized.**
- § 4. Decorum while public speaks.**
- § 5. Reconsideration.**
- § 6. Limits on public participation.**

**ARTICLE II
General Provisions**

- § 1. Governing Body.**
- § 2. Re-organization.**
- § 3. Time and place of regular meetings.**
- § 4. Election of President.**
- § 5. Special Meetings.**
- § 6. Quorum.**
- § 7. Participation by telephone or other communication equipment permitted; requirements.**
- § 8. Adjournment of meetings.**
- § 9. Order of business.**
- § 10. Action by majority vote.**
- § 11. Roll-call vote.**
- § 12. Consent Resolutions.**
- § 13. Agenda.**

**ARTICLE III
Mayor**

- § 1. Presiding officer.**
- § 2. Preservation of order.**
- § 3. Conflicts over right to floor.**
- § 4. Questions of order.**
- § 5. Liaisons.**
- § 6. Absence of Mayor.**

ARTICLE IV
Borough Clerk

- § 1. General duties.**
- § 2. Additional responsibilities.**
- § 3. Record of ordinances.**

ARTICLE V
Borough Administrator

- § 1. General duties.**
- § 2. Additional responsibilities.**

ARTICLE VI
Appointments; Liaisons

- § 1. Appointments; Mayor's responsibilities.**
- § 2. Standing Committees.**
- § 3. Special Council Committees.**
- § 4. Liaisons.**
- § 5. Purpose of Liaisons.**
- § 6. Council Liaisons; Attendance at meetings.**
- § 7. Liaison reports.**

ARTICLE VII
Bills, Claims and Vouchers

- § 1. Preparation and submission.**
- § 2. Certification, checking, review and preliminary approval.**
- § 3. Authorization by Council.**
- § 4. Signing of checks.**
- § 5. Filing of bills, vouchers and paid checks.**

ARTICLE VIII
Press Releases

- § 1. Procedure for issuance.**

ARTICLE IX
Duties of Liaisons

- § 1. Administration**
- § 2. Board of Health**
- § 3. Chamber of Commerce**
- § 4. COAH**
- § 5. Construction**

- § 6. Economic Development Committee
- § 7. Engineer
- § 8. Environmental
- § 9. Finance
- § 10. Fire Department
- § 11. Fire Prevention
- § 12. Historic Preservation
- § 13. Insurance
- § 14. Joint Court
- § 15. Local Board of Education
- § 16. Mayor's Advisory Committee
- § 17. Municipal Alliance
- § 18. Office of Emergency Management
- § 19. Ordinances
- § 20. Pascack Valley Department of Public Works Joint Committee
- § 21. Planning Board
- § 22. Police
- § 23. Regional Board of Education
- § 24. Senior Club
- § 25. Special Events Committee
- § 26. TV Access
- § 27. Youth Guidance Council
- § 28. Website

ARTICLE X Amendments

- § 1. Proposal to amend; appointment of committee.
- § 2. Presentation of committee recommendations.
- § 3. Vote required.

ARTICLE XI Adoption and Term

- § 1. Adoption by resolution; when effective; expiration date

ARTICLE I Rules of Order

§ 1. Governing rules.

Except as otherwise provided herein or as otherwise required by law, the deliberations of the Council shall be governed by “Robert’s Rules of Order Newly Revised” (“Robert’s Rules”).

§ 2. Questions and motion require second.

No question or motion shall be put unless seconded, except referring to a report or a question put by the Mayor.

§ 3. Speakers must be recognized.

No member shall speak unless recognized by the Mayor and shall only speak on the pending subject matter or question. Every member, when speaking, shall address himself to the Mayor and shall not occupy more time that is deemed necessary by the Mayor.

§ 4. Decorum while public speaks.

While a member of the public is speaking, no member shall entertain any lengthy private discourse.

§ 5. Reconsideration.

When a question has been put and decided, it shall be in order for any member of the Council to move for reconsideration thereof, providing such motion for reconsideration shall be moved at the same, or at the next public meeting.

§ 6. Limits on public participation.

- a. No person not a member of the Governing Body shall be given the privileges of the floor except by permission of the Mayor or upon the request of a member of the Council if supported by the votes of a majority of the members of the Council present. However, during the portion of a meeting open for remarks from the public, all citizens of the Borough who conduct themselves with decorum shall be heard.
- b. The Mayor may limit each member of the audience to no more than five (5) minutes on the floor. Members of the audience who have not been heard on the floor are not permitted to grant their limit of (5) minutes to another individual on any given subject.
- c. When all members of the audience requesting the right to speak have been heard on any given subject, then the Mayor may permit members of the audience who have previously been heard to be heard on additional subjects.

- d. Members of the public may speak on any matter relevant to Borough business and affairs but the Governing Body may decline to hear comments on matters that are pending before other municipal bodies.
- e. It shall be appropriate for the Mayor or members of the Council to respond directly to questions from the public as they are asked through the Mayor.
- f. Personal attacks by a member of the Governing Body or a member of the public shall not be permitted, and personal attacks by a member of the public shall be grounds for removal from the meeting.

ARTICLE II General Provisions

§ 1. Governing Body.

The Mayor and Council of the Borough of Montvale shall constitute the Governing Body thereof.

§ 2. Re-organization.

- a. The Council shall hold an annual meeting during the first seven days of each year ("Re-organization") as prescribed by law. The date and time of the annual meeting will be determined by resolution of the Council at a regular meeting to be held in December of the year preceding the Re-organization meeting.
- b. The Mayor shall, at the annual meeting, assign the seating arrangement for Council members which shall be retained throughout the year. The roll shall be called in alphabetical order except that the Mayor's name is called last, and only when his or her vote will affect the result.

§ 3. Time and place of regular meetings.

The Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except by resolution adopted at a regular or special meeting. The public portion of all regularly scheduled and special meetings of the Mayor and Council shall be called to order at 7:30 P.M. for that portion of the meeting that is open to the public, and adjourned no later than midnight. Closed sessions of the Mayor and Council may begin before 7:30 P.M. in order to allow the public portion of the meeting to begin at 7:30 P.M. The time for commencement of closed session shall be posted on the agenda.

§ 4. Election of Council President.

At the Re-organization meeting, the Council shall elect one of its members as Council President to serve for the calendar year. The members of the Council must receive the names of those being proposed for Council President at least 10 days before the annual meeting.

§ 5. Special Meetings.

The Mayor shall, when necessary, call special meetings of the Council. In the case of his neglect or refusal, any four members of the Council may call such meeting at such time and place in the Borough as they may designate. In all cases of special meetings, reasonable advance notice, considered to be 48 hours except in case of emergency, shall be given in person to all members of the Council or left at their place of residence.

§ 6. Quorum.

A quorum shall be three Councilpersons and the Mayor, or in the absence of the Mayor, four Councilpersons.

§ 7. Participation by telephone or other communication equipment permitted; requirements.

Except as otherwise prohibited by law, members of the Governing Body who are unavailable to be physically present at any meeting of the Governing Body may attend and participate in such meeting by means of telephone or other communication equipment, to the same extent as if said member were physically present at such meeting, provided the following criteria are met:

- a. The member who is not physically present is on a speaker phone or similar device so that the absent member may hear everything said in the meeting room and everyone in the room, including the public, can hear everything the absent member says;
- b. The absent member actually hears and can participate in the entire discussion of the subject at hand; and
- c. The procedural aspects to the meeting as to notice, etc., are regular in every other respect.

If the above criteria are satisfied, the absent member shall be deemed to be present at the meeting, such presence shall be counted for purposes of establishing a quorum of the Governing Body, and said member shall be permitted to participate fully as if physically present.

Notwithstanding the foregoing, communication during public meetings between councilmembers by means of text message, email, or other similar electronic communication concerning public matters is not permissible. All communication between councilmembers during public meetings concerning public matters should be made verbally and should be audible to other councilmembers and members of the public.

Meetings held remotely via “Zoom” or other similar platforms shall be governed by the Borough of Montvale **“POLICY CONCERNING HOLDING REMOTE MEETINGS”** adopted by the Governing Body, as same may be amended from time to time.

§ 8. Adjournment of meetings.

If no quorum is present at any meeting, those assembled shall have the power and are hereby authorized to set a new meeting date and then adjourn.

§ 9. Order of business.

- a. The following order of business shall be observed:

Call to Order and Open Public Meetings Act Notice
Roll Call
Flag Salute (not during work session)
Closed/Executive Session
Special/Miscellaneous Reports or Appointments
Ordinances
Public Comment: Agenda Items Only (not during work session)
Reading and/or Approval of Minutes
Consent Resolutions
Resolutions
Bills
Liaison Reports (not during work session)
Engineer Reports
Attorney Reports
Unfinished Business
New Business
Communications and Correspondence
Public Comment: Items of Public Importance
Closed/Executive Session (if necessary)
Adjournment

- b. The aforesaid order of business at any meeting may be changed by a two-thirds (2/3) vote of the members of the Council present at such meeting.

§ 10. Action by majority vote.

Except as otherwise required by these Bylaws or by law, all actions of the Council may be by majority vote of those present, provided that a quorum of the Governing Body has been established.

§ 11. Roll-call vote.

Upon demand of one (1) member of the Council, or when ordered by the Mayor, or when provided by law, a roll call vote shall be taken and the yeas and nays entered in the Minutes of the meeting.

§ 12. Consent Resolutions.

- a. All resolutions previously sent to Council members prior to the meeting at which a vote on said resolution(s) is anticipated and upon which no discussion is anticipated may be included in a single resolution entitled "Consent Resolution."
- b. All resolutions included in the Consent Resolution shall be adopted by a single roll call vote and no discussion thereon shall be entertained at the time the Consent Resolution is moved for adoption.
- c. Any Council member, for any reason whatsoever, and said reasons need not be disclosed, may remove any items included in the Consent Resolution at any time prior to the adoption of the Consent Resolution.
- d. In order to provide an orderly method of preparing the Consent resolution, Council members should notify the Municipal Clerk by 11:00 A.M. on the date on which the Council meeting is to be held at which the Consent Resolution is to be adopted, of the matter to be removed from the Consent Resolution. Notwithstanding the aforesaid, each Council Member shall still have the right to remove any matter from the Consent Resolution prior to the adoption of the Consent Resolution.
- e. The Consent Resolution shall not be utilized with respect to the adoption of ordinances or other matters as required by law.

§13. Agenda.

- a. The Mayor shall set the agenda for all Meetings of the Mayor and Council, in consultation with the Municipal Clerk and Borough Administrator, and subject to additions requested by the Council President.
- b. All items that Council members would like placed on the agenda shall be requested no later than 12:00 Noon on the Thursday prior to the Council Meeting, and such requests shall be directed to either the Mayor or the Municipal Clerk. The Municipal Clerk shall then provide a draft agenda to the Mayor and Council President. Subsequent additions to the agenda prior to the agenda being finalized may be made by either the Mayor or the Council President. The agenda may also include additions or deletions at the meeting.
- c. Notwithstanding the foregoing, the Council may amend the agenda at a Council Meeting by a vote of a majority of those present, the Mayor having no vote except in the case of a tie.

ARTICLE III
Mayor

§ 1. Presiding officer.

The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. He or she shall also participate in the determination of Borough affairs to the extent permitted by law and may vote to break a tie.

§ 2. Preservation of order.

The Mayor shall on all occasions preserve the strictest order and decorum, and he or she shall cause the removal of all persons who interrupt the orderly proceedings of the Council.

§ 3. Conflicts over right to floor.

When two or more Councilpersons shall rise at the same time, the Mayor shall name the one entitled to the floor.

§ 4. Questions of order.

The Mayor shall decide all questions of order without debate, and he or she may call upon the Clerk or the Borough Attorney for an opinion upon any question of order.

§ 5. Liaisons.

The Mayor shall be an *ex officio* Liaison to all departments, boards, committees, agencies or organizations, both standing and special. Notwithstanding the foregoing, the Mayor may assign any Councilperson to act as Liaison to any such department, board, committee, agency or organization, as he may deem necessary and proper, and the Mayor and Borough Administrator shall be informed in advance of all meetings between the assigned Liaison and said department, board, committee, agency or organization. Any such Liaison shall serve at the pleasure of the Mayor, and such Liaison may be replaced or removed in the sole discretion of the Mayor.

§ 6. Absence of Mayor.

In the absence of the Mayor, or if the Mayor is unable to perform his or her duties, the Council President, or, in the event the Council President is unable to act, the Council member having the longest tenure as such, shall act as Mayor. The Council President or Councilperson acting as Mayor shall retain his or her right to vote.

ARTICLE IV
Municipal Clerk

§ 1. General duties.

The Municipal Clerk shall perform such duties as set forth in the Revised Statutes of New Jersey, the Borough Code, and these Bylaws.

§ 2. Additional responsibilities.

The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer and, in addition, such other duties or services as the Mayor or Council may direct.

§ 3. Record of ordinances.

Upon final passage of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the ordinance book.

ARTICLE V
Borough Administrator

§ 1. General duties.

The Administrator shall perform such duties as set forth in the Revised Statutes of New Jersey, the Borough Code, and these Bylaws.

§ 2. Additional responsibilities.

The Administrator shall provide periodic reports at public meetings and shall keep the Mayor and Council informed of all matters that require the attention or action of the Mayor and Council.

ARTICLE VI
Appointments; Liaisons

§ 1. Appointments; Mayor's responsibilities.

- a. The Mayor shall nominate and, with the advice and consent of the Council, appoint all subordinate officers of the Borough, unless otherwise provided by the Borough Code or State law. The Mayor shall make his or her nomination to any such office within 30 days of that office becoming vacant.

- b. The members of the Council shall receive the names of those being proposed for appointment at least 5 days before the meeting when the appointment will take place. The Council shall submit any comments, suggestions or recommendations regarding the proposed appointments to the Mayor at least 2 days before the meeting when the appointment will take place.
- c. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office in the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purposes, the Mayor to have no vote thereon except in the case of a tie.
- d. Special Mayoral appointments. Notwithstanding anything in these bylaws to the contrary, the following appointments shall be made by the Mayor. All such appointees shall serve at the pleasure of the Mayor, and such appointees may be replaced or removed in the sole discretion of the Mayor. No Council approval shall be required for any such appointment or removal/replacement.

Chamber of Commerce
COAH Committee
Council Liaisons
Economic Development
Environmental Commission
Federal Aviation Administration (FAA – airplane traffic)
Historian
Historic Preservation Commission
Insurance Committee
Bergen Joint Insurance Fund Commissioner
Joint Court Committee
Mayor's Advisory Committee
Montvale Seniors Club
Planning Board – Class I, II, and IV
Police Commissioner/Deputy Police Commissioner
Veterans Affairs Committee

§ 2. Standing Committees.

- a. The Mayor shall appoint all committee members at his or her sole discretion.
- b. The following Standing Committees of the Council, consisting of at least two Council Members each (other than the Mayor, *ex officio*) shall be appointed at the annual re-organization meeting:

- COAH Committee
 - Federal Aviation Administration Committee (FAA – airplane traffic)
 - Finance Committee
 - Joint Court Committee
 - Pascack Valley Department of Public Works Committee

- c. Each councilmember shall be a member of at least one Standing Committee.
- d. The Standing Committees are appointed to expedite and facilitate the work of the Council, but only within the limits prescribed by law. A Standing Committee shall:
 - i. Meet when requested by the Chairperson, or a majority of the committee, and all members shall participate actively in committee deliberations, the performance of its duties and the formulation of its recommendation(s) to the Council.
 - ii. Perform such acts as may be assigned to it by the Council.
- e. Except as provided above, a Standing Committee shall not:
 - i. Make promises or commitments to anyone which directly or by inference binds the Council.
 - ii. Act in such a manner or make decisions which set a precedent, or violate established Council policy.
- f. Notwithstanding the foregoing, all Councilpersons appointed to Standing Committees shall serve at the pleasure of the Mayor, and such Councilpersons may be replaced or removed in the sole discretion of the Mayor.
- g. In the event of an individual's death, resignation, removal from office or incapacity to serve on a Standing Committee, the Mayor shall name a successor member.

§ 3. Special Council Committees.

Special Council Committees may be appointed for purposes other than those included in the duties of the Standing Committees listed in Section 2 of this Article.

§ 4. Liaisons.

- a. At the Re-organization meeting, each Councilperson shall be appointed by the Mayor to serve as Liaison to at least one of the following departments, boards, committees, agencies or organizations:

Administration
Board of Health
Chamber of Commerce
COAH Committee
Construction
Corporate Residents
Economic Development
Engineer
Environmental Commission
FAA Committee
Finance Committee
Fire Department
Fire Prevention
Historic Preservation Commission
Insurance
Bergen Joint Insurance Fund Commissioner
Joint Court Committee
Local Board of Education
Mayor's Advisory Committee
Municipal Alliance
Ordinances
Office of Emergency Management
Pascack Valley Department of Public Works Joint Committee
Planning Board
Police
Regional Board of Education
Senior Club
Special Events Committee
TV Access
Youth Guidance Council
Veterans Affairs
Website

- b. Nothing herein shall prevent the Mayor from appointing an additional Liaison(s) for any of the above issues, or from appointing a Special Liaison(s) for special issues or projects. The appointment(s) of a Special Liaison shall be for the duration of said project or issue.
- c. Notwithstanding the foregoing, all Councilpersons appointed as Liaisons shall serve at the pleasure of the Mayor, and such Liaisons may be replaced or removed in the sole discretion of the Mayor.

- d. In the event of an individual's death, resignation, removal from office or incapacity to serve as a Liaison, the Mayor shall name a successor Liaison.

§ 5. Purpose of Liaisons.

- a. Liaisons are appointed to expedite and facilitate the work of the Council, but the entire Council shall be responsible for acts done pursuant to a Liaison's recommendations.
- b. The Liaison shall:
 - i. Plan, study, direct and make commitments within budgetary limitations, and carry on the routine activities for which the Liaison has primary responsibility. The Liaison shall at all times be subject to ultimate control of the Mayor and Borough Council.
 - ii. Furnish a written report each month to be read at the first regular meeting of the Mayor and Council in each month, which report shall cover the detailed operations of their department, board, committee, agency or organization for the preceding month. A copy of the report shall be provided to the Municipal Clerk for inclusion in the minutes.
 - iii. Perform such acts, in addition to the routine activities, as may be assigned to him or her by the Mayor.
- c. Except as noted above, a Liaison shall not:
 - i. Make any purchase except in accordance with the ordinances of the Borough of Montvale and applicable law, or exceed its budgetary appropriations without prior approval of the Council.
 - ii. Make promises or commitments to anyone which directly or by inference binds the Council.
 - iii. Act in such a manner or make decisions which set a precedent, or violate established Council policy.
 - iv. Meet directly with any employee of the Borough regarding department matters in absence of the Borough Administrator or relevant Department Head.

§ 6. Council Liaisons; Attendance at meetings.

The Liaison shall attend the meetings of such departments, boards, committees, agencies and organizations to which the Liaison has been assigned. In the event the Liaison is unable to attend any particular meeting, he or she shall notify the Mayor, who may attend such meeting or appoint a substitute Liaison to attend such meeting.

§ 7. Liaison reports.

Each Liaison shall be prepared to report to the Mayor and Council at each regular meeting on the principal activities and achievements of his or her department, board, committee, agency or organization. The Liaison shall also prepare and submit in writing to the Mayor, not later than the Re-organization meeting of the following year, a suitable report regarding relevant activity from the previous year.

ARTICLE VII Bills, Claims and Vouchers

§ 1. Preparation and submission.

- a. All bills or claims against the Borough shall be in writing, fully itemized and on such forms as the Borough shall provide for that purpose. As required by statute, they shall be sworn to by the claimant before submission for approval and payment.
- b. All vouchers must be submitted to the Municipal Clerk and Borough Administrator in full form, except for Council Committee approval, on or before the Wednesday preceding the meeting of the Mayor and Council at which they are presented for approval.

§ 2. Certification, checking, review and preliminary approval.

- a. All bills and claims must be supported by a certification of the receipt of the goods, or the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the Borough and who may be held accountable therefor. Each such bill or claim shall then be carefully reviewed and checked by, or under the direction of, the Borough official who performs the administrative certification on the voucher form.
- b. All checked vouchers with supporting papers attached will then be presented to the Liaison having jurisdiction over the activity or matter for which the expenditure was incurred. The appropriate Liaison shall examine all vouchers, and if approved by the appropriate Liaison, the voucher will then be submitted to the Council for authorization to pay the same.

§ 3. Authorization by Council.

- a. All vouchers recommended for payment shall be presented to the Council by the Borough Clerk at a regular or special meeting or an adjourned regular or special meeting.

- b. The Municipal Clerk shall present the total of all vouchers to be approved.
- c. Authorization to draw the checks and pay the amounts of the approved vouchers shall be by resolution of the Council.

§ 4. Signing of checks.

The corresponding vouchers shall accompany all checks drawn in payment thereof when the said checks are presented to the Mayor, the Treasurer and to the Municipal Clerk for signature.

§ 5. Filing of bills, vouchers and paid checks.

All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

**ARTICLE VIII
Press Releases**

§ 1. Procedure for issuance.

- a. Official Borough press releases shall be approved by the Mayor or by a majority of the Council and issued through the Borough Administrator's office. Press releases other than official Borough press releases shall not be prepared on Borough letterhead and shall contain a disclaimer noting that the views contained therein do not represent the official views of the Council of the Borough of Montvale.
- b. Any request from the public or the media that goes beyond simple factual statements (e.g., "What is Montvale's policy on open space?" vs. "Why are the municipal offices closed today? – Because the County is repaving.") should be referred to the Mayor and Council member(s) serving as Liaison to those activities.
- c. All press releases shall be reviewed with the appropriate Council member(s) and the Mayor prior to being distributed. If it is not necessary to contact the Mayor and appropriate Council member(s) prior to answering questions or issuing statements (for simple factual statements), the Borough Administrator shall notify the Mayor and Council of any such answer or issuance immediate afterward by e-mail, fax or phone.

ARTICLE IX
Duties of Liaisons

§ 1. Administration

The Administration Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Act as the Liaison, in coordination with the Borough Administrator and Department Heads in the review of all aspects of the Borough staff.
- b. Act as the Liaison to the Administrator for the review and presentation to the Council of proposed changes to the Borough staff.

§ 2. Board of Health

The Board of Health Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the operation of refuse collection, disposal and recycling.
- b. Scavenger contract negotiation committee.
- c. Board of Health
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 3. Chamber of Commerce

The Chamber of Commerce Liaison shall have primary responsibility for cooperation and coordination between the Borough Council and the Montvale Chamber of Commerce.

§ 4. COAH

The COAH Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the COAH Committee, including compliance with the mandates of COAH or any successor agency.

- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 5. Construction

The Construction Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the following:
 - i. Construction, alteration and repair of all public buildings, structures and land uses.
 - ii. Construction and maintenance of sidewalks and curbs.
 - iii. The Construction Official and his/her office.
 - iv. Maintenance and operation of all public buildings and structures, including the Borough Garage.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 6. Economic Development Committee

The Economic Development Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Attendance and participation of all meetings of the Economic Development Committee.
- b. Provide regular feedback to the Mayor on matters raised by the Economic Development Committee.
- c. Provide information useful to the Economic Development Committee or as directed by the Mayor.

§ 7. Engineer

The Engineer Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Borough Engineer.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 8. Environmental

The Environmental Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Environmental Commission.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 9. Finance

The Finance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Examination, review and approval of all vouchers prior to their submission to the Council for authority to pay the same.
- b. Liaison for the administration, practices, procedures and records of the following:
 - i. Borough Clerk and his/her office.
 - ii. Collector/Treasurer and his/her office.
 - iii. Chief Financial Officer.
 - iv. Borough Administrator.
 - v. Registered Municipal Accountant.
- c. Recommendation for the initiation of foreclosure actions, and subsequent administration and disposition of property acquired, by the Borough under Tax Title Liens.

- d. Coordination of departmental budgets, preparation of budgetary figures relating to the activities above-mentioned, final preparation, explanation and continuing supervision of the entire Municipal Budget.
- e. Maintenance, review and revision of the Borough Fixed Asset System.
- f. Liaison to Borough Administrator for the review and presentation to the Council of the proposed Municipal Budget, and the budget of any public body under the jurisdiction of the Council.

§ 10. Fire Department

The Fire Department Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Fire Department activities in all its branches.
- b. Installation of water facilities.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 11. Fire Prevention

The Fire Prevention Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Enforcement of the Fire Prevention Code.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 12. Historic Preservation

The Historic Preservation Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Historic Preservation Committee and the Borough Historian.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 13. Insurance

The Insurance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Borough's Joint Insurance Fund and any additional insurers.
- b. Liaison for the administration, practices, procedures and records of the Borough's Risk Manager.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§14. Joint Court

The Joint Court Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Pascack Joint Municipal Court.
- b. Attendance and participation at all meetings of the Joint Court Committee.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 16. Local Board of Education

The Local Board of Education Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Local Board of Education Committee.
- b. Cooperation and coordination with the Local Board of Education.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 17. Mayor's Advisory Committee

The Mayor's Advisory Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Attendance and participation of all meetings of the Advisory Committee.
- b. Provide regular feedback to the Mayor on matters raised by the Advisory Committee.
- c. Provide information useful to the Advisory Committee or as directed by the Mayor.

§ 18. Municipal Alliance

The Municipal Alliance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Municipal Alliance.
- b. Coordination with the Montvale Police D.A.R.E. Program and the Hills Valley Coalition.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 19. Office of Emergency Management

The Emergency Management Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Office of Emergency Management.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 20. Ordinances

The Ordinance Liaison shall have primary responsibility for the review and presentment to the Council of ordinances for consideration of introduction and public hearing, as appropriate. Said consideration of ordinances shall be at the recommendation of the Mayor, Council, Borough Administrator, Borough Attorney or the appropriate Boards and Committees.

§ 21. Pascack Valley Department of Public Works Joint Committee

The Joint Committee Liaisons shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures of the Pascack Valley Department of Public Works Shared Service Agreement.
- b. Attendance and participation and all meetings of the Joint Committee.

§ 22. Planning Board

The Planning Board Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Planning Board.
- b. Coordination of required zoning changes and other development ordinance amendments.
- c. Coordination of periodic reexamination of the Master Plan.
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 23. Police

The Police Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, procedures and records of the following:
 - i. Policy activities
 - ii. Granting of licenses, and the inspection of premises and persons, as designated by the Council.
 - iii. Highway traffic and all parking matters.
 - iv. Emergency management activities.
- b. Liaison between Council, Transportation Corporations, Municipal Magistrate, Animal Control and all other agencies concerned with public safety or delinquency.
- c. Police Contract Negotiating Committee.
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 24. Regional Board of Education

The Regional Board of Education Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Regional Board of Education Committee.
- b. Cooperation and coordination with the Regional Board of Education.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 26. Senior Club

The Senior Club Liaison shall have primary responsibility for cooperation and coordination between the Borough Council and the Montvale Senior Club.

§ 27. Special Events Committee

The Special Events Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison of the Special Events Committee will assist with the planning and coordination of all community events. This committee supports all phases of our community events that are instrumental in getting the residents engaged in events.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 28. TV Access

The TV Access Committee shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Ensure that the terms and conditions of the Borough's franchise with the provider of the Borough's cable television services are carried out and enforced.
- b. Liaison to the MonTVale Access Group.
- c. Handle all unresolved resident complaints regarding cable television service if requested to do so by the resident after the resident has attempted to resolve the complaint on his/her own.

- d. Review of all video tapes prepared by or for the Montvale Access Group prior to broadcast to ensure the video tapes do not exceed the established boundaries of good taste and are in accordance with all other official communications and information presented and prepared by or for the Borough of Montvale.
- e. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 29. Youth Guidance Council

The Youth Guidance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Youth Guidance Council.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 30. Website

The Website Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Website Committee.
- b. Determine and recommend necessary upgrades to the Borough website.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

ARTICLE X Amendments

§ 1. Proposal to amend; appointment of committee.

- a. The Mayor or any member of the Council may propose amendments to these bylaws at any meeting of the Council.
- b. The Mayor may then appoint a special committee of two or more members of the Council to consider the proposed amendments.

§ 2. Presentation of committee recommendations.

The special committee will present its recommendations at a meeting of the Council.

§ 3. Vote required.

These bylaws shall only be altered or amended by a two-thirds vote of the Council.

**ARTICLE XI
Adoption and Term**

§ 1. Adoption by resolution; when effective; expiration date

These bylaws shall be adopted by a resolution of the Borough Council concurred in by a majority of the members. The bylaws shall become effective immediately after adoption and shall remain in effect for not longer than the Re-organization meeting for the year next following the year in which the bylaws were adopted.

Originally Adopted January 2, 2013

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 19-2024**

RE: A Resolution Authorizing the Re-Affirmation Of The Policy & Procedures Manual Of The Municipality

WHEREAS, the Municipality has a Policies & Procedures Manual which has been established to ensure Employees and prospective Employees are treated in a manner consistent with all applicable employment laws, regulations and protocols; and

WHEREAS, the Borough places great value and consideration in relation to the health, well-being and safety of its Employees.

WHEREAS, said Manual is also in accordance with the requirements promulgated by the Bergen County Municipal Joint Insurance Fund and under the auspices of the New Jersey Municipal Excess Liability Fund; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the Manual previously adopted by Resolution is hereby reaffirmed to serve as the Borough's Policies and Procedures serving and applying to every Employee, Volunteer, Elected & Appointed Official and Independent Contractor(s) serving the Municipality; and

BE IT FURTHER RESOLVED, the Borough will continue to monitor changes in Federal and State Statutes and Regulations to ensure continued compliance with applicable laws, regulations and policies that impact the employment practices of the Municipality; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be maintained on file in the Clerk's office and shall also be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Municipality.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

BOROUGH OF MONTVALE PERSONNEL POLICIES & PROCEDURES MANUAL

A Non-Civil Service Jurisdiction



Municipal Excess Liability

Joint Insurance Fund

JANUARY 2024

AT-WILL STATEMENT & DISCLAIMER

The contents of this Personnel Policies and Procedures manual (hereinafter, "the Manual") summarize the current benefits and guidelines within the Municipality (hereinafter, "the Borough") and are intended as guidelines.

The Borough reserves the right to change, delete, suspend, or discontinue any part or parts of this Manual at any time, without prior notice, and any such action shall apply to existing as well as future Employees. You should be aware these benefits and guidelines may be changed at any time and that depending upon the circumstances of a given situation, the Borough's actions may vary from the provisions of this Manual. As such, the contents of the Manual do not constitute the Terms of a Contract of Employment.

This Manual has been written so as not to conflict with the collective bargaining agreements between the Borough and its unionized Employees. If there is a conflict between this Manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented Employees. This Manual has been written so as not to conflict with the provisions and mandates of the laws and regulations governing employment in the State of New Jersey. If there is a conflict between this Manual and any such mandate pursuant to law, such law will prevail for covered Employees.

This Manual supersedes and replaces all prior personnel policy and benefit statements, whether oral or in writing. While some of the provisions contained herein refer specifically only to federal law, Employees should be aware that the Borough will comply with all federal, state and local laws. Should any provision in this Manual be found to be unenforceable and/or invalid, such finding does not invalidate the entire Manual, but only the subject provision. Many of the policies in this handbook shall also apply in equal force to volunteers of the Borough. [NOTE: the definition of volunteers should be based on the individual municipality's structure as it relates to volunteers, including volunteer fire departments.

It should be noted that nothing contained in this Manual should be construed as a guarantee of employment; but rather, EMPLOYMENT WITH THE BOROUGH IS ON AN AT-WILL BASIS. This means that either the Employee or the Borough, with or without cause, may terminate the employment relationship at any time, with or without notice, for any reason not expressly prohibited by law. Any exception must be expressly authorized and signed by the Borough.

When changes are made to this Manual, the Borough will make any corresponding changes to the Employee Handbook that are necessary so that the Manual and Handbook do not conflict.

All Employees will be notified when any material changes are made to the policies contained in this Manual.

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SECTION ONE: GENERAL PERSONNEL POLICIES

It is the policy of the Borough of Montvale to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Borough of Montvale shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law including the Attorney General's guidelines with respect to Police Department personnel matters, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

All employees, officers and Department Heads shall be appointed and promoted by the Mayor and Council and Borough Administrator. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Mayor and Council as well as the necessary budget appropriation and salary ordinance.

The Borough Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Mayor and Council have appointed the Council Liaison to assist the Borough Administrator implement personnel practices. The Borough Administrator and Council Liaison shall also have access to the Borough Attorney appointed by the Mayor and Council for guidance in personnel matters.

As a general principle, the Borough of Montvale has a "no tolerance" policy towards workplace wrongdoing. Borough of Montvale officials, employees and independent contractors are to report anything perceived to be improper. The Borough of Montvale believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, Department Head, Borough Administrator, the Council Liaison or the Borough Attorney concerning any problem.

The Personnel Policies and Procedures Manual adopted by the designated representative(s) of the Mayor and Council is intended to provide guidelines covering public service by Borough of Montvale employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for Borough of Montvale personnel. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Montvale.

<p>To the maximum extent permitted by law, the employment practices of the Borough of Montvale shall operate under the legal doctrine known, as "employment at will." Within Federal and State law, and any applicable bargaining unit agreement, the Borough of Montvale shall have the right to terminate an employee at any time and for any reason, with or without notice, except the Borough of Montvale shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.</p>

PLACEHOLDER FOR RESOLUTION ADOPTING MANUAL

PLACEHOLDER FOR CIVIL RIGHTS RESOLUTION

EQUAL EMPLOYMENT OPPORTUNITY POLICY:

The Borough of Montvale is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) and all other applicable State or federal laws. Under no circumstances will the Borough discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy, breastfeeding, childbirth, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by State or federal law. Accordingly, decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the Employee or prospective Employee. If any Employee or prospective Employee feels they have been treated unfairly, they have the right to address their concerns with their Supervisor, or if they prefer, their Department Head, the Borough Administrator, Borough Clerk or any other Supervisor with whom they feel comfortable, using the Complaint Procedure in the Policy Against Harassment section in this Manual.

Any Employee with questions or concerns with any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of Management through the Complaint Procedure set forth in the Policy Against Harassment contained within this Manual.

AMERICANS WITH DISABILITIES:

The Borough complies with the New Jersey Law Against Discrimination (LAD) and the Americans with Disabilities Act (ADA). The Borough will not discriminate against any qualified Employee or Job Applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, pregnancy, pregnancy-related medical condition, breastfeeding or childbirth. The Borough will also make reasonable accommodations wherever possible for all Employees or applicants with disabilities, provided the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided the accommodation(s) do not require significant difficulty or expense. The Borough's, Non-Discrimination Policy applies to all aspects of the Borough-Employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination.

Definitions. The Americans with Disabilities Act defines an individual with a disability as any person who:

- (1) has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking;
- (2) has a record of such an impairment; or
- (3) is regarded as having such an impairment.

An individual must satisfy at least one of the three prongs of the above definition to be considered an individual with a disability under the ADA. Temporary conditions, such as a broken leg, are not disabilities, nor are minor impairments, such as vision problems that are correctable with glasses.

The New Jersey Law Against Discrimination defines disability as a physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

A qualified individual is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position held or sought.

An individual who poses a threat to the health and safety of oneself or to others is not qualified. Reasonable accommodation means any change or adjustment to a job or work environment that does not impose an undue hardship on the Borough, or that permits a qualified applicant or Employee with a disability to participate in the job application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by Employees without disabilities.

Requesting Accommodation. Qualified Employees or prospective Employees with disabilities may request accommodations to perform the essential functions of their job or gain access to the hiring process. Employees or prospective Employees should direct their written request to the Borough. In the written request, the Employee or prospective Employee should identify themselves as a person with a disability, eligible for protection, and identify the nature of the accommodation or consideration desired.

The Borough may require the Employee to provide adequate medical or other appropriate documentation of the disability and the need for the desired accommodation. The Borough will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or Employee with a disability unless the accommodation would impose an undue hardship on the Borough's business operation.

To further the Borough's nondiscrimination policy, the Borough will:

- Identify the essential functions of a job;
- Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and
- Determine whether a reasonable accommodation can be made for a qualified individual.

Reasonable accommodations that the Borough may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include the following:

- Making existing facilities accessible and usable;
- Job restructuring;
- Part-time or modified work schedules;
- Acquiring or modifying equipment or devices;
- Appropriate adjustment or modifications of testing materials, training materials, and/or policies;
- Reassignment to a vacant position.

In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

The Borough is also committed to not discriminating against any qualified Employee or applicant because he or she is related to or associated with a person with a disability. If any applicant or Employee has questions concerning the Borough's equal employment opportunity policy, he or she should contact the Borough.

POLICY AGAINST HARASSMENT:

The Borough is committed to providing a work environment is free of discrimination. The Borough will not tolerate harassment of or by Employees towards anyone, including any supervisor, co-worker, or non-Employee, including vendors and citizens.

Applicability. This Policy applies to all people employed by the Borough, as well as volunteers working on behalf of the Borough, and prohibits such conduct by or towards all such Employees/Volunteers. Independent Contractors, Vendors and all other parties, engaged in a professional business relationship with the Borough, are also expected to abide by the Policy. In addition, no Employee shall be required to withstand behavior from the public which violates this Policy.

Purpose. This Policy is designed to ensure all Employees a work environment free of any type of discrimination based upon a protected status, including freedom from sexual harassment. The purpose of this Policy is to inform Employees that harassment based upon a protected status is prohibited, to educate Employees about harassment based upon a protected status and to provide Employees with a procedure to bring complaints to Management's attention.

Provisions. All Employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Borough prohibits any form of harassment or discrimination related to an Employee's protected group status, including race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law. Harassment includes, but is not limited to:

- A. Treating an individual less favorably based on a person's protected group status;
- B. Using derogatory or demeaning slurs to refer to a person's protected group status;
- C. Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an Employee or create a hostile work environment;
- D. Using derogatory references regarding a protected group status in any job-related communication;
- E. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or

- F. Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, based on any protected group status.

Any form of harassment or discrimination related to an Employee's protected group status violates this Policy.

This Policy applies to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development.

Violations of this Policy will result in appropriate disciplinary action up to and including termination of employment.

Sexual Harassment. The Borough prohibits sexual harassment of its Employees in any form. Such conduct shall result in appropriate disciplinary action up to and including dismissal from employment.

- A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, gestures or communications, expressed or implied, of a sexual nature when:
 - (1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
 - (2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
 - (3) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.
- B. Prohibited Conduct: No Supervisory Employee shall threaten or insinuate either directly or indirectly, that an Employee's refusal to submit to sexual advances will adversely affect the Employee's continued employment, evaluation, compensation, assignment, advancement, or any other condition of employment. Similarly, no supervisory Employee shall promise or suggest either directly or indirectly, that an Employee's submission to sexual advances will result in any improvement in any term or condition of employment for the Employee.

Other sexually harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel is also prohibited. This includes, but shall not be limited to:

- (1) Sexual flirtations, advances, propositions, subtle pressure for sexual activity, flirtatious whistling, discussing sexual activities;

- (2) Verbal abuse of a sexual nature including sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, and foul or obscene language or gestures;
- (3) The display of sexually graphic pictures or pictures of an offensive nature, or objects in the workplace, including sexually suggestive written material such as letters, notes, facsimiles, text messages and e-mails;
- (4) Any unwelcome sexually motivated touching, including, for example, patting, pinching, hugging, cornering, blocking or impeding movement and repeated brushing against another Employee's body.

Sexual harassment also occurs when one person harasses another solely because of the victim's gender. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. For example, this would include gender stereotyping such as comments about the lesser abilities, capacities, or the "proper role" of females. It also includes subjecting a woman or a man to non-sexual harassment solely because of her or his gender. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment.

Complaint Procedure. Any Employee who feels he or she has been subject to harassment should report the incident directly to the designated Affirmative Action Officer, which is the Borough Administrator or her Designee. The designated Affirmative Action Officer will ask the Employee to complete a Harassment Complaint Form. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this Policy. The names and telephone numbers of the designated Affirmative Action Officer and Chief Administrative Officer are contained in the Contact Information attached to this Policy.

Any individual uncomfortable reporting an incident to the designated Affirmative Action Officer and/or Chief Administrative Officer should feel free to go to any management representative which he or she feels most comfortable, to relay the problem. When any management representative learns of a violation of this policy, the management representative shall assist the victim in reporting the alleged incident(s) of harassment.

The Borough strongly encourages Employees who witness conduct which they believe violates the Borough's Policy Against Harassment to report the violation pursuant to this Complaint Procedure. The harassment or discrimination does not have to occur on the Borough's property during regular work hours for an Employee to file a complaint under this Policy. The Borough encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within sixty (60) days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

Investigation Procedure. The Borough shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The designated Affirmative Action Officer and/or Chief Administrative Officer shall designate an objective investigator to determine the validity of any complaint. The objective investigator may include any third party deemed appropriate by the Borough.

The investigation shall be completed in a reasonable timeframe to resolve the issue and minimize the effects of such investigation on the parties involved. The investigation will, at a minimum, include an interview with the Employee bringing the complaint and the accused.

If the Borough determines the complaint has merit, the accused shall face appropriate disciplinary action, based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion, or termination of employment. Any disciplinary action shall be consistent with applicable collective bargaining agreements, regulations and applicable due process safeguards. Upon completion of the investigation, the entire file shall be maintained in a secure location with the Borough.

In the event the Borough determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the Employee who caused the fraudulent complaint to be filed.

Privacy. To the extent possible, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the Borough will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible, including confidentiality of the identities of all persons involved or alleged to be involved in the incident, revealing only those particulars of the matter to the extent necessary for a thorough investigation. Any Employee who unnecessarily compromises the confidentiality of an investigation will be subject to appropriate discipline.

Responsibility of Supervisory Personnel. Supervisors are to monitor the work environment to ensure that all subordinates comply with this Policy Against Harassment. When a supervisor learns of a violation of this policy, the supervisor shall assist the victim in reporting the alleged incident(s) of harassment.

Alternatively, the supervisor shall report the matter to the designated Affirmative Action Officer and/or Chief Administrative Officer for resolution.

Retaliation Prohibited. The Borough encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. The filing of a complaint, in good faith, shall not, under any circumstances provide cause for discipline. Additionally, it is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure.

Any Supervisor who receives a harassment complaint from any Employee must bring it to the attention of the designated Affirmative Action Officer and/or Chief Administrative Officer for resolution. Supervisors shall closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not be limited to verbal remarks, irregular assignments or any other activity that may contribute to a hostile work environment.

Legal Effect. This Policy Against Harassment is to be construed as a unilateral expression of the policy of the Borough concerning harassment in the workplace. It is not intended to create any contractual rights or duties and any such intention or effect is hereby disclaimed. This policy may be amended, supplemented, modified and/or revised at any time.

Any Employee with questions regarding the Borough's Policy Against Harassment should contact the designated Affirmative Action Officer and/or Chief Administrative Officer.

Training. The Borough recognizes the need to reinforce its policies with effective training. Training is provided and available to all Supervisory and Non-Supervisory Employees. Ultimately, the goal of effective training is to build a culture in which all Employees feel safe. Training may be conducted in person or through electronic means.

Training should empower participants to intervene appropriately when they witness harassment or discrimination. This means not only training participants on the requirements of the policy prohibiting harassment and discrimination, but also training participants on tools for response and lodging complaints. Training should emphasize the negative impact of harassment and discrimination on Employees, workplace productivity, workplace culture, and encouraging those Employees who either experience harassment/discrimination or witness it to report it.

Monitor for Compliance. The Borough acknowledges the importance of ensuring the Boroughs' policies and procedures are working as intended to prevent sexual harassment and other forms of discrimination from occurring in the workplace. It is the expectation of the Borough that all Supervisors shall enforce anti-harassment policies and that setting the proper example is part of their job description and part of the evaluation of their job performance. The Borough will engage in proactive efforts to monitor and ensure compliance with its policies within their workplaces.

Contact Information

BOROUGH OF MONTVALE:

CHIEF ADMINISTRATIVE OFFICER

Borough Administrator

ALTERNATE ADMINISTRATIVE OFFICER

Chief of Police

Harassment Complaint Form

***THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING
THE COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED***

Name:

Department:

Job Title:

Supervisor:

Union Representative (*if any*):

Time Period Covered by Complaint:

Individuals Who Allegedly Committed Harassment:

	Name	Department	Job Title
1.	<hr/>	<hr/>	<hr/>
2.	<hr/>	<hr/>	<hr/>
3.	<hr/>	<hr/>	<hr/>
4.	<hr/>	<hr/>	<hr/>
5.	<hr/>	<hr/>	<hr/>

Describe the dates and the nature of the harassment allegedly committed by each identified individual:

Identify all Employees or others with knowledge of the complained of conduct:

Are there any documents which contain information supporting the occurrences described above?

Is there any physical evidence which supports your complaint? If so, please describe:

Have you missed any work time as a result of the alleged harassment? If "yes," identify the occasions.

Have you incurred any unreimbursed medical expenses as a result of the alleged harassment?

If you previously complained about this or related acts of general harassment to a Borough supervisor or official, please identify the individual to whom you complained, the date of the complaint, and the resolution of your complaint:

(Attach Additional Sheets if Necessary)

Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

What is your requested remedy in this complaint?

Acknowledgement:

The information provided above is true and correct.

Signature of Complainant: _____ Date: _____

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of the allegations or defenses. The Borough will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action up to and including termination.

I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence the Borough deems relevant.

Signature of Complainant: _____ Date: _____

Witness Statement Form

***THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING THE
COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED***

Name: _____

Department: _____

Job Title: _____

Union Representative *(if any)*: _____

Length of Time Known: Complainant _____ Respondent _____

Individuals Who Allegedly Committed Harassment:

	Name	Department	Job Title
1.	_____	_____	_____
	_____	_____	_____
2.	_____	_____	_____
	_____	_____	_____
3.	_____	_____	_____
	_____	_____	_____
4.	_____	_____	_____
	_____	_____	_____
5.	_____	_____	_____
	_____	_____	_____

Identities of other persons with knowledge of facts relevant to this investigation:

(Attach Additional Sheets if Necessary)

Witness Statement Form (cont'd)

Please provide a detailed description of the events you witnessed. Include the date, time, location and individuals present.

Any other information which should be considered in evaluating the validity of the complaint in this case:

Acknowledgment:

I, _____, affirm that the information I have provided is true and correct. I acknowledge that the investigation is confidential and that I am not to disclose information obtained by me during the course of this investigation. I understand that unauthorized disclosures could result in disciplinary action up to and including termination.

Signature of Witness: _____ Date: _____

POLICY PROHIBITING WORKPLACE VIOLENCE:

The Borough has adopted a Zero Tolerance Policy for workplace violence because it recognizes that workplace violence is a growing problem nationally that needs to be addressed by all Employers. Consistent with this Policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the Borough, its Employees or which occur on the Borough's property will not be tolerated.

Threats or Acts of Violence Defined. "Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions with the Borough, or to create a hostile, abusive, or intimidating work environment for one or more Employees.

Examples of Workplace Violence. General examples of prohibited workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on Borough property, regardless of the relationship between the Borough and the parties involved in the incident.
- All threats or acts of violence not occurring on Borough property but involving someone who is acting in the capacity of a representative of the Borough.
- All threats and acts of violence not occurring on Borough property involving an Employee of the Borough if the threats or acts of violence affect the legitimate interest of the Borough.
- Any threats or acts resulting in the conviction of an Employee or agent of the Borough, or of an individual performing services on the Borough's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the Borough.

Specific Examples of Prohibited Conduct. Specific examples of conduct which may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to:

- Hitting, fighting, pushing, or shoving an individual or throwing objects;
- Threatening to harm an individual or his/her family, friends, associates, or their property;
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the Borough;
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;

- Intimidating or attempting to coerce an Employee to do wrongful acts that would affect the business interests of the Borough;
- Harassing surveillance, also known as “stalking,” the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety;
- Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs;
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Borough property.

While Employees of the Borough may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, Employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Application of Prohibition. The Borough’s prohibition against threats and acts of violence applies to all persons involved in the Borough’s operation, including but not limited to Borough personnel, volunteer, contract and temporary workers, and anyone else on Borough property. Violation of this policy by any individual on Borough property, by any individual acting as a representative of the Borough while not on Borough property, or any individual acting off of the Borough property when his or her actions affect the public interest or the Borough’s business interests will be followed by legal action, as appropriate. Violation by an Employee of any provision of this policy may lead to disciplinary action up to and including termination.

Warning Signs, Symptoms and Risk Factors. The following are examples of warning signs, symptoms, and risk factors which MAY indicate an Employee’s potential for workplace violence:

- Making intimidating statements like: “You know what happened at the Post Office,” “I’ll get even,” or “You haven’t heard the last from me”;
- Possessing reading material with themes of violence, revenge and harassment;
- Dropping hints about a knowledge of firearms;
- Physical signs of hard breathing, reddening of complexion, menacing stare, loudness, fast profane speech;
- Acting out either verbally or physically;
- Disgruntled Employee or ex-Employee who is excessively bitter;
- Having a romantic obsession with a co-worker who does not share that interest;

- History of interpersonal conflict;
- Intense anger, lack of empathy;
- Domestic problems, unstable/dysfunctional family;
- Brooding, depressed strange behavior, “time bomb ready to go off.”

Supervisors should be alerted to and aware of these indicators. If an Employee exhibits such behavior, the Employee should be monitored and such behavior should be documented.

Procedures for Dealing with Acts of Workplace Violence. When a violent act occurs in the workplace: If a violent act or altercation constitutes an emergency, call 9-1-1 or the local police department. In instances that are not emergency situations, contact your Department Head or the designated human resources official. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or if it would be too dangerous for the Employee to separate the parties, call 9-1-1 or the local police department, and contact your Department Head or the designated human resources official. The Department Head will contact the designated human resource officer, who will take responsibility for coordinating a response to the incident.

In instances that involve criminal situations, the designated human resources official will contact the appropriate local police department for assessment, and if necessary, a criminal investigation.

Employee Reporting Obligations and Procedure. Each Employee and every person on Borough property is encouraged to report incidents or threats or acts of physical violence of which he or she is aware. In cases where the reporting individual is not an Employee, the report should be made to the local police department. In cases where the reporting individual is an Employee, the report should be made to the Employee’s Department Head or the designated human resources official. Each Department Head shall promptly refer any such incident to the designated human resources official.

The Borough will promptly and thoroughly investigate all reports of threats of (or actual) violence and/or suspicious individuals or activities. Any individual determined to be responsible for conduct in violation of this policy will be subjected to disciplinary action up to and including termination of employment, arrest and prosecution.

Nothing in the policy alters any other reporting obligation established in the Borough’s policies or in State, federal or other applicable law.

Confidentiality and Retaliation. This Policy prohibits retaliation against any Employee who, in good faith, reports a violation of this policy. Every effort to the extent practicable will be made to protect the safety and identity of anyone who comes forward with concerns about a threat or act of violence. Employees shall refer any questions regarding his or her rights and obligations under the policy to the designated human resources official.

WHISTLEBLOWER POLICY:

As a matter of Policy, the Borough abides by all federal, State, and local laws, rules, and regulations applicable to it and has all its Employees do the same. Every Employee is responsible for assisting the Borough in implementing this Policy.

A violation of this Policy should be reported to an Employee's Department Head in writing, signed by the Employee. If that is not practical or if that action is taken but does not prevent or correct the perceived violations, the Employee is to deliver a written statement, signed and dated to the designated human resources official. The written statement should detail the specific information the Employee possesses so that the Borough may undertake an investigation.

The Borough or any of its Employees will not retaliate against any Employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation occurred. More specifically, neither the Borough nor any of its Employees will take any retaliatory action or tolerate any reprisal against an Employee who:

1. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the Borough or another Borough, with whom there is a business relationship, that the Employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an Employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the Borough or another Borough, with whom there is a business relationship, or, in the case of an Employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care;
3. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, Employee, former Employee, retiree or pensioner of the Borough or any government entity;
4. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the Employee reasonably believes may defraud any shareholder, investor, client, patient, customer, Employee, former Employee, retiree or pensioner of the Borough or any governmental entity.
5. Objects to, or refuses to participate in, any activity, policy or practice which the Employee reasonably believes:
 - A. is in violation of a law, or a rule or regulation issued under the law or, if the Employee is a licensed or certified health care professional, constitutes improper quality of patient care;

B. is fraudulent or criminal; or

C. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. See N.J.S.A. 34:19-3.

Disclosure to the Borough first, however, is not required where:

1. the Employee is reasonably certain that the violation is known to one or more officials;
2. the Employee reasonably fears physical harm; or
3. the situation is emergent in nature.

The Employee must give the Borough a reasonable opportunity to correct the activity, policy or practice. It is the Borough's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the Borough and cause the Borough and its Employees to be subjected to adverse publicity leading to public distrust.

This policy is important to the Borough. Each Employee should seek to resolve any problem within Borough channels before reporting it to any outside person or entity.

SECTION TWO: EMPLOYEE BENEFITS

COMPENSATION AND EMPLOYEE BENEFITS POLICY:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

PAYROLL POLICY:

Salary ranges are established by ordinance, and the salary must fall within the minimum and maximum ranges for the employee's title. The Borough of Montvale does not award longevity bonuses to non-union employees. Employees are paid on the 15th and last day of calendar month. Employees who are going on vacation and would like their checks in advance must make a written request to Payroll.

The Borough of Montvale will not accept responsibility for any employee's personal finances. The Borough of Montvale will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and creditors.

OVERTIME COMPENSATION POLICY:

The Borough complies with all applicable federal and state laws with regard to payment of overtime work, including the New Jersey Wage and Hour Law and the federal Fair Labor Standards Act.

Under the Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$107,432 per year depending upon their job duties. The following are Exempt Employees under the Act:

Administrator

Police Chief

Police Captain

Municipal (Borough) Clerk

Tax Collector

Treasurer

Purchasing Agent

The Borough Administrator shall notify any other Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided to the Borough Administrator's prior approval and at the sole discretion of the Borough Administrator.

Overtime pay shall only be granted to Exempt Employees in unusual circumstances with the approval of the Mayor and Borough Council and consistent with applicable law.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Borough Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty (40) in a weekly period at the rate of one and one-half times the regular rate of pay. Employees may choose overtime compensation in the form of overtime pay or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is eighty (80) hours. Once this maximum has been accumulated, all additional hours will be compensated by overtime pay. Employees engaged in police and fire protection work may accrue up to 480 hours of compensatory time.

For purposes of overtime compensation, hours worked are computed to the nearest one half-hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

MEDICAL BENEFITS:

In accordance with Public Law 2, (effective May 21, 2010), or upon the expiration of any applicable labor agreement in force on that date, all employees, must contribute a minimum of 1.5% of current base salary as mandated by the State towards their health benefits cost. Also note, Chapter 78, effective June 28, 2011, makes contribution requirements a percentage of the cost of the applicable plan, in accordance with the State-provided guidelines. Chapter 78 allows for municipalities to negotiate the level of contribution (above the level mandated under PL2 of 2010), and the Borough of Montvale has adopted an Alternate Contribution Schedule for Municipal Employees. Members of the Police Department follow-the state guidelines for contributions.

The Borough of Montvale provides a comprehensive Employee Benefit Program that includes Medical, Prescription and Dental Benefits. The Borough currently obtains the Health Benefits

Program (Medical & Prescription coverage) through its membership in the Gateway /Bergen Municipal Employee Benefits Fund (BMED).

The BMED offers Medical, Prescription Drug, and Dental coverage to qualified Employees, Retirees, and eligible Dependents. The Plan Document, the Summary Plan Description (SPD) and/or the Summary of Benefits and Coverages (SBC) which provide specific information about each plan and should be used to assist you in making informed health care decisions for you and your family. If there is any conflict or inconsistency between the information in the plan document and this Procedures Manual, the plan document will govern.

To be eligible for coverage under the BMED, an Employee must appear on regular payroll and work full-time or be an Appointed Officer receiving a salary. Full-time (30 hours or more per week, in accordance with the Affordable Care Act (ACA). A new Employee is eligible for coverage the 1st of the month, following the date of active employment.

All Employees must notify the Borough of any change in status (i.e., marriage, divorce, birth, adoption, death) within the time frame designed by the health benefit plan that would affect any Borough provided health insurance. The Borough reserves the right to conduct a coverage audit to verify proper coverage for Employees and eligible Dependents. Failure to complete an application or neglecting to add an eligible family member when first becoming eligible for coverage will delay enrollment until the next Open Enrollment period.

Dependent Defined. Eligible Dependents are defined as your Spouse, Civil Union Partner, or Same-Sex Domestic Partner &/or Eligible Children. Dependent children specifically applies to natural, adopted, and stepchildren, until age 26 regardless of the child's marital, student or financial dependency status. See N.J.S.A. § 52:14-17.26. Certain children over age 26 may be eligible for coverage until age 31 under the Provisions of P.L. 2005, c.375 (Chapter 375), as amended by P.L. 2008, c 38 (Chapter 38), i.e., unmarried, has no dependents of his or her own, is a resident of New Jersey or is a full-time student at an accredited public or private institution of higher education, & not provided coverage as a subscriber, insured, enrollee, or covered person under a group or individual health benefits plan, church plan, or entitled to benefits under Medicare.

A Spouse or Child enlisting or inducted into military service shall not be considered a Dependent during the military service.

Payment of such premiums by the Borough will terminate upon the Employee's separation from service. Upon separation, the Employee may, if eligible, purchase continuation (COBRA) health benefit coverage to the extent, and for the period, provided by federal law.

Prescription Drug Coverage. The Borough also provides prescription drug insurance for the Employee and their eligible Dependents.

Full-time Employees and their eligible Dependents become eligible to participate in the Borough's prescription insurance plan in accordance with the current plan documents.

Payment of such premiums by the Borough will terminate upon the Employee's separation from service. Upon separation, the Employee may, if eligible, purchase continuation (COBRA) prescription benefit coverage to the extent, and for the period, provided by federal law.

Dental Coverage. Full-time Employees and their eligible Dependents participate in the Borough's dental plan in accordance with current plan documents. All full-time Employees, and eligible Dependents, shall be enrolled in the Borough's dental plan in accordance with the specific requirements of the insurance plan carried by the Borough.

Dependent child(ren) will be covered for Dental to the end of the calendar year following their 19th birthday. They can remain on the plan to the end of the calendar year of their 23rd birthday, provided they are a full-time student. A full-time student is defined as carrying 12 or more credits during the semester at an accredited college or university.

Continuation Coverage. An Employee and his/her family, if covered by the Borough's group health care package, shall have the right to temporarily continue their coverage due under the plan, paying the group rate themselves, should they lose coverage due to the death of the enrolled Employee or termination for reasons other than gross misconduct on the Employee's part, pursuant to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). For additional information, contact the designated human resources official.

Health insurance coverage for employees on a Leave of Absence or who cease Borough of Montvale employment will terminate at the end of the next month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act provision for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of COBRA rights upon being hired. For more information, consult the Borough Administrator.

OPT-OUT POLICY FOR HEALTH BENEFITS:

If an employee is eligible for the Borough of Montvale's health coverage, but does not wish to be covered and furnishes proof of substitute coverage, the employee shall be permitted to opt-out of participation in the Borough of Montvale's health benefits coverage. Such opt-out shall be in writing to the Borough Administrator. Employee must opt out of all programs.

Effective May 21, 2010, in exchange for such non-participation, the employee shall be entitled to receive, in December of each opt-out year, a maximum amount equal to \$5,000, or 25% of the savings to the Borough as a result of such opt-out, whichever is less, for said employee's applicable coverage category, i.e., Single/Husband and Wife/Family, for that opt-out year. If an employee has not previously received health coverage with the Borough of Montvale the opt-out payment received shall be of the lowest cost health plan offered for the appropriate coverage category. Payment shall be authorized at the end of the opt-out year at the December Mayor and Council meeting and shall be paid through the normal process.

An employee may only opt out during the open enrollment period in October of each year and must complete an Opt-Out Health Benefits Form and have it approved by the Borough Administrator. Removal of coverage shall take place on the first month of the upcoming New Year. *New employees or employees transferring to full-time positions may opt out at a prorated rate based upon the effective date of the first month that coverage would have begun and receive an amount equal to 25% of the savings not to exceed \$5,000.*

An employee who has previously opted out may only opt in during the **next** open enrollment period in October by giving written notice to the Borough Administrator. Reinstatement of coverage shall take place on the first month of the upcoming New Year. An *exception* to this policy would be the loss of the employee's alternate coverage in which the alternate coverage policyholder loses coverage due to termination of employment, retirement, or employer no longer provides health coverage for its employees. Written proof from the alternate coverage policyholder's employer stating reason for loss of coverage must be provided to the Borough. Request for reinstatement shall be submitted to the Borough Administrator at least thirty (30) business days prior to the date of reinstatement which must start on the 1st day of a month. For example, if a reinstatement request is received on the 14th of March, reinstatement would not become effective until May 1. The annual financial incentive would be pro-rata to the effective date of reinstatement. The benefit level will be adopted by resolution and authorized annually by the Governing Body.

HIPAA COMPLIANCE:

The Borough is committed to upholding both the letter and the spirit of the Health Insurance Portability and Accountability Act ("HIPAA") regarding the use, maintenance, transfer, and disposition of personal health care information. To the extent that the Borough maintains such information about its Employees and others, its elected officials and Employees are committed to protecting the privacy and confidentiality of that information.

SHORT-TERM DISABILITY POLICY/WORKERS COMPENSATION PROGRAM:

For all full-time Administrative Employees; all other employees are covered by separate contractual agreements or other policies.

General Policy:

- A. To establish and provide guidelines for the maximum paid leave available for full-time Administrative employees who are absent as a result of work related injury or for ten or more consecutive working days because of non-job related illness. In either the work-related injury or non-job related illness a physician will have certified that because of injury or sickness the employee is unable to perform each of the material duties of his or her regular occupation. A full-time administrative employee is defined as an employee working a minimum of thirty-five hours per week. Subject to the provisions outlined herein, an Administrative employee will be eligible for the benefits provided below based upon length of service as determined by the employee's hire date.
- B. Full Time Administrative Employees - Short-Term Disability and Workers' Compensation Program:

Length of Service - Compensation Scale

Employee

Length of

Service

Full Pay

Two Thirds Pay

Less than 6 months*+ -----

6 months up to 1 year 1 week 25 weeks

1 year to 2 years 2 weeks 24 weeks

2 years to 3 years 3 weeks 23 weeks

3 years to 4 years 4 weeks 22 weeks

4 years to 5 years 5 weeks 21 weeks

5 years to 6 years 6 weeks 20 weeks

6 years to 7 years 7 weeks 19 weeks

7 years to 8 years 8 weeks 18 weeks

8 years to 9 years 9 weeks 17 weeks

9 years to 10 years 10 weeks 16 weeks

10 years to 11 years 11 weeks 15 weeks

11 years to 12 years 12 weeks 14 weeks

12 years to 13 years 13 weeks 13 weeks

13 years to 14 years 14 weeks 12 weeks

14 years to 15 years 15 weeks 11 weeks

15 years to 16 years 16 weeks 10 weeks

16 years to 17 years 17 weeks 9 weeks

17 years to 18 years	18 weeks	8 weeks
18 years to 19 years	19 weeks	7 weeks
19 years to 20 years	20 weeks	6 weeks
20 years to 21 years	21 weeks	5 weeks
21 years to 22 years	22 weeks	4 weeks
22 years to 23 years	23 weeks	3 weeks
23 years to 24 years	24 weeks	2 weeks
24 years to 25 years	25 weeks	1 week
25 years and over	26 weeks	0

*No eligibility for coverage as it applies to non-job related illness.

+Coverage, as it applies to work related injury, shall be one week at two-thirds pay for each full month of service to a maximum of six weeks at two-thirds pay. The Policy applies to any absence caused by non-job-related illness or injury. It also applies to absence resulting from Workers' Compensation case. It does not apply to any absence involving the commission of a crime or acts of willful misconduct or gross negligence.

Payment from all Borough sponsored sources for time lost due to illness or disability shall not exceed the base salary, which the employee received while working. Workers' Compensation pay for time lost, Social Security Disability benefits, etc., will be offset by the Borough to the extent that such payment would otherwise cause the employee in a pay period to receive more than his/her regular salary.

C. Administration - Non Job Related Illness or Injury:

1. When an employee has been absent for the third consecutive working day, the Department Head is to notify the Borough Administrator in writing.
2. As soon as the Department Head is aware that the employee will be absent for ten or more consecutive working days, the Borough Administrator is to be notified in writing that the employee is disabled. The effective date for the benefit reverts back to the first day of illness.
3. For an employee to receive benefits under this policy, the following procedure is to be followed:
 - a. When an employee has been absent on the tenth consecutive working day, a physician's written statement shall be required.
 - b. The physician's statement shall include the following: certification of the employee's inability to perform his/her job functions, including diagnosis, prognosis, anticipated date of return.

- c. Recertification of any employee's medical condition will be required every thirty days in order for the employee to continue to receive pay. The recertification shall include those items required in (b).
 - d. The Borough reserves the right to have an independent physician examine the employee, at the Borough's expense.
- 4. The Department Head shall notify the Borough Administrator, in writing, when the employee has returned to work.
 - 5. Payments under this plan will be made through the regular payroll system and will continue only for the period certified as the disability. If the employee is no longer disabled but does not return to work, all benefits shall cease.
 - 6. Two or more periods of disability resulting from the same or related cause will be considered one period of disability in a twelve-month period. A period of disability resulting from an unrelated cause will be considered to commence on or after an employee returns to active duty.
 - 7. After the expiration of the maximum period of time granted for the non-job related illness, the Mayor and Borough Council shall review the case on an individual basis, for the purpose of deciding whether the leave should be discontinued or modified, or whether such employee should be recommended for a disability retirement.

D. Administration - Work Related Injury:

In the case of work-related injury, the Department Head is to file the required reports within the prescribed time as required by the insurance carrier. The employee shall be required to conform with the requirements of the insurance carrier. Notwithstanding those requirements, for an employee to receive benefits under this policy, the following procedure is to be followed:

- 1. When an employee is absent due to a work-related injury a physician's written statement shall be required within one working day of the date of occurrence.
- 2. The physician's statement shall include the following: certification of the employee's inability to perform his/her job functions, including diagnosis, prognosis, anticipated date of return.
- 3. Recertification of any employee's medical condition will be required every thirty days in order for the employee to continue to receive pay. The recertification shall include those items required in 2(b.) The Borough reserves the right to have an independent physician examine the employee at the Borough's expense.

4. The Department Head shall notify the Borough Administrator in writing when the employee has returned to work.
5. Payments under this plan will be made through the regular payroll system and will continue only for the period certified as the disability. If the employee is no longer disabled but does not return to work, all benefit payments shall cease.
6. For more periods of disability resulting from the same or related cause will be considered one period of disability in a twelve-month period. A period of disability resulting from an unrelated cause will be considered to commence on or after an employee returns to active duty.
7. After the expiration of the maximum period of time granted for the job-related injury, the Mayor and Borough Council shall review the case on an individual basis, for the purpose of deciding whether the leave should be discontinued or modified, or whether such employee should be recommended for a disability retirement.

Investigation Policy Form

REPORT FORM – PART 1

Electrical incidents, water leaks, bodily fluids: Report immediately to
Building & Grounds

Employee: complete part 1 and provide to your Supervisor IMMEDIATELY		
Supervisor: Incident? <u>No</u> first aid or higher treatment, <u>no</u> property damage, <u>no</u> public involvement. Circle "incident" and forward completed part 1 to Department Head.	O R	Supervisor: Accident/illness? Circle <u>yes</u> event. Upon safely securing scene, IMMEDIATELY fax completed Part 1 to Building & Grounds contact Department Head and (after regular business hours) call the Borough Administrator

Section A: PERSONAL and EVENT DETAILS (Circle or complete responses)

Title:	Last Name:	First Name:
Date of Birth:		Are you: Employee Public visitor
Sex: M/F	Department	Employee ID No:
Home address:		
Email address:		Phone: (w) Phone: (h)
Date and time of event:		Location:
What was the event and how did it happen?		
Witness Name(s), address, telephone:		
Signed (Employee, public visitor):		Date:
Signed (Supervisor):		Date:

Section B: INJURY/ILLNESS DETAILS (If applicable) Use this section to also report workplace disease

Type of injury or disease (EG burn):	Part(s) of the body affected:
Needle stick injury/sharps injury/exposure to body fluid: Contact details of source patient (if applicable):	
Name:	Address: Phone:
Date and time when symptoms noticed:	
Was medical treatment given?	No / First Aid / Nurse / Doctor / Hospital
Name of person giving initial treatment:	
Date and time initial treatment given:	
If a Borough Employee, does the injured person intend to lodge a claim for workers' compensation? Yes / No / Unknown	
If a Borough Employee, will time be lost as a result of this injury? Yes/ No	How many hours/days?
If a public visitor or, does injured person intend to lodge a claim? Yes / No / Unknown	

INVESTIGATION CHECKLIST – PART 2

Department Heads are required to investigate all incidents/injuries to conclude what happened, how it happened, why it happened, and what should be done to prevent further occurrences. Department Heads may request through their respective Freeholder Committee specific assistance from trained investigators and inspectors.

PART 2 Instructions: Department Heads Complete Part 2 within FIVE (5) WORKING DAYS of event and forward to Human Resources Official.

Who is involved in completing this investigation?

Department Head:	Department Supervisor:
Assisting:	Assisting:
Assisting:	Assisting:

Section 1: INVESTIGATION CHECKLIST: (Questions to ask the person involved with the incident. Modify the “you” in the questions for use by witnesses).

Event/Injury: How do you think the event / injury happened and what were you doing at the time?

How long had you been working prior to the event / injury? _____ How long had you been working on this task? _____

Is this task part of your normal duties? ☐ Yes

☐ No Have you been instructed / trained in this task? ☐ Yes

☐ No

What were you doing prior to the event / injury?

Are there any other factors involved (management, the environment, equipment, maintenance, individuals)?

What do you think could have been done to prevent this event from occurring?

Any other comments or observations?

Please circle the most appropriate response(s):

What sort of incident/injury occurred? Manual Handling / Occupational Overuse Syndromes (OOS) / cuts / bruises / burns / falls / slips / trips / vehicles / bicycles / chemicals / insects / animals / foreign body / plant / stress / other...
Location where incident occurred?
Type of injury: sting / bite / kick / puncture / strain / sprain / chemical / slip / trip / fall / other...
Standard operating procedures followed? Yes / No / N/A
Identification of equipment/object/insect involved:
Equipment in good condition? Yes / No / N/A

Date of last service of equipment:	
Appropriate safety equipment (PPE) used?	Yes / No / N/A
Lighting adequate?	Yes / No / N/A
Housekeeping issues contributed?	Yes / No / N/A
Confined Space?	Yes / No / N/A
Surface type: cement / tile / grass / dry / wet / damaged / torn / sand / footpath / carpet / gravel / rocks / road / other...	
Type of shoes worn: open / closed / boots / high heels / sandals / none / other...	
Workload excessive?	Yes / No / N/A
Workload boring and repetitive?	Yes / No / N/A
<u>If it was a slip or trip:</u> Height of fall / slip / trip?	
Were you running / walking / turning a corner / jumping / other?	
If stairs: going up / going down?	
Did you fall on your front / back / side?	
What were you carrying (if anything) at the time?	
<u>If the incident involved chemicals:</u> Was an MSDS (Material Safety Data Sheet) available?	Yes / No / N/A
Disposal / handling / storage of chemical product adequate?	Yes / No / N/A
<u>If the incident involved manual handling:</u> Were work items within easy reach?	Yes / No / N/A
Ergonomic equipment available?	Yes / No / N/A
Was the equipment being used correctly?	Yes / No / N/A
Repetitive and/or forceful movements used?	Yes / No / N/A
Action involved reaching / bending / stooping / sitting / kneeling / twisting / pushing / pulling / lifting / catching / lowering / carrying	
Weight of object?	
Distance carried / position of object moved from/to?	
Height of load?	
<u>If the incident involves a vehicle or bicycle:</u> traffic conditions:	
Weather conditions:	dry / wet / foggy / night / day
Intersection / turning right or left / driveway / straight road	
Speed prior to incident?	
Traveling to work / lunch time / after work / to home / work related travel	
Any other factors involved?	

Investigator's comments and observations: _____

ACTION REPORT SAFETY RECOMMENDATIONS FORM – PART 3

PART 3 Instructions: Department Heads complete Part 3 within TEN (10) WORKING DAYS of event and forward to the Human Resources Official.

A hierarchy of control should be used to assist with the prevention of future similar injuries. The 'hierarchy of control' depicts the most to the least effective methods, as shown in the table below. This is the most important part of the investigation process! Do not leave blank.

Risk Control Options	Action Required	By Whom	By When
Elimination -- do you have to do the task?			
Substitution -- is there another way you can do the task?			
Engineering -- can you engineer a way to make the job safer? (Job Safety Analysis sheets may give clues)			
Administration -- can you improve work practices? e.g., limit time of exposure			
Personal Protective Equipment (PPE)			
Date feedback provided to person reporting the event:			
Signed:	Print Name:	Ph:	
Position:		Date:	

Safety Committee Recommendations			
Date Part 1 received:	Date Part 2 received:	Date Part 3 received:	Date Completed:

Witness Report

Your Name: _____ Home Phone: _____

Address: _____ Work Phone: _____

City: _____

State: _____ Zip: _____

Social Security No.: _____ Date _____ Form
Completed: _____

Date of Incident/Accident: _____ Approximate Time: _____

Location: _____

Did You See this Incident/Accident? ☐ Yes ☐ No

If Yes, Please Give a Description of What Happened:

Was Anyone Injured? ☐ Yes ☐ No

If Yes, Please List: Name:

Type of Injury:

Was Injured Person Taken, Or Go, To Nurse's Station?: ☐ Yes ☐

No Were There Any Other Witnesses?: ☐ Yes ☐ No

If Yes, Please List Names:

I certify that this Witness Report has been read and completed to the best of my ability and that all information submitted is true.

Signature of Witness: _____ Date: _____

PAID HOLIDAY POLICY:

The Mayor and Council of the Borough of Montvale approved that Holiday Schedule for eligible Administrative non-contractual employees be and is hereby established:

Mandatory holidays during which Borough Hall Administrative Offices shall be closed:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Juneteenth Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

The Borough reserves the right to change or delete the holidays set forth above.

If any of the above holidays fall on Saturday, the holiday shall be observed on Friday. If any of the above holidays fall on Sunday, the holiday shall be observed on Monday.

If Christmas Day and New Year's Day fall on Saturday, these two holidays shall be observed on Friday. Therefore, the two-1/2 holidays shall be observed on the Thursday before the holidays.

If Christmas Day and New Year's Day fall on Sunday, these two holidays shall be observed on Monday. Therefore, the two-1/2 holidays shall be observed on the Friday before the holidays.

Employees classified as full-time employees (working 35 hours or more each week) shall be entitled to all mandatory holidays, as outlined above. Employees classified as part-time employees (working less than 35 hours per week) and eligible to receive holidays, shall only be entitled to the mandatory holidays listed above (and not the floating holidays), and only when the holidays fall on their regularly scheduled days of work.

Floating Holidays. Two Floating Holidays to be taken any time during the year. If not used during the calendar year, it will be lost with no ability to be carried or receive pay.

SECTION THREE: LEAVES OF ABSENCE

VACATION:

FULL TIME EMPLOYEES

The following is the schedule of vacation to be granted to all Full-time Administrative employees. All other employees are covered by separate contractual agreement.

General Policy:

- Six months but less than one year: One day per month worked, up to 10 days*
- One Year but less than five years: Two Work Weeks
- Five Years but less than ten years: Three Work Weeks
- Ten Years but less than fifteen years: Four Work Weeks
- Fifteen Years or more: Five Work Weeks *(plus two (2) days per each year of service thereafter)*

*Vacation time earned on the basis of one day per month from the date of hire to a maximum of 10 days. The vacation granted to an employee shall be based upon length of service as of the anniversary date of employment during the calendar year. Vacation periods must be approved by the Department Head and submitted to the Borough Administrator for final approval. Scheduling of vacation, where a conflict exists with other employees within the same department shall be resolved based upon seniority of service. No employee shall take more than two consecutive weeks of vacation leave unless written authorization is received from the Borough Administrator. At the time of separation from service, the employee shall be entitled to pay on a prorated basis for any unused accumulated vacation.

Employees must receive their supervisor's approval at least two weeks in advance of the first vacation day. Employees who do not use all of their vacation allowance may carryover a maximum of five vacation days to the following year, and all carryover vacation days must be taken by March 31 of the following year or they will be forfeited. At the discretion of the Borough Administrator carry over vacation days maybe extended after the March 31st date.

The Borough Administrator may in certain circumstances approve additional carryover vacation days that exceed the five (5) day policy for administrative employees due to Borough Departmental business needs. At that time, prior to approval a written statement explaining the circumstances for the request must be submitted to the Borough Administrator including a plan for using the carryover days. The Administrator will review and make a determination.

Part-time employees are not entitled to Vacation Days.

PERSONAL DAY POLICY:

All full-time employees are entitled to four (4) Personal Days per year. Any unused Personal Days are forfeited at the end of each calendar year. Part-time, temporary and seasonal employees are not entitled to Personal Days. An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.

DONATED LEAVE TIME:

The Borough will permit Employees to voluntarily donate accrued benefit time, including sick and/or vacation days, to a fellow Employee of the Borough who has exhausted their own earned leave as a result of a catastrophic health condition or injury suffered by themselves or an immediate family member which is expected to require a prolonged absence from work. The Donated Leave Program will be administered in such a manner as to ensure the goals of the program are met without interfering with any Employee's rights to privacy as otherwise protected by Federal or State law, rules or regulations.

Eligibility. A permanent full-time Employee shall be eligible to receive donated sick or vacation leave if the Employee:

1. Has completed at least one year of continuous service;
2. Has exhausted all accrued sick, vacation, personal, compensatory and administrative leave as well as all sick leave injury benefits, if any;
3. Has not, in the two-year period immediately preceding the Employee's need for donated leave, been disciplined in writing for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and either:
 - a) Suffers from a catastrophic health condition or injury;
 - b) Is needed to provide care to a member of the Employee's immediate family who is suffering from a catastrophic health condition or injury; or
 - c) Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

Definitions.

"Catastrophic Health Condition or Injury" shall mean:

- With respect to an Employee, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his or her mental or physical health or the health of the Employee's fetus and requiring the care

of a physician who provides a medical verification of the need for the Employee's absence from work for sixty (60) or more work days.

- With respect to an Employee's immediate family member, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his or her mental or physical health and requiring the care of a physician who provides a medical verification of the need for the family member's care by the Employee for sixty (60) or more work days.

"Immediate Family Member" shall mean: Father, mother, father-in-law, mother-in-law, spouse, domestic partner, child, son-in-law, daughter-in-law, grandparent, grandchild, brother or sister. Any interpretation of this definition shall be made in the sole discretion of the Chief Administrative Officer.

"Leave Recipient" shall mean an Employee who is desirous of accepting leave time accrued and donated by fellow Employees.

"Leave Donor" shall mean an Employee who is desirous of providing, without compensation, accrued sick, vacation, or personal days to a fellow Employee dealing with a Catastrophic Health Condition or Injury.

Procedure.

1. Written Request - An Employee may submit a request, in writing, to their Department Head or the Chief Administrative Officer to participate in the Donated Leave Program either as a Leave Recipient or Leave Donor. A supervisor may submit a request to receive time on behalf of an Employee unable to make the request.
2. Medical Verification - The Employee requesting the Employee's acceptance as a Leave Recipient shall submit to the Borough medical verification, signed by a physician licensed by the State of New Jersey, concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be. The medical verification required for the receipt of donated leave shall include the nature and anticipated duration of the catastrophic health condition or injury, or the donation of an organ. The same medical documentation set forth above will be required whether applying for donated leave to care for one's self or immediate family member.
3. Notice - Upon approval by the Chief Administrative Officer, the Department Head or Supervisor shall, with the Leave Recipient's consent, post or circulate the Employee's name along with those of other eligible Employees in a conspicuous manner to encourage the donation of leave time. If the Employee is unable to

consent to this posting or circulation, the Employee's family may consent on his or her behalf.

Participation Requirements.

1. Leave Recipient must receive at least five (5) sick days or vacation days or a combination thereof from one or more leave donors to participate in the donated leave program.
2. Leave Recipient may not collect temporary disability benefits (TDI) or worker's compensation insurance benefits while utilizing time donated.
3. Leave Recipient is limited to a lifetime maximum of two-hundred and sixty (260) donated sick days or vacation days and shall not receive any such days on a retroactive basis.
4. Leave Donors shall have remaining at least twenty (20) days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.
5. Leave Donor shall donate only whole sick days or whole vacation days and may not donate more than thirty (30) such days to any one recipient.
6. Leave Donor shall not revoke the leave donation.
7. While using donated leave time, the Leave Recipient shall accrue sick leave and vacation leave under the normal Borough policies and shall be entitled to retain such leave upon his or her return to work.
8. Upon a Leave Recipient's return to work or separation from employment for any reason, any unused, donated leave shall be returned to the Leave Donors on a prorated basis upon the Leave Recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that the leave time shall not be returned.
9. Upon retirement, the Leave Recipient shall not be granted supplemental compensation on retirement for any unused days which he or she had received through the leave donation program.
10. An Employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another Employee for the purpose of interfering with rights involving the voluntary donation, receipt or use of donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an Employee.

11. Upon receipt of a request to donate time, the human resources official will verify that the Leave Donor is eligible to donate time and said Department will deduct appropriate time from the Leave Donor.
12. Leave Recipients may use donated leave in one-half day or whole day increments. Recipients may return to work on a part time, or intermittent basis, and remain eligible for the program as long as they do not exceed two-hundred and sixty (260) days in a lifetime.
13. An incident is considered closed when the recipient is medically cleared to return to work without restrictions.
14. If the recipient returns to work or otherwise terminates employment, the remaining balance of unused donated leave must be equally returned to all donors in whole day increments only. Partial day increments will not be restored to the donor nor remain credited to the recipient.
15. An illness or injury of an immediate family member requiring an Employee's absence from work to provide care must meet the same criteria applicable to an Employee's own medical necessity.

SICK LEAVE POLICY:

All full-time employees are entitled to twelve (12) working days of sick leave per calendar year. Part-time, seasonal summer camp employees shall be entitled to one work day (5.75 hours) of sick leave. All other part-time employees who work less than fifteen (15) hours per week shall accrue sick leave at the rate of 1 hour of leave per 30 hours worked. In compliance with N.J.S.A. 34:11D-2(b), part-time employees who work a minimum of fifteen (15) hours per week shall be entitled to forty (40) hours of paid time off (PTO) which may be used as sick leave. Employees absent on sick leave for three or more consecutive working days must submit reasonable verification that the leave is being taken for one of the purposes permitted below. Reasonable documentation shall be as defined in N.J.S.A. § 34:11D-3(b). After the tenth day of absence on sick leave in one calendar year, reasonable verification must be submitted for all sick leave absences, regardless of duration. There will be no payment for any additional sick days beyond the paid sick days allotted in a calendar year. Prior to the return to work, the Borough of Montvale may require an employee to be examined by a physician designated by the Borough of Montvale to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received. *No payments will be made for sick days accumulated.*

Effective January 1, 2023, all employees can carry over a maximum of six (6) days or 40 hours, whichever is greater, of sick leave into the next calendar year.

Pursuant to N.J.S.A. § 34:11D-3(a), employees may use earned sick leave accrued for any of the following instances:

- (1) Time needed for diagnosis, care, or treatment of, or recovery from, the employee's own mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) To aid or care for a family member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- (3) If an employee or a family member are a victim of domestic or sexual violence, and are obtaining services from a designated domestic violence agency or other victim services organization, medical attention, legal services, counseling, or are relocating due to the domestic or sexual violence;
- (4) Closure of an employee's workplace, or of the school or place of care of an employee's child, due to an epidemic or public health emergency, or because of the issuance by a public health authority of a determination that the presence of the employee or their family member in the community would jeopardize the health of others;

- (5) During a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine, or cares for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others; or
- (6) If an employee needs to attend a school-related conference, meeting, function or other event requested or required by an administrator, teacher, or other professional school staff member responsible for the education of the employee's child, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability

In accordance with the requirements promulgated by the NJ Paid Sick Leave Act, the Borough of Montvale paid sick leave benefits for all eligible employees, meets and/or exceeds the benefits mandated under the Act.

PART-TIME EMPLOYEE PAID TIME OFF (PTO) POLICY:

All part-time employees who work a minimum of fifteen (15) hours per week are entitled to forty (40) hours of paid time off (PTO) per year. PTO may be used interchangeably as sick leave, personal leave or vacation leave. A maximum of forty (40) hours of PTO may be carried over into the next calendar year. *No payments will be made for PTO accumulated.*

PAID LEAVE:

Request for Time Off

Paid leave is administered by Bamboo Human Resources or by the employee's supervisor through tracking of time sheets.

FAMILY AND MEDICAL LEAVE:

In accordance with the federal Family and Medical Leave Act ("FMLA"), the Borough provides eligible Employees with up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service member. At the conclusion of the leave, subject to some exceptions, an Employee generally has a right to return to the same or an equivalent position. The following outlines Employees' rights and obligations under the FMLA and the Borough's policies implementing the FMLA.

Leave Available. Eligible Employees may take up to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period for any one or more of the following reasons:

- The birth, adoption or placement for foster care of the son or daughter of an Employee, and to care for such child;
- A serious health condition of a spouse, son, daughter or parent of an Employee if the Employee is needed to care for such family member; or
- A serious health condition of an Employee that makes an Employee unable to work. Generally, the incapacity must result in the Employee's inability to work for more than three (3) consecutive days (although there are certain exceptions to this rule);
- Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the Employee is a member of the Regular Armed forces, National Guard or Reserves on active-duty status during the deployment to a foreign country, and or has been notified of an impending call to active-duty status as such in support of a contingency operation.

In addition, eligible Employees who are either spouse, son, daughter, parent or next of kin of a Covered Servicemember shall be entitled to a total of twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for the Covered Servicemember. During this single twelve (12) month period, an eligible Employee who qualifies for leave to provide care for the Covered Servicemember shall be entitled to no more than a combined total of twenty-six (26) workweeks of leave.

Definitions.

"Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

"Eligible Employee" means an individual who has been employed by the Borough for at least twelve (12) months, has worked at least 1,250 hours during the preceding twelve (12) month

period, and is employed at a worksite with at least fifty (50) Employees within seventy-five (75) miles of that worksite.

“Next of kin” means the nearest blood relative of the individual.

“Qualifying Exigency” covers a number of broad categories of reasons and activities, including short-notice deployment to a foreign country, military events and related activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities agreed to by the Borough and the Employee.

“Serious Health Condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.

“Serious Injury or Illness” means an injury or illness incurred by a Covered Service member in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active-duty service, that may render the service member medically unfit to perform the duties of the member’s office, grade, rank or rating.

Eligibility. Any Employee who has been employed by the Borough for twelve (12) months or more and worked 1,250 hours or more in the twelve (12) month period preceding the first day of the requested leave may be eligible for an unpaid leave of absence of up to twelve (12) weeks during any twelve (12) month period.

~~The twelve (12) month period shall be determined by using a rolling twelve (12) month period that commences with the first day of leave taken.~~

Leave to care for a child after birth, adoption, or foster care must conclude within twelve (12) months of the child's birth or placement. If both spouses work for the Borough, they may only take a total of twelve (12) weeks between them during the twelve (12) month period in order to care for a child after birth, adoption, or foster care or to care for a parent with a serious health condition and a combined twenty-six (26) weeks in a single twelve (12) month period for military caregiver leave or a combination of military caregiver leave and other FMLA qualifying reasons. Each spouse may be entitled to additional leave for other qualifying reasons under the FMLA, such as the Employee’s own illness or for the serious illness of the Employee’s child.

Notice. When the leave is foreseeable, at least thirty (30) days’ advance notice to the Borough, in writing, is required. If thirty (30) days’ notice cannot be provided, as much notice as is practical should be provided. Failure to give reasonable notice may delay the availability of the leave.

Certification. Where leave is taken to care for a family member with a serious health condition or because of the Employee’s own serious health condition, medical certification is required and periodic recertification may be required. In addition, where the leave is taken because of the

Employee's own serious health condition, a certification of fitness to return to work will be required.

The Borough, at its expense, may require an examination by a second healthcare provider designated by the Borough. If the second healthcare provider's opinion conflicts with the original medical certification, the Borough, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

For military exigency leave, an Employee may be required to provide certification that the covered military member is a member of the regular Armed Forces, National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation, as well as certification from the Employee about the nature and details of the specific exigency, the amount of leave needed, and the Employee's relationship to the military member. For military caregiver leave, the Employee may be required to provide information from the health care provider and Employee and/or Covered Service member to support such leave.

Absent unusual circumstances, medical certifications must be provided within fifteen (15) days. The Borough will also require periodic status reports from Employees concerning their intended return date.

Failure to provide requested documentation may result in denial of leave. The Borough may attempt to clarify or authenticate the certification or may require additional certifications to support the need for leave. When leave is taken to care for a family member, the Borough may require the Employee to provide documentation or a statement of family relationship (e.g., birth certificate or court document) and proof of the need to care for the family member.

Utilization of Paid Leave. Generally, FMLA leave is unpaid. However, depending upon the circumstances, Employees may be entitled to receive short-term disability, workers' compensation benefits, paid family leave benefits, or other state-sponsored wage replacement benefits which pay a portion of normal compensation. These benefits will run concurrently with the Employee's unpaid leave. An Employee who is eligible for these benefits may also choose to use accumulated paid leave during their approved unpaid leave. Employees may not receive more than 100% of salary at any time. Except as may otherwise be prohibited by law, an employee will be required to use any available sick leave concurrently with the employee's FMLA leave. An employee may choose to use any other available accumulated paid leave concurrently with the employee's FMLA leave.

Coordination with other Leave Policies. The period of time attributable to the Employee's absence due to any workers' compensation, disability, or sick leave, will be counted against available leave under this policy to the extent permitted by law. In the event that additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

Intermittent Leave. When medically necessary, leave taken because of a serious health condition of an Employee or family member or to care for a Covered Service member may be taken on an intermittent or reduced work schedule basis. The Employee and Borough shall attempt to work out a schedule for such leave that meets the Employee's needs without unduly disrupting the Borough's operations, subject to the approval of the Employee's health care provider. The Borough may require an Employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternative position with equivalent pay and benefits that is better suited to the leave schedule.

Employment and Benefits Protection. During the leave, health benefits will continue for up to twelve (12) weeks in each rolling twelve (12) month period under the same conditions as if the Employee continued to work. Employees must, however, pay the same amount for any benefits continued as they do prior to the leave. Other benefits, if any, will continue during the leave under the same conditions as if the Employee continued to work.

If paid leave is substituted for unpaid FMLA leave, the Borough will deduct the Employee's portion of the health plan premium as a regular payroll deduction. If the Employee's FMLA leave is unpaid, the Employee must pay his/her portion of the premium in accordance with a payment method that is devised and mutually agreed upon between the Employee and the Borough.

Employees should consult with their Department Head and human resources official prior to taking an approved leave. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums. With regard to the Employee's contribution portion of his/her health benefits pursuant to Chapter 78, P.L. 2011 and any voluntary supplemental benefits that the Employee may have, the Employee is solely responsible for making payment arrangements with the Borough or for any voluntary benefits, to the respective insurance company. Your healthcare coverage may cease if your premium payment is more than thirty (30) days late. With regard to any pension contribution that you may have, you must contact the human resources official to make payment arrangements concerning contributions or credits paid toward your pension benefits. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums.

Before returning to work following a medical leave (except for intermittent or reduced schedule leave) due to the Employee's own serious health condition, the Employee will be required to present a fitness for duty certification from his/her health care provider that he/she is medically able to resume work. If the date on which the Employee is scheduled to return to work from FMLA leave changes, the Employee is required to give notice of the change, if foreseeable, to the Borough within two (2) business days of the change.

Subject to some exceptions, most Employees will be returned to the position they left or to a position equivalent in pay, benefits and other terms of employment. Individuals identified as "key Employees" (the highest paid 10% of salaried Employees at the work site or within a seventy-five

(75) mile radius of that work site) at the beginning of their leave may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the Borough. Employees will be informed of their key Employee status at the beginning of the leave period.

A failure to return from FMLA leave for reasons other than the Employee's own serious health condition may result in termination of employment. In the event that an Employee cannot return to work at the end of FMLA leave due to a continuation of his/her own serious health condition, they must contact the Borough before the expiration of the leave to discuss their options under state and federal law. State leave laws may provide additional leave similar to that provided under the FMLA. The Borough will comply with these state law provisions to the extent they provide for more generous benefits. State leave law benefits will run concurrently with FMLA benefits to the extent permitted by law.

Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the Employee, the Employee may be eligible for up to twelve (12) weeks of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or NJFLA leaves.

NEW JERSEY FAMILY LEAVE:

The Borough provides eligible Employees with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

Eligible Employees. To be eligible for NJFLA leave, an Employee must have worked at least twelve (12) months for the Borough and have worked at least 1,000 hours for the Borough over the previous twelve (12) months.

Qualifying Reasons for Leave. An Employee may take NJFLA leave to care for:

- A newly born or adopted child or a child placed into foster care with the Employee, but the leave must start within twelve (12) months of the birth of the child or the placement of the child.
- A family member (sibling, grandparent, grandchild, child, spouse, domestic partner, civil union partner, parent-in-law, or parent of a covered individual, or any other individual related by blood to the Employee, and any other individual that the Employee shows to have a close association with the Employee which is the equivalent of a family relationship) with a serious health condition.
- In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
 - (i) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
 - (ii) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
 - (iii) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

Leave taken to care for a newly born or adopted child or a child placed into foster care with the employee may be consecutive or intermittent and must begin by the end of the twelve (12) month period after the birth or placement for adoption or foster care.

Leave Benefits. An Employee may take up to a maximum of twelve (12) weeks of NJFLA leave in a twenty-four (24) month period, which is measured as a rolling twenty-four (24) month period that commences with the first day of NJFLA leave taken.

You may take NJFLA leave to care for a seriously ill family member:

- As a single block of time.
- By reducing your normal work schedule for no more than twenty-four (24) consecutive weeks in a twenty-four (24) month period.
- Intermittently when medically necessary.

Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Borough's operations. The total time within which an intermittent leave is taken may not exceed a twelve (12) month period, if such leave is taken in connection with a single serious health condition.

Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty-four (24) month period, or until such time as the Employee's twelve (12) week family leave entitlement is exhausted, whichever is shorter. An Employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty-four (24) week period. An eligible Employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty-four (24) month period. Any remaining family leave to which the Employee is entitled subsequent to the expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

Depending on the purpose of the Employee's leave, the Employee may be required to or may choose to use accrued paid leave, concurrently with some or all of his/her NJFLA leave. The Employee will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of NJFLA leave. The Borough will notify Employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications. When requesting NJFLA leave, an Employee must provide the Borough thirty (30) days' advance written notice. For employees requesting leave on an intermittent basis, at least fifteen (15) days advance written notice must be provided. If advance written notice is not possible because of an emergency, the Employee must provide the Borough with reasonable oral notice and then follow up with written notice.

The Employee also must give the Borough a medical certification supporting the need for leave. The Borough reserves the right to require second or third medical opinions and periodic re-

certifications. The Employee must also provide periodic reports during the leave regarding the Employee's status and intent to return to work as deemed appropriate by the Borough. If an Employee fails to provide the required documentation, the Borough may delay the start of the Employee's NJFLA leave, withdraw any designation of NJFLA leave or deny the leave, in which case the absences will be treated in accordance with the Borough's standard leave of absence and attendance policies and the Employee may be subject to discipline up to and including termination of employment.

If an Employee provides false or misleading information or omits material information about an NJFLA leave, the Employee will be subject to discipline up to and including immediate termination of employment.

Benefits Protection. During a family leave of absence, the Employee's health benefits will be maintained under the same conditions as if the Employee continued to work. If the Employee decides to return to work when his/her family leave of absence ends, the Employee may be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the Employee decides not to return to work when the family leave of absence ends, the Employee may be required to reimburse the Borough for the health insurance premiums paid on his/her behalf during the leave of absence (except if the failure to return to work was caused by the continuation, recurrence, or onset of serious health condition which would entitle the Employee to a leave of absence under the law or other circumstances beyond the Employee's control).

With regard to any pension contributions, the Employee must contact the human resources official to make payment arrangements concerning contributions or credits paid toward his/her pension benefits. Employees should consult with the Borough prior to taking an approved leave.

Returning to Work after NJFLA Leave. On returning to work after NJFLA leave, eligible Employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any Employee who fails to return to work as scheduled after NJFLA leave or exceeds the twelve (12) week NJFLA entitlement will be subject to the Borough's standard leave of absence and attendance policies. This may result in termination if the Employee's continued absence is unauthorized (for example, if the Employee has no other Borough-provided leave available to him/her).

Retaliation Prohibited. The Borough and the NJFLA prohibit the interference with, restraint of or denial of any right provided under the NJFLA and/or discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA. The Borough encourages Employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the human resources official.

New Jersey Family Leave Insurance. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the Employee, the Employee may be eligible for up to twelve (12) weeks of Family Leave Insurance (“FLI”) payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or NJFLA leaves.

An Employee’s job is not protected while receiving FLI benefits – unless the Employee is eligible for leave under the FMLA, NJFLA, or is otherwise designated for an approved family leave of absence.

Employees must provide the Borough with advance notice of need for leave, as follows:

- At least thirty (30) days before leave to bond with a newborn or newly adopted child, unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.
- In a reasonable and practicable manner for leave to care for a seriously ill family member on a continuous, non-intermittent basis, unless an emergency or other unforeseen circumstance precludes advance notice.
- At least fifteen (15) days before leave to care for a seriously ill family member or leave to bond with a newborn or newly adopted child on an intermittent basis unless an emergency or other unforeseen circumstance precludes advance notice.

Application for Family and/or Medical Leave
(FMLA) and/or New Jersey Family Leave (NJFLA)

Name: _____

Date of Request: _____

Mailing Address: _____

Department: _____

Hire Date: _____

Title: _____

Start Date of Anticipated Leave: _____

Expected Date of Return to Work: _____

Reason for Leave:

☐ I request family leave to care for my newborn child, newly adopted child, or a newly placed foster child in my home.

☐ I request family leave to care for my family member with a serious health condition. I request family leave to care for:

☐ Spouse ☐ Child ☐ Parent

NJFLA Only: ☐ Parent-in-Law ☐ Civil Union/Domestic Partner

Name: _____

Address: _____

☐ I request medical leave to care for my own serious medical condition.
Describe serious health condition:

Application for FMLA and/or NJFLA (cont'd)

- ☐ I request military family leave because of a qualifying exigency arising out of the fact that my

☐ Spouse ☐ Child ☐ Parent
is on active duty or called to active-duty status in support of a contingency operation as a member of the National Guard or reserves.

- ☐ I request military family leave because I am the

☐ Spouse ☐ Child ☐ Parent ☐ Next of Kin
of a covered service member with a serious injury or illness.

I understand that if my family or medical leave (total of paid and unpaid time) does not exceed twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), I will be returned to my same or equivalent position.

I understand that if my family or medical leave exceeds twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), the Borough may terminate my employment in accordance with the applicable law.

If my request for leave is approved, it is my understanding that unless the Borough has authorized an extension of my leave in writing, I must report to duty on the first workday following the date my leave is scheduled to end.

I understand that failure to return to work within five (5) consecutive working days following the expiration of the leave will constitute unequivocal notice of my intent not to return to work and the Borough may terminate my employment.

Signature of Employee: _____

Date: _____

Received By: _____

Borough Representative

Complete and Return To:

Borough Administrator

Return to Work Medical Certification

Employee Name: _____ Position: _____

Date leave commenced: _____ Date Employee can return to work: _____

To Be Completed by Health Care Provider:

_____ I have completely examined this Employee. In my medical opinion, his/her functional capacity is limited such that there is no possible way to modify his/her work environment to accommodate his/her physical and/or mental limitations according to the attached job description that was reviewed by me.

_____ This Employee's condition prevents him/her from safely performing the essential functions of his/her position and will be unable to return to work.

- or -

_____ This Employee is unable to return to work at this time and should be out of work until (please provide date): _____

_____ I have completely examined this Employee and in my medical opinion, his/her functional capacity is limited. This Employee can continue to work safely if the job, according to the attached job description that was reviewed by me, is modified to match the modifications stated below:

_____ Modified duty status should continue until _____
Date

_____ I have completely examined this Employee. In my medical opinion I believe this Employee can resume/perform all functions of his/her position without restrictions according to the attached job description that was reviewed by me.

Signature of Health Care Provider: _____ Date: _____

Name of Health Care Provider: _____ Telephone: _____

Address: _____

Type of Practice: _____

Area of Specialization: _____

BEREAVEMENT LEAVE:

All employees are entitled to four (4) work days commencing the day after death for each death of an employee's immediate relative. "Immediate relative" includes spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, mother-in-law, father-in-law, brother-in-law, sister-in-law, cousin or any person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave.

JURY DUTY LEAVE POLICY:

An employee required to render jury service must submit jury duty notice to the Borough Administrator in advance and shall be entitled to be absent with pay from work during that service. Proof of jury duty service must be submitted when completed.

In the event an employee is called to jury duty, he/she will be granted time off as the court requires. The employee will be paid only for that time actually required to serve on jury duty and if there are times the employee isn't scheduled for jury duty, then, in that case, they must report for work. All requests for jury duty leave must be filed in advance with the Borough Administrator. The above policy is predicated upon the compensation and terms of employment for the employee. For example, if a part-time employee is salaried, the employee shall be entitled to paid time off provided any compensation received from the court, other than mileage, is submitted to the Borough of Montvale. If the part-time employee is an hourly employee, the employee shall be entitled to unpaid time off without pay.

MILITARY SERVICE LEAVE POLICY:

The Borough provides military leave in accordance with applicable State and Federal law. In all cases involving military leave, the Employee must, as soon as possible, provide his or her Department Head with a certificate verifying the call to military duty prior to beginning the military leave.

Organized Militia. Any permanent or full-time temporary officer or Employee, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time on all work days on which he or she is engaged in any period of Federal active duty, up to thirty (30) work days in any calendar year. A military leave of absence is in addition to the Employees' regular vacation or other accrued leave.

Any leave of absence for such duty in excess of thirty (30) work days will be without pay but without loss of time. A full-time temporary officer or Employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

New Jersey Organized Militia. New Jersey's organized militia consists of the National Guard (Army and Air), the Naval Militia, and the State Guard. Any permanent or full-time officer or Employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he or she shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year.

Any leave of absence for such duty in excess of ninety (90) work days will be without pay but without loss of time. A full-time temporary officer or Employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

Reinstatement. To be reinstated by the Borough without loss of privileges or seniority, the Employee must report for duty with the Borough within the time required by law following release from active duty under honorable circumstances.

In accordance with legal requirement, Employees who take military leave are required to:

- Provide the Borough with proper notice of the leave;
- Apply for reinstatement within the time required by law;
- Have a creditable military record including completion of all required training and fulltime service and be discharged under honorable conditions.

On return from a military leave of absence, the Employee will be reinstated as required by law. See The Uniformed Services Employment and Reemployment Act ("USERRA"). Failure to comply with the requirement enumerated above or as required by law will jeopardize an Employee's reemployment rights.

SECTION FOUR: PERSONNEL RULES AND REGULATIONS

APPEARANCE AND DRESS CODE:

The Borough of Montvale requires that employees dress neatly and appropriately at all times and that they maintain adequate personal hygiene. The success of any business is reliant on the support and goodwill of the people it serves. For this reason, it is important that the Borough of Montvale maintains a professional image. As representatives of this municipality, employees must adhere to this appearance and dress code policy.

General Guidelines:

The Borough urges employees to use common sense and sound judgment when it comes to selecting their work attire. In general:

- All clothing should be clean, unwrinkled and in good shape. Refrain from wearing clothes that have tears, rips or holes, even if it is the latest trend or fashion.
- All employees should maintain an acceptable level of bodily hygiene to ensure that interactions with other staff and residents remain positive and pleasant.
- Work clothes should be professional, which means that they should not be too revealing or casual and should fit appropriately.

Borough of Montvale Dress Code

In general, the dress code for employees is *business*. However, inspectors in the Building Department and Fire Prevention can wear business casual and should make use of the official departmental shirts provided by the Borough for this purpose. Staff that have direct contact with the public and attend meetings should follow a dress code of business professional during these meetings. The exception is on Friday which is a “dress down” day when “business casual” attire is permitted.

Business Casual Attire

Business casual dress will be permitted on Friday. However, if an employee has a scheduled meeting with a resident, business professional dress guidelines must be observed unless the resident has specifically requested otherwise. Business casual dress is defined as follows:

- Casual Shirts: All shirts with collars, neat crew-neck or V-neck shirts, blouses, and golf and polo shirts
- Pants: Casual slacks and trousers and jeans without holes, frays, etc.
- Footwear: Casual slip-on or tie shoes, dress sandals, and clean athletic shoes.

Unacceptable Attire:

- Flip-flops

- Sneakers (except on casual Friday)
- Ripped Jeans
- Camouflage
- Shorts
- T-shirts
- Shirts with inappropriate slogans
- Muscle shirts
- Pants worn below the waist or hip line
- Construction or hunting boots
- Workout clothes
- Any garment with stains
- Any garment with rips or tears or frayed hems
- Any garment that is wrinkled
- Any garment that reasonably makes others feel uncomfortable
- Midriffs and crop-tops
- Baseball Caps
- Novelty Buttons

If the dress code policy contradicts the rules of your faith, please notify the Borough Administrator or Office Manager. With the advance approval of the Borough Administrator, the Borough of Montvale will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action will be sent home without pay.

ATTENDANCE POLICY:

All Administrative Employees shall use the Bamboo (HR) Human Resources System a cloud-based Human Resources Management System designed to provide core Human Resource tracking. All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday and a voice mail message left on the Office Manager or receptionist's telephone. The normal working hours for full-time (employees working 35 hours per week) administrative employees are 8:00 AM to 4:00 PM, M-W, 8:00 AM to 7:00 PM, Th, and 8:00 AM to 12:00 PM, F. The working hours for other employees/departments are established by departmental procedures and bargaining unit agreements. Schedules are subject to change without notice. All other administrative employees working less than a 35-hour work week are considered part-time and working hours are assigned by the Borough Administrator.

ALCOHOL AND DRUG-FREE WORKPLACE:

All applicants for positions that require a CDL license and all Employees whose job requires them to possess a CDL license shall be excluded from this Alcohol and Drug-Free Workplace policy. Instead, these Employees are governed by Federal and State regulations. Employees hired with the understanding that they must obtain a CDL license will be covered under this Alcohol and Drug-Free Workplace Policy until they obtain their CDL license.

YOUR ROLE AND RESPONSIBILITIES

DRUG-FREE WORKPLACE

The Borough of Montvale is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This is considered a Health & Safety Policy of the Borough of Montvale. This Policy highlights the Borough of Montvale's New Jersey Drug-Free Workplace Policy.

The Borough of Montvale recognizes the prime importance to the Borough of Montvale of protecting the safety, health and welfare of its Employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the adverse effects of substance abuse. While the Borough of Montvale has no intention of intruding into the private lives of its Employees, the Borough of Montvale does expect Employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's substance abuse. Ultimately an Employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Borough of Montvale has a duty to safeguard its Employees and the public from the risk of harm from Employees who work under the influence of alcohol and drugs. Similarly, Employees who are working under the influence, and Employees who know that a fellow Employee is working under the influence, owe such a duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability. All Employees and contractors are responsible and accountable for ensuring that they, and their Employees, are not under the influence of alcohol or drugs when carrying out work for the Borough of Montvale. Managers and supervisors are responsible for taking appropriate action where they identify individuals who are at work while under the influence of alcohol or drugs. They should also take appropriate action to protect the health and safety of individuals who may be affected.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable. However, to the extent this policy may conflict with a current collective bargaining agreement (CBA), the CBA shall prevail.

All testing information is considered confidential information by the Borough of Montvale and will be maintained in a separate file along with the Employee's medical records, separate from other personnel files. An Employee has the right to inspect and obtain a copy of his or her drug test results. Drug testing information will only be released to those Employees of the Borough of Montvale with a job related need to know, the DER (Designated Employer Representative) and Alternate DER, to defend against any administrative action brought by the Employee against the Borough of Montvale in grievance or arbitration proceeding under the terms of a collective bargaining agreement, in a court of law under subpoena, as released by the Employee in writing, the MRO, Borough of Montvale insurers, rehabilitation programs and as otherwise required by law. Our Drug-Free Workplace Policy does not tolerate the abuse of drugs or alcohol in the workplace. Understand that this Policy prohibits illegal drug use on or off the job. We encourage any Employee suffering from a substance abuse problem to seek help. If you need help, we can direct you to our Employee Assistance Program (EAP) Substance Abuse Professional (SAP) for a confidential evaluation and referral for substance abuse treatment if necessary. Notice of the Borough of Montvale's New Jersey Drug-Free Workplace testing will be provided on vacancy announcement and is posted in conspicuous locations on Borough of Montvale premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Borough of Montvale safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment, except to the extent this policy may conflict with a current collective bargaining agreement (CBA), which CBA shall prevail. The Borough of Montvale has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers Employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of Borough of Montvale all Employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

WHO DO WE TEST?

All Employees performing safety-sensitive functions, and all final applicants for positions where safety-sensitive functions are performed, and all other Employees where reasonable suspicion exists. All DOT regulated Employees are also subject to testing under this policy. Using the criteria below, there may be Employees classified by the Borough of Montvale as safety-sensitive.

SAFETY-SENSITIVE CLASSIFICATIONS

Safety-sensitive Employees are those Employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire and police dispatchers, 911 operators, heavy machinery operators, forklift operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, and those involved in security functions. All Department of

Transportation (DOT) regulated Employees are determined to be safety-sensitive by those regulations. Unless an Employee comes under drug testing regulations of some federal agency, each position, job classification or department, should be individually evaluated to determine whether the Employee is safety-sensitive in accordance with the above guidelines. (Attach safety-sensitive job classifications on separate sheet if necessary.)

HOW DO WE TEST?

Drug and alcohol testing is done through chemical analysis which determines without question if a person has drugs or alcohol in his or her system and in conformity with regulations of the New York Department of Health, New Jersey Department of Health, or CLIA. Specimens subject to testing include urine, breath, hair, oral fluids, or blood. Specimen collections, chain of custody and drug and alcohol tests will be in substantial compliance with the U.S. Department of Transportation (DOT) procedures if applicable to the type of specimen being tested. To ensure accuracy, urine lab test procedures shall include a preliminary drug screening, two highly sophisticated scientific tests including adulterant detection, and are reported to an independent certified Medical Review Officer prior to being released to the Borough of Montvale. Observed urine collections will only be conducted with the consent of the donor, and the observer will be by a person whose gender matches the donor's gender as identified by the donor at the beginning of the observed collection. Observed collections will be conducted in a professional manner that minimizes discomfort to the donor, and a medical professional may serve as the monitor, regardless of gender. The Medical Review Officer may recommend the collection of an alternate specimen (e.g., oral fluid) when a donor is unable to provide a sufficient amount of urine specimen at the collection site. The MRO will verify that chain of custody procedures were adhered to, use of a certified laboratory and that the test results were valid. The Borough of Montvale, provides reasonable accommodations to Employees and/or applicants in the alcohol and drug testing program whose physical condition prevents them from producing a urine specimen suitable for testing. In accordance with Borough of Montvale policy, a test result reported by the laboratory as a negative dilute urine test is not considered a negative test but subjects the donor to immediate retesting; and a second negative dilute urine test will render an applicant ineligible for hire and current Employees, where a negative test is required, not currently fit for duty. FDA approved on-site screening devices may be utilized with all initial positive results confirmed by laboratory testing.

All positive initial tests are confirmed by GC/MS at established DOT cut off levels. An Alcohol content of 0.04 or higher using a DOT approved alcohol screening device, or breath alcohol device, is classified as a positive test. The drugs tested for may include all or some of the following: (1) Amphetamines; (2) Cannabinoids; (3) Cocaine; (4) Phencyclidine (PCP); (5) Opioids, designer drugs, or a metabolite of any of the above substances and mind altering synthetic narcotics or designer drugs, or impairing effect medications or substances, taken by Employees working in a safety-sensitive classified position, in order for the Borough to fulfill its duty to provide a safe place to work as a safety rule. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

WHAT IF YOU TEST POSITIVE?

The Medical Review Officer will contact you confidentially to give you an opportunity to discuss your results before reporting them to the Borough of Montvale as a verified positive. You may discuss the result with the MRO up to seventy-two (72) hours after a positive result and ask questions of the MRO about prescription and non-prescription medications, rebut or explain the test results to the MRO, and provide supporting documentation. During this 72-hour period, any applicant or Employee may request that their split specimen be tested at a second laboratory and if positive, they will be responsible for that expense and that cost may be deducted from their paycheck, depending upon the result and, if negative, the Employee will be reimbursed by the Borough of Montvale for the cost of the test and any lost time. Under federal regulations, the MRO has the discretionary authority to notify the Borough of Montvale that an Employee is temporarily medically disqualified from the performance of safety-sensitive work during this evaluation period and also has the duty to notify the Borough of Montvale if the Employee is taking an impairing effect medication. A positive drug or alcohol test is classified as willful misconduct and a violation of the Borough of Montvale's Policy. Any Employee who tests positive, or refuses to be tested, may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, for gross misconduct connected with work, and violation of a safety rule for those Employees working in a safety-sensitive position and/or forfeit eligibility for Worker's Compensation benefits *N.J. Stat. Ann. § 34:15-7* if post-accident and may adversely affect an Employee's eligibility to receive Unemployment Compensation benefits. Any applicant made a conditional offer that tests positive, or refuses to be tested, will be denied employment or have their offer withdrawn.

As it relates to cannabis, an employee will be subject to adverse action if there is both a positive drug test, confirmed by a licensed laboratory, and a determination of reasonable suspicion based on documentation of physical signs or other evidence of impairment during the employee's work hours. When the New Jersey Cannabis Regulatory Commission issues standards for certification of a Workplace Impairment Recognition Expert ("WIRE"), an employee will be subject to adverse action if there is both a positive drug test and a physical evaluation by a WIRE.

Applicants for non-CDL positions will not be denied employment based solely on a positive pre-employment drug test for cannabis, except for law enforcement officers assigned to a federal task force, holding a federally regulated license requiring testing, or applying to an agency that is specifically required to test for cannabis by the terms of a federal contract or federal grant.

WHAT IF YOU FAIL TO FOLLOW SAFETY GUIDELINES?

Often times, impairment from drugs or alcohol will cause an Employee to fail to adhere to safety guidelines and other common sense safe working practices. Failure to wear a seatbelt, failure to use Borough of Montvale provided or required safety equipment, failure to follow safety guidelines, or removal (or disabling) of a safety guard will be willful misconduct connected with work, and subject the Employee to discipline, up to and including discharge for violation of Borough of Montvale Policy.

WHAT ABOUT IMPAIRING EFFECT MEDICATIONS OR SUBSTANCES?

Any Employee working in a safety-sensitive position as defined by Borough of Montvale Policy is required, as a safety rule, to pre-duty disclosure that they are taking or using ANY impairing effect prescription, including medical marijuana, over-the-counter medications, mind altering synthetic or designer drugs or other substance which may have an effect on performance of safety-sensitive duties. If the fact that the Employee is taking or using an impairing effect medication or substance is not disclosed pre-duty by a safety-sensitive Employee and the Employee tests positive, is otherwise determined to be taking or using such, or is determined by the MRO to be a potential safety risk due to taking or using an impairing effect medication or substance, that Employee will be subject to discipline, up to and including termination, for violation of this safety rule. If disclosure is made, the Borough of Montvale reserves the right to send the Employee for a Fitness-for-Duty evaluation to evaluate the medication or substance and its effects on the performance of safety-sensitive duties. In advance of testing, Employees are encouraged to have their own doctor make an individualized assessment of any safety-related risks of the medications or substances which they are taking or using, providing the doctor a copy of their job description and having the doctor render an opinion on the safety-related risks. The Employee need not disclose to the Borough of Montvale the medication or medical condition involved to fulfill the disclosure obligation of this Policy. All information provided will be kept separate from personnel files and in a confidential manner. The MRO, or another Medical Professional selected by the Borough of Montvale, will make the final determination on the safety-related risks of any particular medication or substance.

WHAT IF AN ADULTERANT IS FOUND?

The use of an adulterant (something added to a specimen to attempt to hide drug use) is considered a refusal to test and a violation of the Policy. The same would be true if you attempted to substitute a specimen. Any Employee who is found to have violated this Policy by attempting to defraud a drug or alcohol test may be subject to appropriate disciplinary action, up to and including termination for willful misconduct connected with work, or withdrawal of a job offer. No last chance opportunity is available under such a circumstance. It is a criminal offense to substitute or adulterate a test specimen. It also is a criminal offense in New Jersey to manufacture, sell, give away, or possess any device or substance designed or commonly used to substitute or adulterate a test specimen. *N.J. Stat. Ann. § 2C:36-10*. The MRO may declare a urine specimen to be adulterated or substituted based on the laboratory report.

WHAT IF I REFUSE?

A refusal to provide a specimen for testing, unless the MRO agrees a medically valid reason exists for your inability, will be considered willful misconduct connected with work. Such willful misconduct connected with work will cause an applicant's offer to be withdrawn and will subject an Employee to immediate termination for cause. Under New Jersey law, unemployment compensation benefits may not be available in such a circumstance. Failure to report for specimen collection within a reasonable time, two (2) hours, of being directed to do so is also classified as a refusal under the Borough of Montvale Policy.

DRUG EDUCATIONAL INFORMATION

Attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Borough of Montvale will conduct Employee education of substance abuse education and awareness and supervisor training on how to recognize signs of abuse, how to document and collaborate signs of Employee substance abuse, and how to refer substance abusing Employees to the EAP.

WHAT IF YOU HAVE A SUBSTANCE ABUSE PROBLEM?

The Borough of Montvale will provide support for Employees who need support and help with alcohol or drug dependency via confidential Employee Assistance Program (EAP), Substance Abuse Professional (SAP) or Medical/Occupational Health support services. Employees who proactively seek treatment will be treated sympathetically and in a confidential manner. In certain cases, this may require a transfer to other duties (e.g. where a person is working in a safety critical role) while the individual is receiving treatment. However, the fact that an Employee is seeking or undergoing treatment will not be a defence to a charge of wilful misconduct if the Employee reports for work under the influence of alcohol or drugs. Our Policy encourages any Employee with a drug or alcohol problem to voluntarily and confidentially seek help through our EAP/SAP program. Coming forward after you have been notified to report for testing is not considered a voluntary report. For confidential help with a substance abuse problem, contact the DER or the EAP/SAP. Counseling and rehabilitation for alcohol or substance abuse is available through the EAP, and may also be available under the health and welfare benefit program for Employees, *only to the extent of the current benefits package*. The Borough of Montvale will assume no direct financial responsibility for counseling or rehabilitation costs of an Employee, not covered by the EAP. Any costs in addition to or in excess of any available health benefits are the Employee's responsibility. A list of state and national **Substance Abuse Resources** is a part of this Policy.

WHAT ABOUT A LAST CHANCE OPPORTUNITY?

No last chance opportunity is available to a probationary, part time or temporary Employee, or in the case of refusal, attempted adulteration, substitution, switching, tampering with, or diluting of a specimen or attempt to defraud a drug test. Employees who receive an EAP/SAP evaluation favorable for rehabilitation may be offered a last chance agreement which will subject the Employee to unannounced follow-up testing for up to 12 months, together with other educational and counseling requirements as recommend by the EAP/SAP. A negative return to duty test is required to be placed back on active duty. A positive test, refusal or failure to comply with any term of the last chance agreement during this follow-up period will subject the Employee to immediate termination.

WHY AND WHEN DO WE TEST?

- Pre-employment: Drug testing will be performed on all final applicants for safety-sensitive positions, or who transfer into a safety-sensitive position, as a condition of their employment.
- Routine Fitness-for-Duty: Safety-sensitive Employees may be required to submit to a drug test as part of a routine Fitness-for-Duty examination and may be based on a particular job classification.

- Reasonable Suspicion: All Employees will be required to submit to a drug and/or alcohol test if the Borough of Montvale has a reasonable suspicion that an Employee is under the influence of drugs or alcohol, which adversely affect or could adversely affect the Employee's job performance. Employees selected for testing shall be suspended until a negative drug/alcohol screen or laboratory test result is received. If a negative result, the Employee will not suffer a loss of pay.
- Post-Accident/Incident Testing: Testing of a safety-sensitive Employee may be conducted under any of the following circumstances: 1) the Employee involved in the incident/accident was actively engaged in the activity which objectively could have caused or contributed to the injury or damage; or 2) the Employee was operating, controlling, or repairing any machinery, tool, device, equipment or vehicle that was involved in the incident/accident; or 3) the Employee's action or inaction was likely a contributing factor to the incident/accident or cannot be completely discounted as a contributing factor based on current info; or 4) testing is being conducted as part of the Borough of Montvale's Post Incident/Accident Investigation related to possible Workers' Compensation Disqualification; or 5) testing is being conducted for other non-injured Employees whose actions, or inaction, could have contributed to the incident/accident as part of a root cause investigation; or 6) post-accident drug testing is required by the Workers' Compensation Carrier or Fund.
- Random: Employees in safety-sensitive positions are subject to random drug testing. Those subject to testing are randomly selected, using scientifically valid methods, from a "pool" of covered Employees. Non-DOT safety-sensitive Employees may be included in a Non-DOT testing "pool." DOT regulated Employees should only be placed in a DOT testing "pool."
- Rehabilitation/Follow-up: An Employee who has voluntarily requested rehabilitation prior to a positive drug test may be subject to unannounced drug and/or alcohol testing under a work continuation agreement, to determine whether he or she is under the influence of alcohol or drugs after successful completion of the rehabilitation program. The testing will be without notice in conjunction with a referral for treatment.

POLICY PROHIBITIONS

Employees, applicants and Contractors for the Borough of Montvale are strictly prohibited from engaging in the following conduct:

1. With respect to illegal drugs, Employees and applicants violate this Policy by engaging in the following conduct, whether or not during work time or on Borough of Montvale premises or property and are subject to discipline up to and including discharge, or rejection of the application for employment, or cancellation of contractual agreements:
 - a. Testing positive in a confirmed drug or alcohol test, or refusing to be tested.
 - b. Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia on Borough of Montvale premises or property, including Borough of Montvale owned or leased vehicles, or vehicles used for Borough of Montvale purposes.

- c. Having possession of, being under the influence of, testing positive for, or being in close proximity to persons using illegal drugs, or otherwise having in one's system illegal drugs.
- d. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs. In addition, the Borough of Montvale will refer such matters to the appropriate police authority.
- e. A conviction or plea of guilty relative to any criminal drug offense occurring in the workplace. All Employees must notify Borough of Montvale in writing of any criminal drug conviction no later than five (5) calendar days after such conviction. Drug use off-the-job which adversely affects an Employee's performance on the job, or which has the potential to jeopardise the health or safety of other Employees, the public or the Borough of Montvale's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against Employees who are convicted for an off-the job drug offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the Employee's job assignment, the Employee's record with the Borough of Montvale and other factors related to the impact of the Employee's conviction on the Borough of Montvale.
- f. Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.
- g. Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.
- h. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, drug testing, medical or physical tests or examinations, when requested or conducted by Borough of Montvale or its designee, is a violation of Borough of Montvale Policy and may result in disciplinary action up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.
- i. Failure to advise pre-duty the Borough of Montvale of the use of a prescription or over-the-counter drug which may alter the Employee's ability to safely perform the essential functions of his or her job.
- j. Failure of an Employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of drugs.
- k. We strictly prohibit Employees from using hemp products, which some within the medical community have indicated may cause a positive marijuana test result.

We will not generally consider use of hemp products a valid medical explanation for a positive marijuana test result.

2. With respect to alcohol, Employees violate this Policy by engaging in the following conduct during work time or on Borough of Montvale premises or property:
 - a. Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol on Borough of Montvale premises or property, including Borough of Montvale owned or leased vehicles, or vehicles used for Borough of Montvale purposes.
 - b. Having possession of, being under the influence of, testing positive for or having in one's system, alcohol. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol. *Exceptions to the policy concerning alcohol consumption or possession may be made only upon the prior explicit approval of senior management for specifically identified circumstances.*
 - c. A conviction or plea of guilty relative to any criminal alcohol offense occurring in the workplace. All Employees must notify Borough of Montvale in writing of any criminal alcohol conviction not later than five calendar days after such conviction. Alcohol use off-the-job which adversely affects an Employee's performance on the job, or which has the potential to jeopardize the health or safety of other Employees, the public or Borough of Montvale's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against Employees who are convicted for an off-the job alcohol offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the Employee's job assignment, the Employee's record with the Borough of Montvale and other factors related to the impact of the Employee's conviction on the Borough of Montvale
 - d. Switching, tampering with, or adulterating any specimen or sample collected under this Policy, or attempting to do so.
 - e. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, alcohol testing, medical or physical tests or examinations, when requested or conducted by Borough of Montvale or its designee, is a violation of Borough of Montvale Policy and may result in disciplinary action, up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.
 - f. Failure of Employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of alcohol.

HOW CAN YOU HELP?

- I. If you are doing drugs – STOP!
- II. If you need help – ASK!
- III. If you know someone at work who is doing drugs – TAKE ACTION!
- IV. Don't let someone else's drug or alcohol problem be the cause of an ON THE JOB INJURY!

Only with your help can we truly have a safe, pleasant, and productive environment at the Borough of Montvale

BOROUGH OF MONTVALE

12 DEPIERO DRIVE

MONTVALE, NJ, 07645

201-391-5700

**Drug Educational Information
Alcohol (Depressant)**

Common Forms:	Beer, wine, hard liquor
How Used:	Oral ingestion, patterns of use vary.
Desired Effect:	People drink to relax, to socialize, as a part of a religious ceremony, for the control of physical and emotional pain, or for a variety of other reasons. Its depression of the central nervous system is progressive and continuous. It is a mood-modifying drug that usually provides a temporary feeling of mild euphoria and stimulation. This is a result of the initial depression of the higher centers of the brain which control inhibition. The more you drink, the more sedated you then become.
Time in body:	Depends on many factors, such as body size, amount of alcohol consumed within an hour, and other individual factors. Performance is affected in relation to the amount consumed. Generally, a medium-sized person eliminates the equivalent of one drink per hour. However, "hangover" effects of alcohol have been documented for as long as 14 hours after consuming an intoxicating dose, well after the blood alcohol levels have returned to zero.
Observable effects:	Staggering gait Slurred speech Odor of alcoholic beverage Shaky hands Poor eye-hand coordination Slowed reaction time Eyes react slowly to light - wears sun glasses
Work behavior:	Arrive late, leave early, mis-outs Neglect of physical appearance Restlessness Tremors (hands, face, fingers, lips tongue) Slurred speech Uninhibited - makes inappropriate remarks
Material Indicators:	Empty liquor bottles, cans, often in paper bags Flasks, sometimes disguised as other things
Slang Terms	Booze, juice, hooch, grape, eye-opener, hair-of-the-dog, brew, suds, etc.

**Amphetamines (Amphetamine and Methamphetamine)
Stimulant**

Common forms:	Amphetamine - usually capsules or white, flat, double-scored pills. Methamphetamine - white or granular powder, often packaged in aluminum foil or plastic bags.
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How used:	Orally, sniffed up the nose, or injected.
Desired effects:	Most commonly sought after effects include euphoria, postponement of fatigue, increased energy, alertness and feelings of personal power. Repeated or chronic use often causes a strong dependence reaction and a schizophrenic loss contact with reality. Users coming off the drug experience extreme fatigue-induced sleep ("crash"), often followed by continued fatigue and depression.
Time in body:	Injection or sniffed up the nose; "rush" felt within 1 minute. Orally, effects felt within about ½ hour. Single doses detectable for about 48 hours.
Observable effects:	Dilated pupils. Flushed face, rapid respiration, profuse sweating. Hyper-excitability, talkativeness, restlessness. "Stereotypic" behavior often seen: person engages in repetitive tasks or mannerisms for extended periods of time. In large doses, inability to concentrate, confusion, panic.
Work behavior:	Try to do job beyond competence level. Impaired ability to operate equipment. Takes chances, risks.
Material Indicators:	Pills, capsules, white powder, granular crystals Foil wrapped tubes, baggies. Hypodermics and paraphernalia for injections
Slang terms:	Defies, bennies, speed, crank, ice, crystal, white crosses, black beauties

Cocaine - A Stimulant

Common forms:	Cocaine - White crystalline powder. Free-base cocaine (crack) - white granular "rocks"
How used:	Cocaine--usually snorted up the nose through a straw or from a "coke spoon" after being chopped to a fine powder with a razor blade. "Crack" -- freebase cocaine--is a processed version which is vaporized in a pipe and inhaled. Either form may also be injected.
Desired effect:	Most commonly sought after effects are euphoria, stimulation, postponement of fatigue and feelings of personal power. The "high" lasts approximately one hour, with a "down" follow-on period. Psychological and physical dependence to "crack" after one to two uses; dependency to snorted coke takes longer to develop.
Time in Body:	Single doses detectable for 12-24 hours
Observable effects:	Dilated pupils. Talkativeness, restlessness. Sniffing, runny nose, irritated or bloody nose. Dramatic mood swings, from "down" to "up" in minutes. Sense of power sometimes manifested in aggressiveness
Work issues:	Frequent trips "to the restroom"—secluded place. Frequent sick-outs and unexplained absences. Hyper-excitability and over-reaction to stimulus. Isolation/withdrawal from friends and activities. Financial problems--borrows, steals and/or sells to support habit. Insomnia, restlessness, lack of sleep
Material Indicators:	Small folded paper envelopes (bindles), plastic bags, small vials used to store drug. Razor blades, mirrors, cut off straws, coke spoons. Small glass pipes, and heat sources used to volatilize crack.
Slang terms:	Coke, snow, toot, crack, blow, happy dust, "C"

Marijuana

Common forms:	Dried green-brown flowers and leaves of the hemp (cannabis) plant--also as compressed tar like lumps (hashish) and sometimes as an oil to be spread on cigarettes (hash oil).
How used:	Generally smoked in hand-rolled cigarettes (joints) or a small pipe, sometimes eaten in baked goods or steeped to make a tea.
Desired effects:	Effects are somewhat dependent on the user and potency of the plant. Low doses tend to produce a dreamy state of relaxation and euphoria with changes in sensory perceptions (usually intensified) and alteration in thought formation and expression. Higher doses intensify these reactions with fragmentation of thought, memory impairment, shortened attention span, and illusions of insight. Marijuana currently sold on the street is 10 times more potent today than in past years.
Time in body:	Marijuana dissolves in body fat cells and is detectable for extended periods of time--up to seven (7) days for occasional users and four (4) weeks or longer for chronic users
Observable effects:	Red bloodshot glassy eyes (users often wear dark glasses and use eye drops to combat). Poor muscular control. Rambling, disconnected speech patterns. Euphoria--as laughing out of context. Getting "hung up" - i.e. going into the bathroom to comb your hair and coming out two hours later. Distinctive odor in air and/or on clothing.
Work issues:	Lack of attention, vision and auditory changes, and poor muscular control. Inability to respond to emergencies and sudden situational changes. Frequent sick-outs and mis-outs. Lackadaisical "I don't care" attitude about person and work. Chronic health problems for frequent users--persistent cough, fatigue, frequent sickness.
Material indicators:	Baggies of green-brown vegetable matter; rolling papers; small pipes (for marijuana) and very small pipes (for hashish); "roach clips" to hold the burned end of the marijuana cigarette; "roaches" discarded on the floor or in ash trays; distinctive odor of marijuana in the air.
Slang terms:	Dope, grass, reefer, weed, ganja, pot, etc.

Opioids (Morphine and Codeine)--Narcotic Depressants

Common forms:	Street forms are pills, liquids and powders. Morphine is derived from opium. Opium dissolved in alcohol, containing 10% morphine, is legally available in many states as "paregoric." Morphine and codeine are widely used medicinally. Morphine is a naturally occurring alkaloid, and is also found in products containing poppy seeds. Heroin is a semi-synthetic derivative of morphine.
How used:	Opium is usually smoked. Codeine is most commonly taken orally. Heroin and morphine are injected; powders can be snorted; cigarettes can be dipped in paregoric and smoked.
Desired effects:	Most commonly effects include euphoria, relief from pain, and a feeling of dissociated well-being. Low maintenance doses allow the addict to function on a daily basis. The heroin user experiences a "rush" described as a very pleasurable whole body reaction lasting 5-10 minutes, followed by several hours of mental and physical relaxation.

Time in body:	Single doses are usually detectable for 48-72 hours.
Observable effects:	Pinpoint pupils. Sweating, nausea, vomiting in novice users. "Nodding off"--the head drooping toward the chest, then bobbing up. Overly calm, detached facial expression. Confusion, mental dullness and slurred speech. Needle marks over veins.
Work issues:	Increased sick-outs, mis-outs. Lack of interest in work, no attention to detail. Sharing of needles brings a high risk of contracting hepatitis and/or AIDS. High cost of the addiction may lead to borrowing money, stealing and selling (on or off the premises).
Material indicators:	Foil or paper "bindles" for holding the drug. Charred spoons or bottle caps, used to cook the drug. Multiple burned matches used to cook the drug. Needles, syringes, eye droppers used for injection. Balloons or prophylactics used to hold drug. Bloody tissue papers, blood on shirt sleeves.
Slang terms:	Heroin, dope, smack, shit, hard stuff, "H", china, monkey dust, china white, etc.

Phencyclidine (PCP)

Common forms:	Pills, liquid, powder, and PCP cigarettes
How used:	Usually smoked with tobacco or marijuana, but may be injected, swallowed, eaten or snorted.
Desired effects:	Users report desirable feelings of immobility, numbness, and detachment. Other sought-after effects include feelings of strength, power, and invulnerability, a dream-like detachment from reality (often coupled with lack of coordination).
Time in body:	Usually detectable 1- 8 days, but chronic users may test positive for several weeks following the last dose.
Observable effects:	Low doses: Sedated, euphoric, uncoordinated behavior. Wide mood swings. Sparse and purposeless speech. Muscle rigidity and jerky eye movements (nystagmus).
High doses:	Coma-like states with muscle rigidity and staring, half-closed eyes. Sudden stimuli may send the user into a psychotic state, with extreme agitation, violent behavior, abnormal strength, and inability to speak or comprehend.
Work issues:	Wide mood swings, unpredictable behavior, aggressive. Tremendous liability in the work force.
Material indicators:	Cigarettes that look as if they have been wet. Crystals, liquids or powders in small vials. Folded aluminum foil or paper packets.
Slang terms:	PCP, angel dust, hog, dust, DOA, shermans, sherms, peace pills, dummy, etc.

Substance Abuse Professionals

NATIONAL RESOURCES

A2Z Alcohol & Drug Abuse-Addiction	1-800-274-2042
Al-Anon/Alateen Family Group Headquarters	1-800-356-9996
Alcoholics Anonymous World Service	1-212-870-3400
American Council on Alcoholism Helpline	1-800-527-5344
800 Cocaine--An Information and Referral Hotline	1-800-262-2463
Nar-Anon Family Group Headquarters	1-310-547-5800
Narcotics Anonymous	1-818-773-9999
National Association of Alcoholism (NAADAC).....	1-800-548-0497
www.naadac.org Fax:.....	1-800-377-1136
National Association of Addiction Treatment Professionals	1-717-581-1901
www.naatp.org	
National Council on Alcoholism and Drug Dependence, Inc.	1-212-269-7797
www.ncadd.org	
Hope Line (24-hour affiliate referral)	1-800-NCA-CALL
Center for Substance Abuse Prevention's Workplace Hotline.....	1-800-WORKPLACE
National Clearinghouse for Alcohol & Drug Information	1-800-729-6686
Center for Substance Abuse Prevention's Drug Information, Treatment & referral Hotline.....	1-800-662-HELP
(Spanish-Espanol)	1-800-66-AYUDA

BOROUGH OF MONTVALE
ALCOHOL AND DRUG-FREE WORKPLACE POLICY
NEW JERSEY NON-DOT

NOTICE TO ALL EMPLOYEES AND APPLICANTS

DRUG-FREE WORKPLACE

Borough of Montvale is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This Policy highlights the Borough of Montvale's Drug Free Workplace Policy

The Borough of Montvale recognizes the prime importance to the Borough of Montvale of protecting the safety, health and welfare of its Employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the effects of substance abuse. While the Borough of Montvale has no intention of intruding into the private lives of its Employees, or preventing them from taking the medicine that they may need to stay safe and healthy, the Borough of Montvale does expect Employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's alcohol or drug use. Ultimately an Employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Borough of Montvale has a duty to safeguard its Employees and the public from the risk of harm from Employees who work under the influence of alcohol and drugs. Similarly, Employees who know that a fellow Employee is working under the influence, owe a similar duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable.

Notice of the Borough of Montvale's New Jersey Non-DOT Drug and Alcohol testing will be provided on vacancy announcement and is posted in conspicuous locations on Borough of Montvale premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Borough of Montvale safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment. The Borough of Montvale has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers Employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of *****Effective Date*****, all Employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

BOROUGH OF MONTVALE
Pre-Employment Substance Testing
Consent and Release Form [DFW02]

I do hereby certify that I have been given notice of the Borough of Montvale's pre-employment substance abuse testing policy; that I have been provided with access to a copy of the Borough of Montvale's New Jersey Drug-Free Workplace Policy and have been made a conditional offer of employment. I hereby freely and voluntarily consent to submit to tests as shall be determined by the Borough of Montvale in the selection process of final applicants for employment, for the purpose of determining the presence of, and content of, any or all of the following substances:

- | | |
|-----------------|------------------------|
| 1. Amphetamines | 4. Phencyclidine (PCP) |
| 2. Cannabinoids | 5. Cocaine |
| 3. Opioids | |

Testing may also include a metabolite of any of the above substances and mind-altering synthetic narcotics or designer drugs. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

I agree that the Borough representative, collection site, physician, or clinic may collect these specimens for screening or testing and may screen them or forward them to a testing laboratory for analysis.

I further agree to and hereby authorize the release of the results of said tests to the Borough of Montvale, its DERs, and to the Borough of Montvale's Medical Review Officer and its agents as provided in the Policy.

I understand that a negative test is a pre-condition of employment with the Borough of Montvale and that refusal to submit to testing, or a positive test result will result in the rejection of my application, or the rescinding of a conditional offer of employment. I also understand that it is not the purpose of this screen or test to identify any disability I may have and that pre-employment screening and testing activities are conducted in compliance with ADA requirements.

I further agree that a reproduced copy of this pre-employment consent and release form shall have the same force and effect as the original and shall continue while my application is being considered and during any post-consideration proceedings. I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent and release form is a voluntary act on my part and that I have not been coerced into signing this document by anyone.

Applicant: Print name: _____ SS# _____

Applicant Signature: _____ Date _____

Witness Printed Name: _____ Witness Signature: _____

**BOROUGH OF MONTVALE
ACKNOWLEDGMENT OF CONSEQUENCES OF
REFUSAL TO PARTICIPATE IN DRUG TESTING [DFW03]**

I, _____, an Employee of the Borough of Montvale acknowledge that I am refusing to report for Drug and Alcohol testing in accordance with the requirements of the Borough of Montvale's New Jersey Drug-Free Workplace Policy. I am aware that I am in violation of the Policy. I am aware that I am subject to certain adverse consequences as a result of my choice.

REFUSAL CONSEQUENCES:

- 1) Classified as a refusal to test**
- 2) Possible Discharge from employment**
- 3) Possible Disqualification from Workers' Compensation Benefits**
- 4) Possible Disqualification from Unemployment Compensation Benefits**

I have read this Acknowledgment of Consequences of Refusal to Participate in Drug Testing and understand it.

Employee Signature

Date

Witness Signature

Witness Address (city, state, zip)

(If Employee refuses to sign, please have two witnesses sign below)

Witness 1 Signature

Witness 2 Signature

Witness 1 Address (city, state, zip)

Witness 2 Address (city, state, zip)

BOROUGH OF MONTVALE
Determination of Safety-Sensitive Positions [DFW04]

To: ***DER***
From: ***Safety-Sensitive Evaluator***
Re: Determination of Positions Classified as Safety Sensitive

I have reviewed the job descriptions and duties for the following positions and have determined that they meet the criteria for a safety-sensitive position as set forth in the Policy, in that:

Safety-sensitive Employees are those Employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire and police dispatchers, 911 operators, heavy machinery operators, forklift operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, and those involved in security functions. All Department of Transportation (DOT) regulated Employees are determined to be safety-sensitive by those regulations. Unless an Employee comes under drug testing regulations of some federal agency, each position, job classification or department, should be individually evaluated to determine whether the Employee is safety-sensitive in accordance with the above guidelines.

Using the above criteria, the following positions have been classified by the Borough of Montvale as safety-sensitive: ****attached list of job classifications*** or set forth below.* Elected officials who are not otherwise classified as Employees are not subject to testing under this Policy.

Safety sensitive job classifications

Safety-Sensitive Evaluator

Date

CHANGING VITAL INFORMATION:

It is the responsibility of each Employee to notify the human resources official and the payroll office promptly, in writing, of any changes of vital information including but not limited to:

- Name
- Address
- Telephone Number
- Marital Status
- Dependent Children
- Change in status for health care programs
- Change in status for dental coverage
- Change of beneficiary on pension or life insurance policies
- Change in tax status for tax withholding purposes
- Persons to notify in case of emergency

Changes may be accomplished by completing and filing an Employee Information Change Form with the human resources official and by completing the necessary insurance and pension forms with the payroll office. When necessary, the payroll office will provide the Employee with additional proper forms to change beneficiary, income tax deductions, etc.

Employee Information Change Form

Employee Name: _____

Department: _____

Indicate the change you are reporting by checking the appropriate line:

- _____ Name
- _____ Address
- _____ Phone Number
- _____ Birth of Child
- _____ Death of Covered Family Member
- _____ Marriage
- _____ Divorce
- _____ Child's Status as Dependent (for tax or insurance coverage benefits)
- _____ Emergency Contact

Please provide details relating to the change you have check above, including the date of the change.

I authorize these changes to be effective _____

Signature of Employee: _____

Date: _____

COMPUTER USE, ELECTRONIC MAIL AND INTERNET POLICY:

The Borough's e-mail, voicemail, computer systems and Internet service are for official Borough business and use for all other non-business purposes during working time is prohibited. "Working time" shall be defined as any time in which the Employee is engaged in or required to be performing work tasks for the Borough. Working time excludes times when Employees are properly not engaged in performing work tasks, including break periods and meal times. This includes, but is in no way limited to, the use of computers or Borough-issued mobile devices, use of social networking, gaming or TV/video.

Note: All e-mail, voicemail, text, and internet messages are official documents subject to the provisions of the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq.

The Borough operates in an environment where the use of computers, e-mail and the Internet are essential tools for certain Employees. Those Employees are encouraged to use computers, e-mail and the Internet; however, it is the responsibility of the Employee to guarantee that these systems are solely used for business-related purposes during working time, (as defined above) and are used in a proper and lawful manner at all times.

- Employees are advised that all computers owned by the Borough are to be used for business purposes only during working time (as defined above), and that they have no expectation that any information stored on a Borough computer is private. Because e-mail messages are considered as business documents, the Borough expects Employees to compose e-mails with the same care as a business letter or internal memo.
- Downloading or misusing software available through the Internet could violate copyright laws or licensing requirements.
- Personal use of any computer during working time (as defined above) is prohibited, unless expressly authorized by the Employee's supervisor.
- The Borough reserves the right to block or cancel an Employee's access to Internet sites or the Internet as a whole while using business computers or on the Borough's time.
- The e-mail, telephone, and Internet systems, as well as the messages thereon, are the property of the Borough.
- The Borough reserves its right to monitor its computer systems, including but not limited to, e-mail messages, computer files and Internet usage, with or without notice, at any time, at the Borough's discretion. The Borough also reserves the right to access and disclose such communications and recordings to third parties in certain circumstances. Therefore,

Employees shall have no expectation of privacy in any transmissions made or received using Borough computers or email accounts.

- Employees must be aware that the mere deletion of a file or message may not fully eliminate that file or message from the system.
- The existence of personal access codes, passwords and/or "message delete functions," whether provided by the Borough or generated by the Employee, do not restrict or eliminate the Borough's access to any of its electronic systems as the Employees shall be on notice that they should not have any expectation of privacy when using these systems.
- Employees shall not share personal access codes or passwords, provide access to an unauthorized user, or access another's e-mail or Internet account without authorization.
- The Borough's network, including its connection to the Internet, is to be solely used for business-related purposes during working time (as defined above). If permission is granted, an Employee's personal use of the Borough's computer, e-mail and connection to the Internet shall not interfere with the Employee's duties and shall comply with the Borough's policies and all applicable laws.
- Any messages or transmissions sent outside of the organization via e-mail or the Internet will pass through a number of different computer systems, all with different levels of security. Accordingly, Employees must not send privileged and/or confidential communications (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure), via e-mail or the Internet unless the message is properly encrypted, and should consider a more secure method of communication for such data.
- Because postings placed on the Internet may display the Borough's address or other Borough-related information, and thus reflect on the Borough, make certain before posting such information that it exhibits the high standards and policies of the Borough. Under no circumstances shall data of a confidential nature (e.g., Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure) be posted on the Internet.
- If you identify yourself as an Employee in any manner on any internet posting or blog, comment on any aspect of the Borough's business or post a link to the Borough, you must include the following disclaimer in an openly visible location: "the views expressed on this post are mine and do not necessarily reflect the views of the Borough or anyone associated/affiliated with the Borough."
- Subscriptions to news groups or mailing lists are permitted only when the subscription is for a work-related purpose and authorized by Borough. Any other subscriptions are prohibited.

- All files downloaded from the Internet, e-mail attachments or the like should be checked for possible viruses. If uncertain whether your virus-checking software is current, you must check with the Borough's Network Administrator before downloading.
- Any "unauthorized use" of e-mail or the Internet is strictly prohibited while at work or while using a Borough computer. "Unauthorized use" includes, but is not limited to: connecting, posting, or downloading obscene, pornographic, violent, sexually suggestive, or discrimination-based material; attempting to disable or compromise the security of information contained on the Borough's computer systems; or sending or receiving obscene, violent, harassing, sexual or discrimination based messages. If an Employee receives a message that is representative of an "unauthorized use" of the Borough's electronic media from someone outside of the Borough, it is the Employee's duty to immediately inform the sender of such materials that he or she must refrain from sending such materials.
- Your Internet postings **SHOULD NOT VIOLATE ANY OTHER APPLICABLE BOROUGH POLICY**, including, but not limited to, the following: The Borough's Anti-Harassment and Discrimination Policies.
- Borough business which is conducted by an Employee on his or her personal computer or device is subject to this policy and may be subject to the provisions of OPRA.

Any Employee who violates this policy shall be subject to disciplinary action, up to and including termination. This policy shall not be construed to restrict Employees' rights to share information about their employment terms and conditions communicate with each other; or engage in other concerted activities for their mutual aid and protection.

Social Network Postings

For purposes of this policy, a social network is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of others users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet-based social networking activities include: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites. The absence of, or lack of explicit reference to a specific site or activity does not limit the extent of the application of this provision.

The use of the internet and social networking sites, including but not limited to Snapchat, Facebook, and Twitter, is a popular activity; however, Employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Borough and its relationship with the community. This provision identifies prohibited activities by Employees on the internet where posted information is accessible to members of the general public, including, but not limited to, public postings on social networking sites.

Specifically, the Borough reserves the right to investigate postings, private or public, that violate work-place rules, such as the prohibition of sexual harassment and other discriminatory conduct, where such postings lawfully are made available to the Borough by other Employees or third parties. Employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. If you would not be comfortable with your supervisor, coworkers, or the management team reading your words, you should not write them.

Be advised that Employees can be disciplined for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. You can also be sued by agency Employees or any individual who views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. What you say or post on your site or what is said or posted on your site by others could potentially be grounds for disciplinary action, up to and including termination. However, nothing in this social networking policy is designed to interfere with, restrain, or prevent social media communications during non-working hours by Employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the New Jersey Borough-Employee Relations Act or to prevent communications which are protected by the First Amendment freedom of speech clause, unless such communications are made as part of the Employees' official job duties.

TELEPHONE AND PERSONAL COMMUNICATION USAGE POLICY:

Borough of Montvale telephones are for official business only.

CONDUCT OF EMPLOYEES:

Employees are expected to conduct themselves in a manner which exhibits a respect for the rights and property of the Borough, fellow Employees, and residents. While many of these behaviors are addressed under specific policies, the following list, while not all inclusive, further identifies examples of inappropriate behavior:

- Insubordination or the refusal by an Employee to follow management's instructions concerning job-related matters
- Serious breach of discipline
- Neglect of duty
- Incompetency or inefficiency or incapacity
- Fighting or creating a disturbance among fellow Employees

- Using obscene, abusive, or threatening language or gestures
- Sleeping on duty
- Use or possession of intoxicants, narcotics or controlled substances without a prescription, being intoxicated or narcotized while on duty
- Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officer of the police department who shall be absent from duty without just cause for a period of five days shall cease to be a member of the police department, as provided by N.J.S.A. 40A:14-122, as amended.
- Using leave for purposes other than for which it was granted
- False statements, misrepresentation, or fraud in application form or any other matter concerning employment
- Chronic or excessive absenteeism
- Disorderly or immoral conduct
- Theft, bribery or unauthorized use or possession of the Borough, co-worker or resident property
- Disregarding safety or security regulations
- Falsifying or otherwise altering Borough records or reports, such as applications for employment, medical reports, production reports, time records, expense accounts, absentee reports, or shipping and receiving records
- Negligence or willful damage to public property or wasteful, unnecessary or unauthorized use of Borough supplies, especially for personal purposes
- Conviction of a crime
- Failure to maintain confidentiality of Borough information
- The use or attempted use of one's authority or official influence to control or modify the political action of any Employee or engaging in any form of political activity during working hours
- Infringement of policies defined in this manual or failure to comply with departmental rules and regulations
- Rude or disrespectful conduct toward the public
- Failure to maintain workplace and area cleanliness and orderliness

- Smoking where prohibited by ordinance, law or Borough rules
- Improper attire or inappropriate personal appearance
- Engaging in any harassment or discrimination based upon a protected class
- Violation of Borough policies on solicitation or distribution
- Possession of firearms or other weapons on Borough property or while on official business, unless otherwise authorized by the Borough
- Other actions disruptive to the effective, efficient, economical operation of the Borough's affairs
- Conduct unbecoming a public Employee. It is important that all Employees perform to the best of their abilities at all times.

There will be occasions, however, where Employees perform at an unsatisfactory level, violate a policy, or engage in inappropriate behavior. Except as otherwise provided by a collective negotiations agreement or by law, employment may be terminated at will by the Employee or the Borough at any time with or without cause and without following any system of discipline or warnings.

ETHICAL CONDUCT:

Pursuant to the provisions of the Local Government Ethics Law:

1. No employee or member of his or her immediate family will have an interest in a business organization or engage in any business, transaction or professional activity, which is in substantial conflict with the proper discharge of his or her duties in the public interest.
2. No employee should use or attempt to use his or her official position to secure unwarranted privileges or advantages for him or herself or others.
3. No employee should act in his or her official capacity in any matter wherein he or she, a member of his or her immediate family, or business organization in which he or she has an interest, has a direct or indirect personal or financial interest that might reasonably be expected to impair his or her objectivity or independence of judgment.
4. No employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.
5. No employee, member of his or her immediate family, or business organization in which he or she has an interest, should solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan contribution, service, promise or other thing of value was given or offered for the purpose of influencing him or her directly or indirectly in the discharge of his or her official duties.
6. No employee will use, or allow to be used, his or her public employment, or any information, not generally available to members of the public, which he or she receives or acquires in the course of and by reason of his or her employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated.
7. No employee or business organization in which he or she has an interest will represent any person or party other than the Employer in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he or she serves. An employee or members of his or her immediate family may represent himself or herself in proceedings concerning the employee's own interests.

CONFIDENTIALITY OF PERSONNEL RECORDS:

The human resources official will ensure that adequate personnel records are maintained for each Employee in accordance with applicable Federal and State requirements. These records shall include: dates of appointments, transfers, promotions and terminations, job titles, salaries, commendations, complaints, performance evaluations, disciplinary actions, amount of leave accrued and used, a record of the Employee's training and other related matters, and attendance records.

A new Employee's employment application, letters of reference, reference verification and any other supporting documents will be included in the personnel file. Confidential medical records are maintained in a separate file.

Personnel records, other than name, title, salary, compensation, dates of service, reason for separation, and information on specific educational or medical qualifications required for employment, are confidential and are available only to the Employee, an authorized representative of the Employee, and the human resources official. Personnel records may also be available to the Chief Administrative Officer, other members of management, the Borough's legal counsel, and members of the governing body on a need-to-know basis in connection with official duties. Additionally, the Borough will make the records available as required by law.

Employees are entitled to review the contents of their personnel folder, except for reference checks and other information provided to the Borough in the hiring process, but may not review the contents of other Employees' personnel file. Employees who want to review their own personnel folder should request an appointment with the human resources official. Employees should provide the Borough with at least twenty-four (24) hours advance notice of his or her need for an appointment to review his or her personnel file. To protect the integrity of the personnel files, the Employee will review the personnel file in the presence of the human resources official or his/her designee. Employees will not be permitted to photocopy the contents of their folder, take personnel folders outside of the human resources office or remove any documents from the folder.

Employees whose duties require access to personnel documents or information must maintain their confidentiality. Violators of this confidentiality will be subject to disciplinary action up to and including termination.

CONTAGIOUS/LIFE-THREATENING ILLNESS POLICY:

The Borough is committed to providing and maintaining a healthy and safety work environment which allows all Employees to perform their jobs in a safe and productive manner. The Borough respects the dignity and worth of every Employee through its Equal Opportunity Employment statement, which explains its policy and practice with respect to prohibiting discrimination in every phase of employment. The Borough provides support for individual Employees who may be facing the trauma of a life-threatening or catastrophic illness. The purpose of this policy is to support the physical and emotional health of all Employees, minimize disruptions of productivity and morale caused by the presence of a worker with a life-threatening illness, and demonstrate the Borough's continued commitment to its affirmative action goals related to physically disabled Employees.

If an Employee has learned that he or she has a contagious or life-threatening illness, including but not limited to HIV/AIDS, the Employee should take all steps to protect further spread of the disease or illness. When appropriate, the Employee's Department Head should be notified of any illnesses that may affect the health, safety, and welfare of any co-Employee or member of the general public. Employees with such conditions, who are able to meet appropriate standards and whose continued employment does not pose a threat to their own health and safety or that of others, are assured equal employment opportunities and reasonable accommodations in their employment. If an Employee is able to work, he or she is expected to be productive. If the individual cannot work, then he or she may be eligible for disability benefits.

Consistent with the concern for Employees with life-threatening illness, the Borough offers the following resources through the human resources official:

- 1) Employee education and information on terminal illnesses and specific life-threatening illnesses.
- 2) Referral to agencies and organizations which offer supportive services for life-threatening illnesses.
- 3) Consultation in assisting Employees in efficiently managing health, leave and other benefits. The Borough encourages Employees who need these resources to contact the human resources official.

DISCIPLINARY AND TERMINATION POLICY:

All employees are expected to meet the Borough of Montvale's work performance standards. The intent of the Disciplinary Action Procedure is to formally document problems and provide the employee with a reasonable time to improve performance. The process should encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Borough of Montvale's policies and procedures and other disciplinary problems.

Should a supervisor believe that an employee is not conforming to the Borough of Montvale's policies and rules or to specific instructions, or has acted improperly, the supervisor will first privately discuss the matter with the employee to obtain the employee's view. If the supervisor determines that the employee has acted improperly, the supervisor shall take one of the following actions depending upon the gravity and the employee's past record. At the discretion of the supervisor and the Borough Administrator, action may begin at any step, and/or certain steps may be repeated or by-passed.

- **Verbal Reprimand:** Depending on the circumstances, the supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the Borough Administrator for the employee's official personnel file.
- **Borough Administrator Review:** Should the supervisor consider the offense sufficiently serious to warrant consideration by the Borough Administrator, the employee will be so advised and a meeting arranged with the Borough Administrator at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any.
- **Written Reprimand:** When a supervisor determines that a written reprimand is appropriate, the situation must be discussed with the Borough Administrator. The reprimand should clearly identify the problem and outline a course of corrective action within a one-month period. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand with the signed acknowledgement and comments must be forwarded to the Borough Administrator for the employee's official personnel file.
- **Suspension:** Whenever an employee is recommended for suspension, the Borough Administrator will make the decision and may seek the advice of the Borough Attorney if appropriate. Suspended employees may request a hearing under the applicable grievance procedure.

- **Dismissal:** Whenever an employee is recommended for dismissal, the Borough Administrator and Mayor and Council will make the decision only after seeking the advice of the Borough Attorney. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal. Terminated employees may request a hearing under the applicable grievance procedure.

Corrective disciplinary action, as appropriate, will be taken against any Employee found to be in violation of established procedures. All disciplinary action shall be based upon total concern for the Employee, the Employee's relationship with his/her fellow workers, the Employee's relationship with his/her supervisor, and the best interest of the Borough. Such disciplinary action shall be of a positive, educational and corrective nature, and shall not be used in an abusive or vindictive manner.

Discipline is considered to be major or minor. Major discipline shall include:

- Removal
- Disciplinary demotion
- Suspension of greater than five (5) days

Minor discipline is a formal written reprimand or a suspension or fine of five (5) or less days.

This policy covers non-union Employees. It also covers union Employees to the extent that their collective bargaining agreements do not cover this subject matter.

An Employee may be subject to discipline, including termination, for any of the following reasons:

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public Employee;
- Neglect of duty;
- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity, including sexual

harassment;

- Violation of federal regulations concerning drug and alcohol use by and testing of Employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder;
- Falsification of public records, including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and visitors;
- Theft or attempted theft of property belonging to the Borough, fellow Employees, volunteers or visitors;
- Unauthorized absences and/or chronic or excessive absences;
- Fighting on Borough's property at any time;
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough property and at any time during work hours;
- Failure to report to work on the day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Possession, sale, transfer or use of intoxicants or illegal drugs on Borough property and at any time during work hours;
- Entering the building without permission during non-scheduled work hours;
- Soliciting on Borough premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and for sales of products, such as those from Avon, Amway, etc.;
- Careless waste of materials or abuse of tools, equipment or supplies;
- Deliberate destruction or damage to Borough property or the property of other Employees;
- Sleeping on the job;
- Carrying weapons of any kind on Borough premises and/or during work hours, unless carrying a weapon is a function of your job duties;

- Violation of established safety and fire regulations;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
- Defacing walls, bulletin boards or any other property of the Borough or other Employees;
- Unauthorized disclosure of confidential Borough information;
- Gambling on Borough premises;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough premises;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime or disorderly person's offense;
- Violating any Borough rules, procedures, regulations or policies;
- Unauthorized use of computers, Internet, email, voicemail, telephone and cellular phone; and
- Other sufficient cause.

These are more examples and not an exhaustive list or binding on the Borough. Additionally, the Borough reserves the right to use any and all forms of discipline on a case-by-case basis and is not obligated to use progressive discipline. Employment with the Borough may be terminated at any time with or without cause or reason by the Employee or Borough.

DOMESTIC VIOLENCE POLICY:

PURPOSE

The purpose of the State of New Jersey Domestic Violence Policy for Public Boroughs (herein "policy") is to set forth a uniform domestic violence policy for all public Boroughs to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage Employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to Employees.

DEFINITIONS

The following terms are defined solely for the purpose of this policy:

Domestic Violence - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

Abuser/Perpetrator - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

Human Resources Officer (HRO) –An Employee of a public Borough with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the Borough as the primary or secondary contact to assist Employees in reporting domestic violence incidents.

Intimate Partner - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

Temporary Restraining Order (TRO) - A civil court order issued by a judge to protect the life,

health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

Victim - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against Employees, the families of Employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public Employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An Employee is considered to be in the workplace while in or using the resources of the Borough. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

PERSONS COVERED BY THIS POLICY

All Employees are covered under this policy, including full and part time Employees, casual/seasonal Employees, interns, volunteers and temporary Employees at any workplace location.

RESPONSIBILITY OF BOROUGH TO DESIGNATE A HUMAN RESOURCES OFFICER

The Borough hereby designates the following Employees as the Primary HRO and Secondary HRO, to assist Employees who are victims of domestic violence.

Primary HRO: Joseph Voytus, Borough Administrator

Secondary HRO: Lorraine Hutter, Office Manager

The designated Primary and Secondary HRO shall receive training on responding to and assisting Employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an Employee who is experiencing domestic violence. Managers and supervisors are required to refer any Employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all Employees.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

DOMESTIC VIOLENCE REPORTING PROCEDURES:

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an Employee, are encouraged to report that information to the designated HRO, unless the Employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the Employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an Employee from contacting 911 in emergency situations. Indeed, HROs shall remind Employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an Employee upon request and provide a safe and confidential location to allow the Employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the Employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the Employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.
- D. Refer the Employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in this policy.

- E. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, **Police Chief**.
- F. Maintain the confidentiality of the Employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy.
- G. Upon the Employee's consent, the Employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the Employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

CONFIDENTIALITY POLICY:

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an Employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing Employee and others and comply with the law. The HRO shall provide advance notice to the Employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the Employee with the name and title of the person to whom they intend to provide the Employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to Employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of Employees.

CONFIDENTIALITY OF EMPLOYEE RECORDS:

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the Employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT:

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the Employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the Employee must have worked for a Borough in the State that employs 25 or more Employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an Employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an Employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

PUBLIC BOROUGH DOMESTIC VIOLENCE ACTION PLAN

The Borough has developed the following action plan to identify, respond to, and correct Employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to this policy.
- B. Recognize that an Employee may need an accommodation as the Employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the Employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of

safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the Borough.

- D. Advise the Employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an Employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the Borough will not retaliate against, terminate, or discipline any Employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an Employee is a victim of domestic violence.
- F. Advise any Employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any Employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.
- G. Boroughs, their designated HRO, and Employees should familiarize themselves with this policy. This policy shall be provided to all Employees upon execution and to all new Employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

RESOURCES

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

DISTRIBUTION OF POLICY

The Borough Administrator or their designee will be responsible for distributing this policy to Employees, volunteers, and other Employees identified above.

The Borough Administrator in consultation with the Borough Attorney will be responsible for updating this policy at least annually to reflect circumstances changes in the organization and will be responsible for monitoring and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public Boroughs.

OTHER APPLICABLE REQUIREMENTS

In addition to this policy, the HRO and the public Borough's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

POLICY MODIFICATION AND REVIEW

The Borough may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

POLICY ENFORCEABILITY

The provisions of this policy are intended to be implemented by the Borough of Montvale. These provisions do not create any promises or rights that may be enforced by any persons or entities.

POLICY INQUIRIES & EFFECTIVE DATE

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Borough of Administrator or their designee. This policy shall be enforceable upon the HRO's (Human Resource Officer) completion of training on this policy.

This Policy shall be effective immediately.

GRIEVANCE PROCEDURE:

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure. A grievance submitted by a union Employee will be addressed pursuant to grievance procedure set forth in the applicable bargaining unit agreement. A grievance from a non-union Employee must be submitted within five (5) working days after arising. Failure to report a grievance within such time period shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty (30) working days prior to the date the grievance was first presented in writing.

- Step One: Any Employee or group of Employees with a grievance shall communicate their grievance to their supervisor or Department Head who will discuss the matter with the human resources official and/or the Chief Administrative Officer. The supervisor or Department Head will communicate the decision to the Employee within five (5) working days.
- Step Two: If the Employee is not satisfied with the decision, the Employee must submit a written grievance to the human resources officer and/or the Chief Administrative Officer detailing the facts and the relief requested. The decision in Step One will be deemed final if the Employee fails to submit a written grievance within five (5) working days of the Step One decision. After consulting with the human resources official and counsel, as appropriate, the Chief Administrative Officer will render a written decision to the Employee within five (5) working days after receipt of the written grievance.

The above referenced grievance procedures do not apply to Employee complaints made under the Borough's Anti-Harassment and Discrimination Policies.

EMPLOYEE DATING POLICY:

The Borough strongly believes that an environment where Employees maintain clear boundaries between Employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

Procedures.

1. During working time and in working areas, Employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
2. During non-working time, such as lunches, breaks and before and after work periods, Employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on Borough premises, whether during working hours or not.
4. Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the Borough disciplinary policy which may include counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
6. Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor or the Department Head. This disclosure will enable the Borough to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
7. Where problems or potential risks are identified, the Borough will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure that the parties involved no longer work together on matters where one is able to

influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

8. In some cases, other measures may be necessary such as transfer to other positions or departments.
9. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.
10. Continued failure to work with the Borough to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The organization's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.
11. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
12. Where doubts exist as to the specific meaning of the terms used above, Employees should make judgments on the basis of the overall spirit and intent of this policy.
13. Any Employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the human resources official or other designated individual.

EMPLOYMENT REFERENCES:

To ensure that individuals who work for the Borough are well-qualified and have a strong potential to be productive and successful, it is the policy of the Borough to check the employment references of all applicants at the Borough's discretion.

Employees should not, under any circumstances, provide another individual with information regarding a current or former Employee. Any Employee, including Department Heads, who receives a request for reference information should forward the request to the human resources official. Generally, unless otherwise required by law, the Borough will only confirm Employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment. The Borough's response to a request for reference information shall be communicated in writing only. The Borough does not honor oral requests for employment references.

A current or former Employee may also authorize the Borough to release additional information. Unless otherwise required by law, the Borough will only release additional information if the current or former Employee provides authorization, in writing.

CONFLICT OF INTEREST POLICY:

Employees including Borough of Montvale officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Borough of Montvale. Violations of this policy will result in appropriate discipline including termination.

The Borough of Montvale recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Borough of Montvale business. However, business dealings that appear to create a conflict between the employee and the Borough of Montvale's interests are unlawful under the New Jersey Local Government Ethics Act. Under the Act, certain employees and officials are required to annually file with the Borough of Montvale Clerk a state-mandated disclosure form. The Borough of Montvale Clerk will notify employees and Borough of Montvale officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee, including a Borough of Montvale official, is in a position to influence a Borough of Montvale decision that may result in a personal gain for the employee or an immediate relative including spouses or significant others, parents/children, and siblings. Employees are required to disclose possible conflicts so that the Borough of Montvale may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Borough Administrator or the Borough Attorney to obtain clarification.

Employees are allowed to hold outside employment as long as it does not interfere with their Borough of Montvale responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Borough of Montvale time, supplies or equipment in the outside employment activities. The Borough Administrator may request employees to restrict outside employment if the quality of Borough of Montvale work diminishes. Any employees who holds an interest in, or is employed by, any business doing business with the Borough of Montvale must submit a written notice of these outside interests to the Borough Administrator.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough of Montvale duties. Under no circumstances may an employee accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough of Montvale or any person or firm seeking to influence Borough of Montvale decisions. Meals and other entertainment valued in excess of \$300 are also prohibited.

Employees are required to report to the Borough Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

RESIGNATION POLICY:

An employee who intends to resign must notify the Borough Administrator in writing at least two weeks in advance in order to resign in good standing. The Borough may waive this requirement and consent to a shorter notice. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Borough Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, any appropriate issues and pay due. A COBRA notification letter will be sent to the employee's home address by PERMA. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment.

WORK FORCE REDUCTION POLICY:

The Borough of Montvale may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees will be determined by the Borough Administrator.

DRIVER'S LICENSE POLICY:

Any employee whose work requires the operation of Borough of Montvale vehicles must hold a valid driver's license.

All new employees who will be assigned work entailing the operating of a Borough of Montvale vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's driver's licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Heads or Division Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a Borough of Montvale vehicle until such time as a valid license is obtained.

Any employee performing work which requires the operation of a Borough of Montvale vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of

Licensing. An employee who fails to report such an instance is subject to disciplinary action including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Borough of Montvale vehicle shall be subject to possible termination.

Any information obtained by the Borough of Montvale in accordance with this section shall be used by the Borough of Montvale only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. S 2721 et seq.)

EMERGENCY POLICY:

General Emergency Policy:

- A. The determination of conditions that constitute an emergency will be at the discretion of the Mayor or his or her designee and will not be subject to the grievance procedure.
- B. In an emergency, each and every employee shall be subject to call for overtime duty, and it is every employee's responsibility to cooperate and accept such overtime work when required.
- C. Emergency is hereby defined as that period of time when the health, safety and general welfare of the public is in jeopardy.
- D. Resolution 176-2012 adopted by the Mayor and Council effective January 1, 2012, set the following Borough policy concerning reimbursement to Emergency Service Departments for food purchased for Emergency Service Workers during a state of emergency, and shall continue unless expressly amended, repealed or suspended by formal action of the Mayor and Council:

In recognition of the extraordinary efforts of the Borough of Montvale emergency service workers during States of Emergency and the hardship inflicted upon the resources of all Emergency Service Departments (Fire, Police, Ambulance, etc.) in responding to such emergencies, it shall be the policy of the Borough of Montvale that when the Borough is under a State of Emergency declared by the Mayor, the Governor of the State of New Jersey, or the President of the United States, all Borough of Montvale Emergency Service Departments that purchase meals for their emergency service workers while on duty shall be reimbursed for the reasonable amount of such meals by the Borough of Montvale. All Emergency Service Departments should submit a formal request in writing for reimbursement within thirty (30) days following the end of the State of Emergency. Such request should contain, to the extent practical, an itemized list or a description of the items purchased and the cost thereof. The Borough shall endeavor to provide reimbursement for these costs within thirty (30) days of receiving the request.

JOB DESCRIPTION POLICY:

A job description, including qualifications, shall be maintained for each position. All job descriptions must be approved by the Borough Administrator who will make copies available upon request. Full-time employees are classified as those employees working thirty-five (35) hours or more per week.

Part-time employees are classified as those employees working less than thirty-five (35) hours per week and are categorized as either part-time hourly or part-time salaried. Part-time hourly employees are paid an hourly wage for hours worked. Part-time salaried employees are paid an annual wage. Part-time salaried employees include Plumbing, Electrical, Elevator and Fire Sub-Code Inspectors, Fire Prevention personnel, Construction Code Official and Building Sub-Code Official, Municipal Judge, Recreation Director and Assistant to the Recreation Director. These positions are based on perceived value of the position and an estimated time to fully perform the duties of the position. These are positions without regular hours; employees perform their jobs on various days and times and at various locations.

EARLY CLOSING AND DELAYED OPENING POLICY:

In the event of unsafe conditions, the Mayor or Council President may authorize the Administrator or Office Manager to inform the Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Borough Administrator shall notify the Office Manager of a delayed opening and a new opening time. Each Department will have a calling system in place. If the employee chooses not to report to work, a full vacation day or compensating time will be charged. Sick time will only be charged for a legitimate illness. If there is a delayed opening, or if work is called off for the day, no time will be charged for the day for full time or part-time employees. This provision does not apply to the Department of Public Works, Police, Fire, Water, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency.

BREAKS:

Full-time Administrative personnel or part-time employees who work a full work day are entitled to a one (1) hour lunch that is to be arranged by the supervisor so that offices continue to function. Part-time employees are entitled to a half hour lunch break which will be scheduled by the supervisor. Full time Administrative personnel or part-time employees who work a full work day are entitled to two (2) 15-minute breaks - one in the morning and one in the afternoon. On Thursdays, employees working until 7:00 PM are entitled to a 30-minute dinner break. Part-time employees are entitled to one (1) 15-minute break. Administrative personnel must arrange breaks

so that offices continue to function. Breaks for other employees will be scheduled by the supervisor.

NO SMOKING POLICY:

The New Jersey Legislature has declared that in all workplace buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Borough of Montvale has adopted a smoke-free policy for all buildings. Borough of Montvale facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough of Montvale buildings. Employees are permitted to smoke only outside Borough of Montvale buildings and at such locations so as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Borough of Montvale and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

BULLETIN BOARD POLICY:

The bulletin boards located in the Borough of Montvale administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Borough Administrator may post, remove, or alter any notice.

PETTY CASH POLICY:

I. Purpose/Intent

The purpose of this policy is to define the guidelines for petty cash. The dollar amount allocated to the Borough of Montvale's petty cash fund shall be \$500.00.

II. Definitions

Petty Cash – may be used for small purchases that must be made quickly and without prior notice on a contingency basis, or for official, organized activities of the Borough of Montvale or the various boards that function as part of the Borough. Petty cash may only be used when preferred methods of purchase (e.g. purchase requisition) are not feasible.

Petty Cash Receipt – Attach to the original vendor receipt at the time of petty cash disbursement and include the following information: date of the disbursement, purpose of the disbursement, amount of the disbursement, budget account number to be charged, signature of the employee receiving the petty cash, signature of the employee's direct supervisor and signature of the petty cash fund custodian.

Request for Receipt of Petty Cash Reimbursement – Receipt submitted by the petty cash custodian to the requestor when requesting petty cash fund reimbursement.

III. Policy/Procedure

The maximum amount of a petty cash fund is \$500.00. The maximum amount of reimbursement or payment is \$65.00 per transaction/receipt.

Maintenance of Petty Cash Fund

The Mayor and Council of the Borough of Montvale approved that the governing body approved the establishment of “a general change fund at the front counter in the municipal building in the amount of \$150.00. The Municipal Clerk/Deputy Municipal Clerk has a petty cash fund in the amount of \$500. The Joint Municipal Court Violations Clerks (3) have a change fund in the amount of \$450 or \$150 each. The Police Department has a petty cash fund in the amount of \$300.

1. Each petty cash fund must have only one custodian responsible for disbursements. In the event the petty cash custodian is unavailable, only the Administrator is authorized to disburse the funds.
2. Petty cash funds are to be maintained in a cash box which is to be locked at all times other than when disbursing cash. Only the petty cash fund custodian and the Administrator are to have access to the key which is to be properly secured at all times to prevent access by unauthorized persons.
3. Expenditures made from petty cash shall not exceed \$65.00 per transaction/receipt. Purchases must not be split into multiple transactions to circumvent the \$65.00 limit. Expenditures exceeding \$65.00 must be paid via a purchase requisition or direct pay form.
4. Each petty cash fund custodian should reconcile and request reimbursement for his/her fund on an as needed basis to ensure the fund remains liquid. Shortages and overages are the responsibility of the fund custodian.
5. Each disbursement of funds requires a completed petty cash receipt and original paid receipt attached. A completed petty cash receipt has the date of the disbursement, the purpose of the disbursement, the amount of the disbursement, the account number to be charged, the signature of the employee receiving the petty cash, and the signatures for the appropriate supervisor and the petty cash custodian.
6. If the petty cash custodian is receiving the disbursement, the Administrator must sign the petty cash receipt and disburse the funds.

7. Advances – a petty cash receipt reflecting the account number and approximate cost must be completed. The original vendor receipt and any unused funds must be returned to the petty cash fund custodian within 24 hours to complete the transaction.
8. The following are strictly prohibited: I.O.U.'s to the petty cash fund for employee personal use, cashing personal checks for any Borough employee, and reimbursing purchases not for official Borough business.
9. Improperly completed reimbursement requests will not be processed. It is not the custodian's responsibility to complete the form or obtain the required signatures.

FLEXIBLE SPENDING ACCOUNT:

As per NJ State Statute Chapter 78, P.L. 2011 the Borough of Montvale offers all employees enrolled in the health insurance plan a Flexible Spending Account (FSA.)

RETIREMENT POLICY:

Retired employees shall be considered employees who:

- A. Are eligible for retirement allowance from the State administered retirement system and who have retired from their service with the Borough of Montvale; or
- B. Have retired from their service with the Borough of Montvale.
- C. Spouse of retiree, provided the spouse was covered as a dependent under the Borough's Health Benefits program immediately preceding the death of the retired employee.
- D. Eligible dependents of retired employees are the same for active employees

Under State law, all employees must enroll in the New Jersey Public Retirement System or the Police and Fire Fighters Retirement System as applicable. The employee's contribution to the Plan will be deducted from the employee's pay. An employee who has completed the required

number of years and who has reached the required age under the Plan may retire by notifying the Department Head in writing. The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Borough Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment.

CONTINUATION OF HEALTH BENEFITS COVERAGE FOR EMPLOYEES AT RETIREMENT:

General Policy:

Retired employees may opt to continue the health benefits coverage they are currently receiving at the time of their retirement by direct reimbursement to the Borough of Montvale for all costs of the Program(s).

Retired employees must be participating in the Borough's Health Benefit coverage at the time of retirement in order to purchase coverage at the time of retirement.

The retired employee will be allowed to continue coverage under the same level of coverage as an active employee into retirement.

Should the retired employee opt not to continue all or some of the coverage at the time of retirement, they will not be permitted to pick up the coverage(s) again through the Borough. Retired employees shall pay the cost of insurance for themselves and their covered dependents as a reimbursement to the Borough as prescribed by the Borough.

Retired employees shall be considered employees who:

- A. Are eligible for retirement allowance from the State administered retirement system and who have retired from their service with the Borough of Montvale; or
- B. Have retired from their service with the Borough of Montvale.
- C. Spouse of retiree, provided the spouse was covered as a dependent under the Borough's health benefits program immediately preceding the death of the retired employee.
- D. Eligible dependents of retired employees are the same for active employees.

EDUCATIONAL ASSISTANCE AND TRAINING POLICY:

Subject to sufficient funds in the budget and upon approval of the Department Head, employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The Borough Administrator will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees are strongly urged to obtain this determination before enrolling in a course or program.

When enrollment for training courses or seminars is requested by the Borough of Montvale, employees will receive full reimbursement.

Certain employee positions within the Borough are required to obtain CEU credits in accordance with the State mandate in order to maintain their State certification. Such employee must provide proof of current certification. Said employee must not allow certification to lapse and must be of good moral character. The Borough will assume all costs associated with obtaining the required CEU credits.

The Borough may authorize attendance at conferences, seminars and training, provided funds are available in the budget and approval has been received as follows:

- A. For multi-day conferences, seminars and training the employee shall submit a written request to the Mayor and Borough Council including course description, agenda, dates, time and place of function and a cost outline at least two weeks before the Mayor and Council meeting preceding the expected travel.

This request shall include an explanation of the types of expenses anticipated and the amount requested.

If a non-Department head is making the request, said request shall include a note of approval (or disapproval) attached to the request, from the Department Head.

- B. For single day conferences, seminars and training the employee shall submit a written request to the Administrator including course description, agenda, date, time and place of function and outline of course at least two weeks prior to the function.

If a non-Department head is making the request, said request shall include a note of approval (or disapproval) attached to the request, from the Department Head.

CONFERENCE AND SEMINAR POLICY:

Requests to attend a conference or seminar must be approved by the Department Head and the Borough Administrator. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Department Head is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

TRAVEL POLICY:

Part-time Salaried Employees: Part-time salaried employees who work for other municipalities, in addition to the Borough of Montvale, and attend conferences, seminars or training courses for the purpose of attaining or maintaining State-mandated certification status will be reimbursed on a pro-rata basis for the total of all expenses incurred based on the total number of municipalities in which they are employed. For example, if employed by a total of three (3) municipalities, the Borough of Montvale would reimburse 1/3 of the total expenses, i.e., course fees, hotel, transportation costs including mileage/tolls/parking fees and meals.

General Policy:

It is understood that travel may be required from time to time in conjunction with attendance at work-related meetings, seminars and conferences.

A. There shall be two types of travel status:

1. Long Distance: Employee requires lodging for at least one night away from his or her home. Requires pre-approval of Mayor and Borough Council.
2. Local: Employee returns to his/her home without having required overnight accommodations. Requires pre-approval of Borough Administrator.

B. All requests for long distance travel expenses shall be submitted to the Mayor and Borough Council in writing, outlining estimated costs, at least two weeks before the Mayor and Council meeting preceding the expected travel. This request shall include an explanation of the type of expenses anticipated and the amount requested. Whenever expenses are deemed to be higher than that which was approved, the additional costs shall be submitted to the Mayor and Borough Council for review. The employee should anticipate that they will be responsible to pay for the additional costs. Requests for long distance travel expenses should be included when permission is being sought for training/conference attendance other than single day events.

C. While on travel status, the employee shall be allowed up to \$75.00 per day for meals.

D. Hotel accommodations shall be at the lowest single room rate available.

E. Air coach rates shall be at the lowest available rate.

F. Car rental is authorized for compact car rates only.

Transportation costs for private use of employee's automobile shall be reimbursed at the Federal Government Standard rate for mileage reimbursement. Pre-approval of use of private vehicle is required from the Administrator. Employees shall be required to submit an Expense Report Detail by day, including miles driven, tolls and parking charge. The report shall contain supporting original receipts where applicable, i.e. tolls, parking charges.

Employees involved in accidents while using their private vehicles shall be required to report this to their own insurance carrier.

- G. All requests for local distance travel shall be submitted to the Borough Administrator at least two weeks prior to event.

ADVANCES FOR EXPENSES OF AUTHORIZED OFFICIAL TRAVEL

General Policy:

All requests for advances for travel and related expenses, for authorized attendance at conferences/seminars, must be pre-approved by resolution by the Mayor and Borough Council, as prescribed by State law.

- A. Employees shall submit the request for travel expense advances either with the request for approval of the conference/seminar; or
- B. Once approval for the conference/seminar is received, submit a written request for a travel expense advance at least two weeks before the Mayor and Borough Council meeting preceding the conference/seminar.

This request shall include an explanation of the types of expenses anticipated and the amount requested.

- C. Once permission is granted and the conference/seminar is completed, the employee shall be required to provide, within ten calendar days after the completion of the conference/seminar for which an advance was made, a detailed list of items and a certification outlining expenses incurred, including the original bills and receipts.
- D. Any monies advanced but not expended shall be returned to the Borough within ten calendar days after the conference/seminar.
- E. Reimbursement for any monies expended in excess of the advance shall be submitted with voucher and original bills or receipts for further consideration by the Mayor and Council for reimbursement if said request is in excess of the original amount approved.

THRESHOLD/LIMIT FOR TRAVEL EXPENSE ADVANCE REQUESTS

General Policy:

N.J.S.A. 40A:5-6.1 grants the governing body of any local unit the ability to by resolution, provide for an authorized payment of advances to officers and employees of the local unit toward their expenses for authorized travel and expenses incident thereof, and provides for the method of documentation, etc.

The following expenses for which the granting of a travel expense request may be considered are hereby established as: for approved travel when the employee anticipates out-of-pocket expenses, during travel, which would otherwise be burdensome for the employee to cover with a check, credit card, or cash payment and to wait for the reimbursement from the Borough through the standard process.

The threshold amount for which a travel advance request may be submitted shall be established at \$250.00. The maximum amount for which a travel advance may be requested shall be \$500.00 per conference, seminar, etc.

BACKGROUND CHECKS AND PROCEDURES FOR CANDIDATES, EMPLOYEES AND VOLUNTEERS:

Background checks required: Criminal background checks are required of all candidates over the age of 18, whether for paid or volunteer positions, who will be working directly or indirectly with children/youth/minors. Criminal background checks will also be performed every three years for each employee or volunteer that works directly or indirectly with children/youth/minors. The exact titles of employees subject to background checks are (locally defined, but at a minimum should include all recreational positions, crossing guards, library positions, and maintenance and administrative positions pertaining to such programs).

- **Background check procedure:** The (Personnel Administrator title) will perform or initiate criminal background checks and be the recipient of reports from outside agencies or contractors. These reports shall include, but are not limited, to court records; police department and corrections agency records; registries or watch lists; state criminal record repositories; and the Interstate Identification Index maintained by the FBI. The (Personnel Administrator title) will discuss potentially disqualifying information received with the employee's or volunteer's department head, and a determination that the information is disqualifying shall be made based on whether the disqualification is job-related for the position and is consistent with business necessity. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

When a disqualification decision has been made as a result of the employer's "targeted screening process" described below, the (Personnel Administrator title) will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the (local unit type) contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the

person in writing of any information that would disqualify the person from working with children/youth/minors. In addition, the individual shall be advised that he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the employer's targeted screening process should not apply to him/her under the circumstances. This information may include evidence of an error in the criminal record; facts surrounding the conviction; age at the time of the conviction and/or release from prison; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the employer shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the (CEO title).

- Conditions Under Which an Employee Will Be Disqualified From Working With Children/Youth:

A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly person's offenses as defined by New Jersey law or by analogous laws in other States:

- Homicide (N.J.S.A. 2C:11)
- Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
- Kidnapping (N.J.S.A. 2C:13)
- Sexual Offenses (N.J.S.A. 2C:14)
- Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
- Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
- Robbery (N.J.S.A. 2C:15)
- Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses as a result of the employer's targeted screening process, by which the employer has taken into account the following factors:

(a) The nature and gravity of the offense or conduct, including the consideration of (i) the harm caused by the crime; (ii) the legal elements required to prove the crime; and (iii) the classification of the crime (i.e., felony or misdemeanor, etc.); (b) The time that has elapsed since the offense, conduct, and/or completion of the sentence; (c) The nature of the job held or sought, including the consideration of: (i) the job duties (not merely the job title); (ii) the level of supervision to be provided; (iii) the working environment (e.g., private home, outdoors, warehouse); (iv) interaction with others, especially with vulnerable individuals such as children/youth/minors; and (v) the relationship of the criminal history to the job to be performed. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense,

is not a disqualifying conviction. Further, an arrest record standing alone may not be used to disqualify a candidate, volunteer, or employee from an employment opportunity. However, the employer may make a disqualification decision based on the conduct underlying the arrest if the conduct makes the individual unfit for the position in question, in which case the conduct, not the arrest, is relevant for employment purposes.

EMPLOYMENT PROCEDURE:

- **Recruitment:** The Borough Administrator in conjunction with the Council Liaison will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Borough Administrator who will distribute notification of the vacancy to all departments. The Borough Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Borough of Montvale is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews:** The Borough Administrator or Department Head will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Borough of Montvale will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the Borough of Montvale.
- **Physical Examinations:** Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Borough Administrator may require applicants to pass a physical examination in order to ensure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Borough Administrator may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Borough of Montvale at the expense of the Borough of Montvale. All medical records of employees and prospective

employees are confidential and are to be maintained by the Borough Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

- **Criminal Background Checks:** Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this ordinance entitled "Background Checks and Procedures for Candidates, Employees and Volunteers".
- **Job Offers:** The final decision will be made by the Borough Administrator and approval of this decision will be confirmed via a Resolution by the Mayor and Council after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough of Montvale. In all cases, the offer of employment is contingent upon an employee passing a drug and alcohol test, if deemed necessary by the Borough. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections:** If the first offer is rejected, the Borough Administrator will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.
- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Borough Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

PLACEHOLDER FOR EMPLOYMENT APPLICATION

OPEN PUBLIC MEETINGS ACT PROCEDURE CONCERNING PERSONNEL MATTERS:

Discussions by the governing body or any body of the Borough of Montvale concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, with the right of the employee to be present, unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or any body of the Borough of Montvale concerning such matters, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session.

Additionally, whenever the governing body or any public body of the (local unit type) intends to act on a matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employees employed or appointed by the governing body or any public body of the Borough of Montvale then that governing body or that public body of the (local unit type) must provide notice of said intended action to said prospective public officer or employee or current public officer or employees. Prior to the matter being acted on, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed.

PROCESSING AND ORIENTATION OF NEW EMPLOYEES PROCEDURE:

All new regular full-time and regular part-time employees will be scheduled to meet with the Borough Administrator, Council Liaison and Department Head on their first day for a general orientation. Copies of all forms and acknowledgements must be returned to the Borough Administrator for inclusion in the employee's official personnel file. The orientation will include:

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Personnel Policies and Procedures Manual and acknowledgement of receipt;
- The Employee Complaint Policy letter and acknowledgement;
- A safety orientation and acknowledgement; and
- Arrangements for the new employee to complete required PEOSHA safety training.

INITIAL EMPLOYMENT PERIOD PROCEDURE:

Except where State requirements direct otherwise, new employees (or present employees transferring to new positions) will be hired subject to an initial employment period of not less than three (3) months or more than twelve (12) months, as determined by the Borough Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the supervisor. At the end of the initial employment period, the supervisor will conduct an employee evaluation – see Performance Evaluation Procedure. New employees may be discharged at any time during this period if the Borough Administrator concludes the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Borough Administrator may extend the initial employment period. (Newly hired employees are not eligible for payment of paid time off except holidays until the successful completion of their initial employment period.)

Nothing in the procedure set forth in this section shall alter the Borough of Montvale's employment at will policy. Employment with Borough of Montvale is at will and may be terminated at any time with or without cause or notice by the Borough of Montvale or the employee.

POLICIES AND PROCEDURES MANUAL:

The Borough Administrator with the assistance of the Borough Attorney shall draft a Policies and Procedures Manual. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The Policies and Procedure Manual will be revised and re-distributed whenever there is a significant change in personnel practice or no less than once every two years.

REQUESTS FOR EMPLOYMENT VERIFICATION AND REFERENCE PROCEDURE:

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Borough Administrator. No employee may issue a reference letter without the permission of the Borough Administrator. Under no circumstances should any information be released over the phone. In response to a request for information, the Borough Administrator will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the Borough of Montvale is required to release the information by law or (2) the employee or former employee authorizes the Borough of Montvale in writing to furnish this information and releases the Borough of Montvale from liability.

CONTINUING EDUCATION PROCEDURE:

The Borough of Montvale, in conjunction with the Borough Attorney will arrange for employment practices seminars at least annually to train all managerial/supervisory personnel. The Borough of Montvale will also offer non-mandatory training to all other employees with special emphasis on employee rights and protections under various Federal and State laws as well as Borough of Montvale employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure. Managerial and supervisory personnel will also update employees periodically by department meetings and memos that should address specific problems and concerns that may arise. Every effort will be made to encourage employee suggestions about ways to avoid employer-employee disputes and violations of employment rights.

DEPARTMENTAL PROCEDURES:

In accordance with Resolution No. 152-2011, the Borough of Montvale has established a written basic policy/cross referencing departmental procedure from Construction Official to Tax Assessor: upon issuance of a Certificate of Occupancy from the Building/Construction office, the Construction Code Official shall furnish a copy to the office of the Tax Assessor for review.

PURCHASING PROCEDURES:

Requisitions:

The Department Head determines that a purchase of goods and/or services is required.

All vendors must have a W-9 and Business Registration Certificate on file with the Borough, when required, prior to requesting a purchase.

If funds are not available, a transfer of funds must be approved by the Governing Body prior to further processing.

If a contract is being utilized, the contract number, resolution number and any other supporting documentation must be provided.

Requests are submitted by the Department Head to the Finance Department for processing. If the request is in excess of \$6,600.00 (15% of the bid threshold), at least two quotes (three if possible) are required to be obtained and submitted. The threshold is based on the aggregate amount anticipated to be purchased on an annual basis.

If the amount anticipated to be purchased on an annual basis is in excess of \$44,000.00 (bid threshold), bids must be solicited and a contract must be awarded by resolution.

If items requested to be purchased are not on the bid list, a minimum of two quotes are required (three if possible) prior to purchase. The department should amend the bid list for the subsequent solicitation of bids.

If a change order will cause the total amount of change orders to exceed the originally awarded contract price by more than 20 percent, the following procedures will be adhered to:

1. A written certification justifying the performance of the work or furnishing of the services, which would necessitate issuance of such a change order, shall be filed by the contractor with the Borough Administrator.
2. The governing body shall approve the change order by resolution.
3. A notice indicating the additional amount to be expended, the original contract amount, the nature of the original and additional work and why it is necessary to expend the additional funds shall be published in the Borough's official newspaper.

As required by N.J.S.A. 52:15C-10, the Borough shall notify the Office of State Comptroller of contracts of more than \$2,500,000 but less than \$12,500,000, no later than 20 business days after the contract award.

If the amount anticipated to be purchased from any one vendor will exceed the \$15,000.00 Pay to Play threshold, or a purchase will result in the vendor's total aggregate purchases to exceed \$15,000.00 within the calendar year, Administration must be notified to determine compliance with the existing law and approval by resolution of the governing body. Political contribution disclosure forms must be submitted by the vendor and filed with the Borough Clerk.

The Borough approved a Pay to Play ordinance that is more restrictive than the \$17,500.00 threshold mandated by the State of New Jersey.

The Borough must comply with the NJ Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq., for Public Works contracts exceeding \$16,263.00.

Requisitions will be processed daily.

Purchase Orders:

Purchase orders are processed and mailed to vendors. The voucher copy is distributed to the respective department for further processing.

Invoice/Voucher:

Upon obtaining an original invoice, the department verifies the accuracy of the goods received and/or the services rendered.

If problems exist with the goods received and/or the services rendered, the voucher cannot be approved for further processing.

The department resolves any issues, submits appropriate documentation and enters corrections, if any, on the voucher.

When the information is verified and confirmed, the department approves and submits the voucher together with the invoice and all supporting documentation to the accounts payable clerk for further processing.

The accounts payable clerk verifies the information submitted and enters the correct information into the financial accounting system. If an obvious question arises, the department will be required to respond. The accounts payable clerk mails the voucher to the vendor the claimant's certification.

Payment/Checks:

Signed and completed voucher packages are process for payment.

If the voucher package is determined not to be complete, the department will be informed and expected to resolve any issues prior to further processing. If the voucher package is determined to be complete and accurate, the voucher package is processed for payment. The accounts payable clerk prepares the bills list for governing body approval. The accounts payable clerk prints the checks and mails the checks to the vendors.

Confirming Orders/Check Requests:

Confirming orders must be submitted with the proper documentation/justification and approved by the Borough Administrator prior to processing.

Confirming orders will only be processed for goods received and/or services rendered relating to emergency situations. An emergency certification form must be utilized for each occurrence.

Check requests will be processed for utility bills and progress payments for contracts previously encumbered. Requisitions must be submitted as required.

Reimbursements:

When determined absolutely necessary, reimbursements will be processed after approval by the Borough Administrator. All original supporting documentation must be provided (receipts, invoices etc.) If an original receipt is not submitted, a cancelled check or other form of original proof of payment will be required prior to further processing. Requisitions must be submitted as required.

Blanket Orders:

All contracts awarded for goods and/or services must be encumbered. Requests must be submitted for all progress payments required.

Open Purchase Orders:

Items purchased on a continuous basis from a single vendor may be processed utilizing an open purchase order on a monthly basis.

Quotes are required on an annual basis for the purchasing of goods and/or services that will exceed the quote threshold for that period. Similarly, a contract must be awarded if the bid threshold will be exceeded.

Requisitions must be submitted as required and are subject to approval for each open purchase order requested.

Vendors must be provided with the purchase order number for each and every purchase made from the open order.

The amount of goods and/or services received must not exceed the original amount encumbered. An additional amount must be encumbered prior to subsequent orders being placed.

The vendor must reference the purchase order number on the invoices submitted for payment. Open purchase orders must be closed out on a monthly basis.

State Contracts:

State contracts must be awarded by the governing body prior to purchase of goods and/or services. When utilizing an approved state contract for the purchase of goods and/or services, all necessary state contract information must be included with the submission of the requisition.

Refunds:

As promulgated by the Division of Local Government Services, the following categories may be considered for utilization as refunds:

1. Refunds from an insurance company resulting from a claim.
2. Receipts of federal or state aid as reimbursement of prior expenditures.
3. Refunds from vendors, resulting from overcharges or duplicate payments.

Other Issues:

If any issues and/or questions arise that require consultation with the Borough Administrator, Qualified Purchasing Agent, Chief Financial Officer, Treasurer or Governing Body, they must be addressed prior to requesting a purchase.

NEPOTISM:

The hiring, promoting, transferring, demoting or reassigning of relatives is prohibited if the employment of such an individual would result in the creation of a prohibited employment relationship.

A prohibited relationship is created when:

1. One relative would have the authority to supervise either directly or from one level above, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Borough's interest and their own.

Employees who marry or become related by marriage may continue in their employment if the marriage does not result in the creation of a prohibited relationship. Where the marriage results in the creation of a prohibited relationship, the Borough will explore potential accommodations including the reassignment of one or both Employees to available positions for which the Employees are qualified. Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and first cousins.

Any elected Governing Body Member may not hire family members stated above.

This policy applies to all Employees hired, promoted, transferred, demoted, or reassigned on or after the date of adoption and to all prohibited relationships created on or after the date of adoption.

Applicant Relative Disclosure Form

Name of Applicant: _____

The Borough prohibits the hiring of relatives if the employment of such an individual would result in the creation of a prohibited employment relationship. A prohibited relationship is created when:

1. One relative would have the authority to directly supervise, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Borough's interest and their own.

Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and cousins.

Do any of your relatives currently work for the Borough or are any of your relatives an elected or appointed official?

☐ Yes ☐ No

If you answered "yes" to the previous question, please disclose the name(s) of your relative (s) who work(s) for the Borough, his or her title, and his or her relationship to you.

Relative #1

Name: _____

Title: _____

Relationship: _____

Relative #2

Name: _____

Title: _____

Relationship: _____

Applicant Relative Disclosure Form (cont'd)

Relative #3

Name: _____

Title: _____

Relationship: _____

Relative #4

Name: _____

Title: _____

Relationship: _____

Note: An applicant's failure to fully disclose his or her relationship to an individual employed by the Borough or elected or appointed official may result in the rejection of the employment application or, if employed, the termination of employment.

I acknowledge that I have read and understand the above Disclosure Form and that I have disclosed all relatives who work for the Borough or serve as elected or appointed officials.

Signature of Applicant: _____

Date: _____

PERFORMANCE EVALUATION:

The Borough recognizes that an Employee job performance evaluation system is the basis for assisting in Employee growth and development. The Borough requires supervisors to conduct performance appraisals to ensure that:

- (1) each Employee receives feedback on objectives, accomplishments, strengths, and areas for improvement;
- (2) each Employee receives advice from his or her supervisor on ways to improve performance and has the chance to identify with his or her supervisor areas where greater contribution is possible, or where either feels more development would be beneficial; and
- (3) essential information is recorded concerning strengths and weaknesses of all Employees in relation to career development, including potential for advancement and suitability for other positions and training.

The performance evaluation provides the vehicle for a dialogue between the Employee and the supervisor and ensures shared expectations of the requirements for the Employee's job and the Employee's performance in the job. Accordingly, the Borough will use a performance review/evaluation system for all Employees.

During performance reviews, supervisors will consider, among others:

- Initiative, dependability and effort
- Knowledge of work
- Attitude and willingness
- Quantity and quality of work
- Disciplinary record
- Attendance and tardiness

A copy of an Employee performance evaluation shall be maintained in the Employee's personnel file.

BOROUGH OF MONTVALE PERFORMANCE APPRAISAL

EMPLOYEE NAME: _____ SUPERVISOR: _____

DEPARTMENT/JOB TITLE: _____ DATE OF HIRE: _____

PRESENT REVIEW DATE: _____ LAST REVIEW DATE: _____ TIME IN POSITION (YRS.): _____

Use the Comments section to note goals being appraised and to provide future goals.

Overall Rating (circle)

1 – Does not meet minimum standards

2 - Needs Improvement

3 – Meets Job Requirements

4 – Exceeds Expectations

TRAINING/ JOB KNOWLEDGE: *Consider knowledge of methods, techniques, procedures, tools, and maintenance of certifications necessary to perform the position.*

☐ Lets certification(s) expire. No desire to improve skills. Insufficient knowledge and understanding of the job.

☐ New in a position and still learning. Often requires additional instruction. Making progress, but not fully proficient. Needs to improve certain skills or job knowledge.

☐ Fully understands job responsibilities. Maintains needed certification(s). Can operate all equipment/programs required to perform his or her job.

☐ Takes the initiative to improve job through evaluation of job processes. Can lead work group through unusual or unique situations.

Comments:

PERFORMANCE: *Consider dependability, communication skills, and the quality and quantity of work based on established standards.*

☐ Frequently damages government property and/or equipment. Work not up to expectations.

☐ Needs a better grasp of job. New employee still in learning process, not yet proficient. Not always as productive as expected.

☐ Completely performs job meeting all job standards. Consistently provides quality work requiring minimal revision to correct errors.

☐ Job output continuously above standards and before deadlines. Takes initiative to take on other tasks whenever possible.

Comments:

WORK CONDUCT: *Consider employee's interest in the position, commendations received, organizational support, personal appearance, and disciplinary actions.*

☐ Frequently or repeatedly receives disciplinary actions and substantiated complaints from the community and co-workers.

☐ Occasionally has disciplinary problems, but is working to correct behavior. Needs to project a positive outlook and pleasant manner.

☐ Never has any discipline problems. Supervisor has complete trust in employee. Always conforms to dress code.

☐ Consistent positive methods and behaviors, which translates into quality work. Has pride in work. Influences others in a positive way.

Comments:

COOPERATION: *Consider teamwork, or the ability to work with others in a cooperative and productive manner.*

☐ Seldom works well with others. Difficult to work with. Does not promote teamwork. Files unsubstantiated grievances.

☐ Slow to help others. Does not readily accept additional assignments required of job. Lack of tact or consideration for others.

☐ Fully cooperates with co-workers. Accepts new ideas. Helps others. Willing to work overtime as needed.

☐ Continually goes out of way to help co-workers. Learns other job responsibilities to aid in coverage. Fosters teamwork.

Comments:

SAFETY: *Consider the respect shown for self, co-workers and public.*

☐ Does not adhere to safety rules. Repeatedly reprimanded for safety rule infractions.

☐ Sometimes disregards safety procedures or misuses equipment.

☐ Operates equipment and performs tasks within applicable safety standards. Reports all safety hazards.

☐ Pays special attention to unsafe working conditions. Helps increase awareness of safety issues in work group. Suggests safety improvements.

Comments:

CUSTOMER SERVICE: Consider responsiveness to the public's needs and requests.

☐ Responds inappropriately to questions, requests, or situations.

☐ Occasionally does not respond tactfully or completely. Fails to present positive and helpful image to public.

☐ Exhibits courtesy and tact. Answers questions or refers to the appropriate party.

☐ Responds to requests with enthusiasm and a sense of commitment. Always follows through by providing or obtaining complete information.

Comments:

JUDGMENT: Consider ability to produce quality work in a cost-conscious manner without needing guidance from manager.

☐ Constantly uses poor judgment occasionally increasing costs. Requires close and constant supervision.

☐ Often afraid to make and take responsibility for decisions. Needs to better identify and communicate problems.

☐ Exemplifies good sense of judgment. Not afraid to make decisions when provided information. Learns from mistakes.

☐ Anticipates potential problems. Takes full responsibility for mistakes. Takes initiative to obtain information.

Comments:

ATTENDANCE: Consider absenteeism and punctuality.

☐ Frequently arrives to work late. Excessive absenteeism beyond allotted time.

☐ Occasionally arrives late or prepares to leave prior to the end of the work day.

☐ Always arrives on time. Gives appropriate notice for taking leave.

☐ Always prepared for work. Highly reliable attendance.

Comments:

DIRECTING WORK: Consider planning, organizing, problem solving, leadership, and supervisory skills.

Does this person have supervisory responsibilities?

- [] All the time as part of job requirement
[] Supervises on an as-needed basis
[] Not applicable (skip this section)

☐ Continually fails as a supervisor. Lack of leadership, planning, and organizational skills. Unit does not achieve objectives. Does not treat subordinates fairly.

☐ New supervisor and still learning. Making progress, but not fully proficient. Having trouble making leap from co-worker to supervisor.

☐ Fully proficient and competent leader. Delegates when needed. Solves problems and makes decisions. Is in complete control of department and sets an example.

☐ Goes out of way to help subordinates. Consistently treats all employees fairly. Develops highly effective work plans. Assumes responsibility for solving problems.

Comments:

EMPLOYEE COMMENTS:

I have reviewed the appraisal and discussed its contents with my supervisor. I understand that signing this form does not indicate my agreement with the evaluation(s) above.

EMPLOYEE SIGNATURE: _____

DATE: _____

SUPERVISOR SIGNATURE _____

DATE: _____

POLITICAL ACTIVITY:

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. In accordance with State law, Employees are prohibited from engaging in political activities while performing their public duties and from using the Borough's time, supplies or equipment in any political activity. Political activities include, but are not limited to, advocating the election or appointment of any candidate for office, verbally or otherwise, and soliciting funds for campaigns or campaign materials.

Additionally, State law precludes Employees from directly or indirectly using their position to control or affect the political action of another person. In accordance with the Hatch Act and Federal regulations, an Employee whose principal employment is with a program financed in whole or in part by Federal funds or loans shall not:

- be a candidate for public office in a partisan election. (This provision does not apply to the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs.)
- use his/her official authority to influence, to interfere with or affect election results or nominations for office.
- directly or indirectly coerce contributions from any Employee to support a political party or candidate. See The Hatch Act, 5 U.S.C. § 1501 et seq.

Violations of either State or Federal laws are serious matters and such violations should not be taken lightly. Any Employee engaging in such political activities during working hours will be subject to disciplinary action up to and including termination of employment. Employees who engage in political activities during their non-working hours must not represent themselves as spokespersons for the Borough. Employees should report any violation of this policy to their supervisor or Department Head.

PROTECTION AND SAFE TREATMENT OF MINORS:

I. Purpose and Scope:

Under New Jersey law (N.J.S.A. 6-8.21), an abused or neglected child is anyone “under the age of 18 who is caused harm by a parent, guardian or other person having custody or control of that minor.” A child who is under the age of eighteen (18) is considered to be abused or neglected when a parent, caregiver, another child or another adult does one of more of the following:

1. Inflicts or allows to be inflicted physical injury by other than accidental means that creates substantial harm or risk of substantial harm, and/or
2. Fails to provide proper supervision or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so, and/or
3. Commits or allows to be committed an act of sexual abuse against a child.

Child abuse can have long-term effects on victims. A lack of trust and difficulty with healthy relationships is common, as is a core feeling of worthlessness and low self-esteem. There may even be long-term trouble with regulating emotions that can lead to destructive behaviors.

There are typically four common types of abuse:

- The failure to meet a child’s basic needs, physically or emotionally, which is called ***neglect***.
- The intentional use of physical force that results in injury, which is called ***physical abuse***.
- The practice of any behaviors that harm a child’s feelings of self-worth or emotional well-being, which is ***emotional abuse***.
- Engaging in sexual acts with a child including pornography, which is ***sexual abuse***.

Unfortunately, statistics reflect that abuse is all too common in any form.

- In New Jersey, abuse reports involving 80,000 children are filed each year. 50,000 of those children receive prevention and post-response services.
- 75% of the cases involve neglect, 18% of the cases involve physical abuse, and psychological abuse accounts for 7% of the cases.
- 55% of the perpetrators are female, while males account for 45%.
- Sadly, child abuse is a vicious cycle, in that 30% of abused children will later abuse their own children.

The statistics and characteristics pertaining to ***sexual abuse*** are sobering and equally as disheartening:

- ✓ ***“Peer-to-Peer”*** abuse is by far the most common, where one or more children or adolescent(s) sexually abuses or inappropriately touches another. Legally, the

abuser must be at least 4 years older to trigger the statute. The *American Psychological Association* reports this type of abuse is driven by power and dominance, the same factors that drive bullying within this age group. In fact, bullying can be a precursor to sexual abuse, especially when there is a lack of supervision.

- ✓ In contrast, ***“adult-to-child”*** abuse is typically thought out and planned in advance, demanding access and privacy and control. These three factors demand a specific type of relationship and setting, meaning that 90% of juvenile sexual abuse victims know their abuser. The scope of the problem is massive: by the age of 18, 1 in 4 girls and 1 in 6 boys have experienced sexual abuse. From those figures, 88% of those molestations are attributed to individuals with pedophilia. ***Pedophilia is a psychotic disorder in which an adult or adolescent demonstrates a primary sexual attraction to prepubescent children.*** It is important, however, not to confuse pedophilia with actual child molestation, as many pedophiles never act on their attractions.
- ✓ Child sexual abusers are not always easy to spot. Though 7 out of every 8 molesters are male, they match the general population in ethnicity, religion, education, and marital status. So there is no stereotype, especially since abusers go to great lengths to blend in. However, only 10% of them abuse children that they don't know, and 68% look no further than their own families for victims.
- ✓ 40% of abusers first begin molesting children before they themselves reach the age of 15, and the vast majority before the age of 20.
- ✓ Adolescent abusers generally begin their acts of abuse on younger siblings.
- ✓ Most sexual abuse occurs within the family. However, molesters can gain access to children outside of their own families through employment or volunteer work with an organization that works primarily with children. This allows them both time alone with potential victims and the ability to build trust and credibility. In fact, child abusers are often known and respected in their communities for dedication to children.
- ✓ In terms of a victim profile, it is important to remember that, although there are characteristics that make some children more vulnerable, every child is in danger. Passive, lonely or troubled children, especially those who live with step-parents or single parents may be targeted. Children between the ages of 7 and 13 years old are most at risk, and children from low socioeconomic backgrounds or rural areas are more likely to be victimized.
- ✓ Molesters have behavioral patterns that can be identified as ***“grooming”*** their victims. Sexual abuse is rarely violent. The molester's goal is to solicit compliance

by beginning to win the victim's trust. There might be pet names, gifts to foster exclusivity and encouragement to "keep secrets." The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child's life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed trustworthy. Inevitably, the favoritism is not enough to keep the victim silent any more, and the abuser resorts to threats—threats that play off of a child's guilt over the sexual contact.

- ✓ During the grooming process and abuse, victims often begin to show signs such as sexual behaviors or strong sexual language that is too adult for their age. Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm. They may begin to display cuts and scratches or other self-inflicted injuries. However, some children are naïve and unaware of the gravity of the abusive nature of their experience. Research shows that children often delay reporting sexual abuse. They should not be disbelieved just because they waited a long time to seek help.

In the State of New Jersey every level of government has a role in protecting minors.

- At the State level:
 - State law is enforced through the NJ Family Division of the State court system. The court has broad powers including the ability to remove children from dangerous situations
 - The Department of Children and Families, specifically the Division of Child Protection and Permanency, combines all state operations intended to safeguard children into a single, coordinated program working closely with the Courts, legal advocates and law enforcement.
 - The Department of Corrections operates adult prisons and youth correctional centers to deal with perpetrators, while individual counties operate youth detention centers and special purpose schools.
- At the local level:
 - Educational professionals have the most contact with children, meaning they are often the first to detect issues.
 - Housing Authority Employees may also frequently come into contact with children.
 - Municipalities and counties operate or sponsor a variety of programs that involve children including but not limited to:

- Recreation programs
 - Before and After Care programs
 - Youth sports leagues
 - Youth centers
 - Youth in Government programs
 - Junior law enforcement training programs
- The role of **Police and law enforcement agencies** is especially important. Police officers assist in resolving reported situations, often acting as first identifiers. In New Jersey, police are given broad authority to protect children, including the authority to remove them from their parents or caregivers without a court order if necessary to prevent imminent danger to a child. Under the **Prevention of Domestic Violence Act**, a law enforcement officer must make an arrest when the officer finds “probable cause” that domestic violence has occurred. This holds even if the victim refuses to make a complaint. The Act is invoked in situations where the victim exhibits signs of injury caused by domestic violence, when a warrant is in effect, or when there is probable cause to believe that a weapon has been involved in an act of domestic violence. Abusers often use psychological tactics or coercive control over their partners, such as making threats to prevent a victim from leaving or contacting friends, family or police. But even if these conditions are not met, an officer may still make an arrest or sign a criminal complaint if there is probable cause to believe acts of domestic violence have been committed. Now if there is no visible sign of injury but the victim states that an injury did, in fact, occur, the officer must take other factors into consideration in determining probable cause.

The Borough is committed to the safety of all individuals in its community, however, the Borough has particular concern for those who are potentially vulnerable, including minor children. The Borough regards the abuse of children as abhorrent in all its forms and pledges to hold its officials, Employees and volunteers to the highest standards of conduct in interacting with children. Statistics show that 93% of victims under the age of 18 know the abuser. Further, a perpetrator does not have to be an adult to harm a child but are typically in a caregiver role. They can have any relationship to the child including a playmate, family member, a teacher, a coach, or instructor.

The Borough is fully committed to protecting the health, safety and welfare of minors who interact with officials, Employees, and volunteers of the Borough to the maximum extent possible. These Policy and Procedures establish the guidelines for officials, Employees, and volunteers who set policy for the Borough or may work with or interact with individuals under 18 years of age, and those who supervise Employees, and volunteers who may work with or interact with individuals under 18 years of age, with the goal of promoting the safety and wellbeing of minors.

This Model Policy provides guidelines that apply broadly to interactions between minors and officials, Employees, and volunteers in programs operated by the Borough or affiliated programs or activities. All officials, Employees, and volunteers are responsible for understanding and complying with this policy.

II. **Definitions:**

- **Authorized Adult** - Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee and/or interact with minors in program activities, recreational, and/or residential facilities. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc.
- **Child or Minor** - A person under the age of eighteen (18).
- **Department Heads** - Appointed department heads of the Borough, including the chief administrative officer, and any assistants.
- **Direct Contact** - Positions with the possibility of care, supervision, guidance or control of children or routine interaction with children.
- **Dual Reporting** – Reporting possible abuse to both the NJ Department of Children and Families and law enforcement at the same time by the individual designated by the Borough to report all possible cases of abuse.
- **Employees, Staff, or Counselors** – persons working for the Borough on a full-time or part-time basis, and compensated by the Borough.
- **Facilities** - Facilities owned by, under the control of, or rented or leased to the Borough.
- **Grooming** - is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them. Refer to Appendix B for more detailed information on grooming.
- **NJMEL JIF** - New Jersey Municipal Excess Liability Fund Joint Insurance fund.
- **Officials** – Elected officials of the Borough, appointed Board members, and Authority Commissioners.
- **One-On-One Contact** - Personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.
- **Programs** - Programs and activities offered or sponsored by the Borough.

- **Volunteers** - Individuals volunteering their time to provide services to the Borough who are not on the payroll and receive no compensation.

III. **Policy:**

The Borough is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18. To that end, the Borough is firmly committed to protecting children under the care and supervision of the Borough from all forms of physical, mental, sexual and emotional abuse. The Borough is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Borough. The procedures outlined below shall apply to all officials, Employees, and volunteers of the Borough.

IV. **Recruitment and Hiring of Employees and Vetting of Individuals Volunteering Their Time:**

- All prospective Employees and volunteers shall undergo a thorough and complete background check, including but not limited to a fingerprint identification check, credit check, motor vehicle record check, reference check (personal and professional), and a check of the Megan's Law directory for New Jersey and any other State where the applicant previously resided. *Written documentation of the background check shall be maintained by the Borough in perpetuity.*
- Background checks that disclose any negative or questionable results must be reviewed and approved by the Borough **prior to** the individual being hired and/or working with minors. **Provisional hiring is not permitted.**
- All prospective Employees and volunteers must complete the training adopted by the Borough **PRIOR TO** starting employment or volunteer service. **In addition to completing the training course adopted by the Borough,** all volunteer coaches shall complete the Rutgers SAFETY Clinic course (*Sports Awareness for Educating Today's Youth*™) which is a three-hour program that meets the "Minimum Standards for Volunteer Coaches Safety Orientation and Training Skills Programs" under (N.J.A.C. 5:52) and provides partial civil immunity protection to volunteer coaches under the "Little League Law" (2A:62A-6 et. seq.)
- The Borough shall **annually** re-check and document the Megan's Law directory for New Jersey to make certain that current Employees are not listed.
- Once employed, authorized Adults who are employed are required to notify the appropriate Human Resources representative of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

V. Procedures and Responsibilities of Officials:

Under New Jersey Law, an official may be held liable for the abuse or neglect of a child if he or she fails to implement appropriate safeguards to protect the child while the minor has been entrusted to the care of the Borough. Most importantly, recent changes in the law in New Jersey extended the statute of limitations for child abuse and neglect cases substantially, thus placing local officials and Employees at a far greater risk.

A valid cause of action can be filed by an alleged victim well after the official has left office. It is, therefore, critically important for officials to establish and monitor policies and procedures designed to safeguard minors entrusted to the care of the Borough.

➤ Officials of the Borough are required to:

- i. Complete the initial training course adopted by the Borough, and any updated/refresher course, in order to better understand their legal duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts:
 - Recognizing the signs of abuse and neglect of minors.
 - Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
 - Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
 - Becoming familiar with the legal requirements to report suspected cases of abuse.
 - Fully understanding the legal consequences for not being diligent in making certain that Employees of the Borough adhere to all policies and procedures as adopted.
- ii. Meet *annually* with all Department Heads to review the “Policy Addressing Sexual Abuse of Minors”, and to verify that the administration is adhering to this policy which includes all of the following provisions. If the policy is not being adhered to, it is the legal obligation of the officials of the Borough to implement whatever changes are necessary as soon as possible to make certain the policy is followed.
- iii. Conduct *random and unannounced* visits to program sites to observe the setup of the programs and conduct of the Employees and volunteers of the Borough.

VI. Program Procedures:

All Borough programs operated by, sponsored by, or affiliated with the Borough shall comply with the following procedures. All officials, Employees, and volunteers who interact with or could possibly interact with minors, and those Employees who supervise

Employees who interact with or could possibly interact with minors, shall adhere to the following policy.

VII. Specific Program Procedures:

The following policies shall apply to **all programs** offered by, sponsored by or affiliated with the Borough. As an essential element of compliance with the overall objective of protecting and addressing the safe treatment of minors, the Borough shall:

- a. Establish a written procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program. In addition, the Borough shall provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.
- b. Make certain that all program participants provide a *Medical Treatment Authorization form* to the Borough.
- c. Implement and adopt a *"Code of Conduct"* for volunteer and paid staff members which, *at a minimum*, will include the following:

<i>Code of Conduct</i>

- Staff members will, at all times, respect the rights of program participants and use positive techniques of guidance including positive reinforcement and encouragement.
- Staff members will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
- Staff members shall not transport children in their own vehicles, unless written authorization from the child's parent or guardian has been received.
- Members of the staff shall not be alone with children they meet in the programs outside of the camp. This includes babysitting, sleepovers, and inviting children to their home.
- Staff members shall, at all times, be visible to other staff members while supervising minors. Any exceptions require a written explanation before the fact and approval of the Program Director.
- Staff members will appear neat, clean, and appropriately attired.

- Staff members will refrain from intimate displays of affection towards others in the presence of children, parents and staff.
- Staff members are required to refrain from texting, and posting or checking any of the social media outlets while they are working or volunteering. The only exception is for texting for the purposes of communicating with another staff member or parent regarding a programmatic issue pertaining to a child.
- Staff members are prohibited from buying gifts for program participants.

In addition to the Code of Conduct, the following shall be a part of the specific program provisions:

- The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
- The Borough shall set forth rules and procedures governing when and under what circumstances participants may leave the Borough property during the program.
- No violence, including sexual abuse or harassment, will be tolerated.
- Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited and will be addressed immediately.
- No theft of property will be tolerated.
- No use of tobacco products will be tolerated.
- Misuse or damage of Borough property is prohibited. Charges will be assessed against those participants who are responsible for damage or misuse of property.
- The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
- Under no circumstances are any images of any child taken during any of the activities conducted or sponsored by the Borough to be shared on any social media platform without the expressed written consent of a parent or legal guardian.
- The Borough shall assign a staff member who is at least 21 years of age to be accessible to participants. Additional Authorized Adults will be assigned to

ensure one-on-one contact with minors does not occur and that appropriate levels of supervision are implemented.

- Take appropriate steps to make certain that children are not released to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written authorization on file in advance.)
- Develop and made available to participants and their parents or guardians, the rules and discipline measures applicable to the program. Program participants and staff must abide by all regulations and may be removed from the program for non-compliance with rules.
- The recommended ratio of counselors to program participants should reflect the gender distribution of the participants, and should meet the following:
 1. One staff member for every six participants ages 4 and 5
 2. One staff member for every eight participants ages 6 to 8
 3. One staff member for every ten participants ages 9 to 14
 4. One staff member for every twelve participants ages 15 to 17
- Responsibilities of the counselors must include, at a minimum, informing program participants about safety and security procedures, rules established by the program, and behavioral expectations. Counselors are responsible for following and enforcing all rules and must be able to provide information included herein to program participants and be able to respond to emergencies.

Specific Policy and Procedures for Use of Restrooms by Children/Minors:

- All restrooms shall be checked in advance by staff persons before minor children enter to make certain that no other individuals are present.
- Staff members (of the same sex) are to stand guard at the doorway to make certain that no one else enters the restroom while a child is there. Children should not be permitted enter restrooms in pairs or in groups, unless it is absolutely necessary.

VIII. Procedures for Law Enforcement Officers:

Law enforcement officers of the Borough frequently interact with minors in a variety of ways. It is important to establish guidelines to assist law enforcement officers in being aware of how to act and react in these circumstances. To that end, the Chief of Police or his or her designee of the Borough shall formulate a written policy addressing the safe treatment of minors for consideration and approval by the governing body for law enforcement officers who interact with minors.

The policy shall, at a minimum, incorporate and address the following:

- a. **Transporting minors in a police vehicle.** Whenever possible, victims or alleged victims of sexual assault or other crimes, or minors removed from a situation for protective purposes, shall be transported by two officers (at least one of whom shall be of the same sex as the victim) in unmarked vehicles that does not have a prisoner compartment/partition. Officers transporting a minor for whatever reason shall document starting and stopping mileage through radio contact.
- b. Directives issued by the NJ State Attorney General pertaining to interaction with minors shall be incorporated into the policy.
- c. The following provisions from the *“Code of Conduct”* for counselors shall be included in the policy for officers assigned to work in school settings (e.g., Class 3 officers):
 - i. Officers will, at all times, respect the rights of students and use positive techniques of guidance including positive reinforcement and encouragement.
 - ii. Officers will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
 - iii. Officers shall not transport children in their own vehicles. Officers shall not arrange to see students outside of school and this includes babysitting, sleepovers, and inviting children to their home. Any exceptions require a written explanation before the fact and approval of the Chief.
 - iv. Officers shall make certain that they are neat, clean, and appropriately attired.
 - v. Officers will refrain from intimate displays of affection towards others in the presence of children, parents and staff. Officers shall not buy gifts for students at any time.
 - vi. All officers are required to complete the initial training course offered by the NJMEL JIF, and any refresher courses as well.

IX. Training Requirements:

Individual training courses have been designed for each of the following categories and **all** officials, Employees, and volunteers of the Borough are required to complete training (and refresher course training) adopted by the Borough. ALL Employees of the Borough shall complete the training course whether they interact with children/minors or not. Although training records will be maintained, it is recommended that each Borough and individual trainees also keep copies of their own training records.

a. **Officials**

Complete the initial training course adopted by the Borough, and any updated/refresher course, in order to better understand their legal duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts.

- Recognizing the signs of abuse and neglect of minors.
- Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
- Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
- Becoming familiar with the legal requirements to report suspected cases of abuse.
- Fully understanding the legal consequences for not being diligent in making certain that Employees of the Borough adhere to all policies and procedures as adopted.

b. **Department Heads**

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc.)
4. Your legal responsibility for implementing and monitoring procedures and Employees
5. Reporting cases of abuse

c. **Volunteers and Employees of the Borough**

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc...)
4. Your legal responsibility for implementing and monitoring procedures and Employees
5. Reporting cases of abuse

d. **Law Enforcement Officers**

i. Content of course shall include:

1. Current Status of NJ Law and Directives from the Attorney General for Law Enforcement personnel
2. Your responsibilities
3. Officers in Schools
4. Reporting Abuse

X. **Reporting Suspected Child Abuse/Neglect:**

In light of the importance and priority placed on safeguarding the health and safety of minors, it is critically important that suspected cases of child abuse and neglect are reported as soon as possible. **As a government official, Employee or volunteer, you are legally required to report suspected child abuse. This requirement includes all governmental officials, Employees and volunteers.**

The following procedures shall be utilized in reporting suspected cases of abuse. The Borough shall also train officials, department heads, Employees and volunteers in the concept of “**dual reporting**” as listed and defined below and shall encourage all staff and volunteers to utilize this process as much as possible in reporting suspected cases of abuse.

Child Abuse is hard thing to talk about, especially with victims. The most important thing to remember is to **show calm reassurance and unconditional support**. Avoid interrogation and leading questions. Understand that denial and embarrassment are common reactions. Don’t display disbelief, shock, or disgust. Instead, be reassuring. Make sure the child knows that they did nothing wrong. Reassure them that this is not their fault and make sure they know that you take it seriously.

Interviewing children to investigate sexual abuse requires highly technical expertise. ***Do not “investigate” an abuse situation. Do not interrogate the child.*** Rather report it immediately as shown below. And finally, keep safety as the priority. If there is the possibility of violence against yourself or the child, get the appropriate professionals or agencies involved as soon as possible.

It is recommended that, whenever possible, officials, Employees and volunteers report the suspected abuse to both the NJ Department of Children and Families and law enforcement at the same time, which is known as “dual reporting.”

For Employees or volunteers of programs conducted by the Borough:

- Immediately report suspected cases to the Program Director in charge.
- The Program Director shall immediately investigate the alleged incident. The Director shall document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
 - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
- After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor's role to make a decision on whether a case should be reported. All cases shall be reported.

For Volunteer coaches or other volunteers in charge of programs sponsored by or affiliated with the Borough.

1. The Volunteer shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
 - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
2. After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

For Officials and Department Heads who witness or become aware of alleged cases of abuse or neglect:

1. The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
 - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
 - After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

For Law Enforcement Officers:

- Immediately report any suspected or alleged cases of abuse or neglect to the County Prosecutor.

XI. Important Information Regarding Reporting Suspected Abuse Under NJ Law:

The following guidelines have been established under New Jersey law, for those reporting suspected or alleged cases of abuse or neglect. The Borough encourages all officials, Employees, and volunteers in programs operated by the Borough or affiliated programs or activities to report suspected cases of abuse with the following in mind.

- i. *Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.*
- ii. *However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.*
- iii. *When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.*

XII. Acknowledgement of Receipt and Review of Policy:

All officials, Employees/counselors, and volunteers shall sign and date an acknowledgement form that confirms they have received and reviewed the Policy Addressing the Protection and Safe Treatment of Minors, issued to them by the Borough. The same process shall be used for any revised policy issued in the future.

Indicators of Child Abuse/Neglect

The New Jersey Department of Children and Families issued the following guidelines to assist in recognizing the indicators of child abuse/neglect.

Indicators of Child Abuse / Neglect

Different types of abuse and neglect have different physical and behavioral indicators.

Physical Abuse

Physical Indicators	Behavioral Indicators
<p>Unexplained bruises and welts:</p> <ul style="list-style-type: none">• On face, lips, mouth• On torso, back, buttocks, thighs• In various stages of healing• Cluster, forming regular patterns• Reflecting shape of article used to inflict (electric cord, belt buckle)• On several different surface areas• Regularly appear after absence, weekend or vacation <p>Unexplained burns:</p> <ul style="list-style-type: none">• Cigar, cigarette burns, especially on soles, palms, back or buttocks• Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia)• Patterned like electric burner, iron, etc.• Rope burns on arms, legs, neck or torso <p>Unexplained fractures:</p> <ul style="list-style-type: none">• To skull, nose, facial structure• In various stages of healing• Multiple or spiral fractures <p>Unexplained laceration or abrasions:</p> <ul style="list-style-type: none">• To mouth, lips, gums, eyes• To external genitalia	<p>Wary of adult contacts</p> <p>Apprehensive when other children cry</p> <p>Behavioral extremes:</p> <ul style="list-style-type: none">• Aggressiveness• Withdrawal <p>Frightened of parents</p> <p>Afraid to go home</p> <p>Reports injury by parents</p>

Physical Neglect

Physical Indicators	Behavioral Indicators
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g., thefts) States there is no caregiver

Sexual Abuse

Physical Indicators	Behavioral Indicators
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: <ul style="list-style-type: none">• Compliant, passive• Aggressive, demanding Overly adoptive behavior: <ul style="list-style-type: none">• Inappropriately adult• Inappropriately infant

Grooming Behavior

Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.

Here are some common characteristics of someone attempting to “groom” a child.

- Molesters often refer to their intended victims by pet names and use gifts to foster exclusivity and build a relationship while starting the practice of keeping secrets.
- The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child’s life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed so good – too good to be true, in fact.
- Inevitably, the favoritism is not enough to keep the victim, and the abuser resorts to threats—threats that play off of a child’s guilt over the sexual contact.
- During the grooming process and abuse itself, victims often begin to show tell-tale signs including:
 - Sexual behaviors or strong sexual language that is too adult for their age.
 - Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm.
 - Also look for cuts and scratches or other self-inflicted injuries.

SAFETY POLICY:

The Borough endeavors to provide a safe and healthy work environment for all Employees and shall comply with the requirements of the Public Employees Occupational Safety and Health Act ("PEOSHA"). The Borough is equally concerned about the safety of the public.

Consistent with this policy, Employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action.

Any occupational or unsafe public condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving the Borough's facilities, equipment, or motor vehicles must also be immediately reported to the supervisor or Department Head and the Chief Administrative Officer. Failure to do so constitutes grounds for disciplinary action. Employees are encouraged to discuss safety concerns with supervisory personnel.

SECURITY POLICY:

The Borough makes every effort to provide for Employees' safety and security while at work. The Borough, however, does not accept responsibility for the protection of Employees' personal property. The Borough is not liable for loss or damage to personal property.

The Borough maintains a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the Borough prohibits the possession, transfer, sale, or use of such materials on its premises. The Borough requires the cooperation of all Employees in administering this policy. Desks, lockers, other storage devices, and Borough vehicles may be provided for the convenience of Employees, but remain the sole property of the Borough. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Borough at any time, either with or without prior notice. The Borough may conduct video surveillance of Borough property to, among other things, identify safety concerns, detect theft, and discourage or prevent acts of harassment and workplace violence. Additionally, the Borough may monitor Employee e-mails.

Security is everyone's responsibility. If any Employee sees or suspects that an individual is breaching security, it is the Employee's responsibility to notify his or her supervisor or Department Head immediately. In the event a serious incident occurs, Employees must report it to their Department Head promptly. The following are examples of serious incidents that should be reported immediately:

1. Any accident which results in the injury of a third party while on the premises.
2. Any incident in which physical force is either used by or against an Employee.
3. Any incident which involves a crime, or an attempt to commit a crime, such as robbery or the theft of money.
4. Any incident in which a serious unfavorable reaction from the public might be expected.
5. The loss of Borough keys.
6. Any other incident, which an Employee believes is of a nature that it should be brought to the attention of the Department Head without delay.

Employees are encouraged to make any reports, in writing, so that they may be properly addressed by the Borough.

STATE RESIDENCY REQUIREMENT:

Every Employee shall have his/her principal place of residence in the State of New Jersey. New hires shall have one year from the time of taking office, employment or position to satisfy the requirement of principal residency. Failure to satisfy this requirement shall render the Employee unqualified for holding office, employment or position with the Borough.

If, however, an Employee holds an office, employment, or position with the Borough as of Sept. 1, of 2011 (the effective date of P.L.2011, c.70), but does not have his or her principal residence in this State on that effective date, he/shall will not be subject to the residency requirement while that Employee continues to hold office, employment, or position without a break in public service of greater than seven (7) days.

USE OF BOROUGH VEHICLES POLICY:

The Borough owns and maintains a fleet of vehicles ("Borough Vehicles") that are used in furtherance of the business of the Borough. The following policy governs the use of all Borough Vehicles (with the exception of vehicles utilized for law enforcement purposes), and supersedes all other vehicle policies previously in effect. Any employee violating the provisions contained herein will be subject to disciplinary action, up to and including termination, in accordance with applicable laws and regulations. Violations of this policy may also result in the denial of indemnification and/or defense by the Borough to the employee in any civil or criminal matter brought in any Court arising from improper use of a Borough Vehicle. The Borough also expressly reserves its right to seek indemnification and/or contribution from employees (including their personal automobile insurance policies) found to have acted in violation of this policy to the maximum extent permitted by law.

Driving Privileges and Licensure. The use of a Borough Vehicle by an employee is subject to the approval and discretion of the Borough Administrator. Any employee operating a Borough Vehicle must have, in his or her possession, a valid driver's license issued by a state regulatory body within the United States. Licenses issued by any territory or possession of the United States, the District of Columbia, or any international agency (including any province of the Dominion of Canada) must be expressly approved by the Borough's insurance carrier before an employee will be permitted to operate a Borough Vehicle.

- A. Employees are required to file a copy of a valid driver's license with the Borough prior to the use of a Borough Vehicle.
 - 1. Upon request, an employee must provide a copy of their driver's license or other required documents within twenty-four (24) hours of said request.
 - 2. Employees shall inform the Borough within twenty-four (24) hours of any changes in the status of their driving privileges.
 - 3. Failure to comply with the requirements of this section will result in an immediate suspension of an employee's privilege to operate a Borough Vehicle and may also result in the denial of indemnification and/or defense by the Borough to the employee in any civil or criminal matter brought in any Court arising from the use of a Borough Vehicle while said employee's driving privileges were suspended or revoked.
- B. The Borough reserves the right to obtain a driving abstract record from the New Jersey Motor Vehicle Service Commission or other regulatory and law enforcement agencies.
 - 1. The Borough reserves the right to suspend an employee's Borough driving privileges if the Borough deems necessary based on the employee's driving record.
 - 2. The Borough shall utilize information obtained pursuant to this section only for the purposes of furthering the objectives of this Policy and for no other reason, and will

not reveal personal or other information contained in an employee's driving abstract record to any party except where required by applicable law.

- C. The Borough occasionally offers safe driving courses and reserves the right to compel employee attendance at such courses.
- D. If requested by the Borough Administrator, the employee must agree to consent to a simulated road test to determine his/her fitness to safely operate a vehicle.
- E. In the event that the employee is under the influence of any medication (prescribed or over-the-counter) that might impair his/her ability to safely operate a vehicle, he/she must refrain from driving until he/she notifies the Borough and await clearance to resume driving.

Official Use Only. The use of Borough Vehicles is restricted to official Borough business only. Employees shall not be permitted to use Borough Vehicles for travel or activity unrelated to Borough business. Likewise, no supervisor may authorize such use or any use of a Borough Vehicle for other than Borough business or use which is otherwise inconsistent with this policy.

Borough Vehicles assigned to employees under this policy are to be operated only by the employee while acting within the scope of their employment. No employee shall authorize or permit any other non-Borough employee, including but not limited to family members of the employee, to operate or ride as a passenger in an assigned Borough Vehicle, unless said passengers are assisting in the official business of the Borough. At no time shall children be in the Borough of Montvale vehicle when responding to an emergency.

Borough Vehicles Specifically Assigned to an Official or Employee

1. In certain clearly defined jobs requiring travel within the Borough, a vehicle will be furnished by the Borough for use by the official or employee. The vehicle may not be operated outside of the Borough except in case of an emergency, or in connection with performance of their duties. The following officials or employees shall be furnished Borough vehicles: Fire Chief, Deputy Fire Chief, Police Chief, and Fire Official or their designees.
2. Under no circumstances is a Borough vehicle to be operated by an official or employee for personal use. The Borough vehicle is only to be operated by the official or employee. The Fire Chief, in view of the requirement that he responds to all fire calls, may use the assigned Borough vehicle for personal use with a five (5) mile radius of the Borough.
3. The Police Chief is permitted to utilize their assigned Borough vehicle for transportation to and from work in addition to conditions necessitated by Borough business which meets the "qualified non personal vehicle criteria specified by the IRS. All other personal use

will have a fringe benefit value added to the gross income reported on the employees' W-2.

4. During a prolonged absence or vacation of the Fire Chief, Police Chief, and Fire Official, their designated second in command shall enjoy the same Borough vehicle use privileges as their superiors. A prolonged absence is defined as more than three consecutive days.
5. All other Borough vehicles shall be parked at their respective Borough facility when not in use by the official or employee unless prior permission is obtained from the Borough Administrator.

Auxiliary Borough Vehicle

1. An auxiliary Borough vehicle, where available, is intended for the general use of department manager, employees or volunteers in the performance of their Borough related business.
2. The scheduling of the auxiliary Borough vehicle shall be made through the Borough Administrator. Department managers wanting to schedule the auxiliary Borough vehicle for their use or their staff shall contact the Borough Administrator to reserve the vehicle for a specific time and date. The Borough Administrator shall resolve all scheduling conflicts.

Personal Vehicle Use

3. An official or employee may, under certain circumstances, be authorized by the Borough Administrator to use his/her own vehicle on Borough business. The official or employee shall be reimbursed at the current fixed rate per mile as well as all highway, bridge or tunnel tolls and parking charges.
4. Whenever possible the official or employee shall use a borough vehicle for Borough related business.
5. Owners of vehicles used on Borough business shall carry adequate insurance to cover losses resulting from personal injury or property damage arising from the use of their vehicle. The Borough shall not be responsible for any repairs or replacement to the official's or employee's vehicle.

Location of Vehicles. Employees who are assigned the regular use of a Borough Vehicle for official business may, only with written permission of his/her Department Head, take the Borough

Vehicle home at night and keep said vehicle at home while off duty. The Mayor or Chief of Police may also grant temporary approval to facilitate responses to after-hours emergency calls.

If the employee will be absent from duty for more than two (2) working days, or more than five (5) consecutive days, including weekends and holidays, he/she must surrender the Borough vehicle to his/her direct supervisor unless directed otherwise. An employee storing the vehicle at his residence must provide safe parking for the vehicle at all times.

Commuting. The use of a Borough Vehicle for driving to and from work is voluntary and does not entitle the employee to compensation or pay while engaged in that activity.

Accidents and Incidents. Prior to operation of any Borough Vehicle, employees must consult their Department Head as to the appropriate steps to take if they become involved in an accident (filling out accident reports, obtaining witness names, etc.)

- A. In the event of an incident or accident involving the use of a Borough Vehicle, employees must immediately contact their supervisor and/or Department Head. All required reports and documentation must be submitted to the Borough Administrator within two (2) business days of receipt.
- B. An employee may be required to submit to an alcohol or drug screening test following an accident or incident if there is a reasonable suspicion to believe that the employee's use of drugs or alcohol may have contributed to the cause of the accident or as otherwise required by law or other policy of the Borough.

Citations and Violations. Operators of Employer Vehicles are expected to follow all laws, regulations and rules proscribed by the Motor Vehicle Commission. Drivers are responsible for paying any moving violation tickets and MUST notify the Borough of said violations within forty-eight (48) hours of receipt of said ticket (regardless of the employee's decision to contest such ticket in municipal court). Drivers are responsible for paying all parking tickets incurred. The Borough should be notified of the receipt of a parking ticket within 48 hours of receipt of said ticket.

Drivers are responsible for all "Notice of Delinquent Toll Payment Violations" (including but not limited to EZ-Pass). Upon having been notified of said violation, either by direct mail or notice from the Borough, an employee shall, within ten (10) business days of such notice, provide acceptable proof to the Employer that the outstanding toll and any related fees have been paid.

General Policies and Procedures. Employees authorized to use a Borough Vehicle for official business must adhere to the policies and procedures set forth in this Policy. Failure to comply with the provisions below will result in a loss of privileges:

- A. Drivers must ensure that all required documents (driver's license, LD. badge/card, registration, insurance card) are in their possession while operating the vehicle. Vehicle registration and insurance cards should be kept in a locked compartment of the vehicle when not in use.
- B. Employees assigned exclusive use of a Borough Vehicle are responsible for scheduling all repairs and manufacturer recommended maintenance with the Borough, in order to maintain all manufacturers' warranties (including routine oil changes).
- C. Vehicles are to be kept clean at all times, and should be washed and vacuumed regularly (unless prohibited by the New Jersey Department of Environmental Protection or other similar regulatory body).
- D. No smoking is allowed in Borough Vehicles at any time.
- E. In accordance with N.J.S.A. 39:4-97.3 and any other applicable statutes and regulations, the use of hand-held phones or electronic devices (BlackBerry, navigation systems, etc...) while driving Borough Vehicles is prohibited. This prohibition includes the sending or reading of e-mails, text messages and other similar communications.
- F. All occupants must wear seat belts at all times when the vehicle is in use and observe all road safe rules and regulations, such as "Wipers On, Lights On."
- G. Employees are expected to operate vehicles in a safe and courteous manner at all times and are expressly reminded to avoid tailgating or other unsafe practices.
- H. Employees are reminded of the risks inherent from driving while drowsy. In the event that a driver becomes tired while operating a vehicle, they should pull off the road and seek appropriate assistance.
- I. Employees who drive their own vehicle for Borough business must provide the Borough with a copy of their current Certificate of Insurance evidencing liability limits as recommended by the MEL/JIF.

Violation of this policy may result in disciplinary action up to and including the suspension of the employee's privilege to operate a Borough Vehicle and/or termination.

Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of the Borough of Montvale's Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my supervisor, or the Borough Administrator. I understand that the Borough of Montvale is an "at will" employer and consistent with applicable Federal and State law (including the New Jersey Civil Service Act), (as well as applicable bargaining unit agreements), employment with the Borough of Montvale is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the Borough of Montvale has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states the Borough of Montvale's personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with the Borough of Montvale for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

NOTE: Please sign and date this receipt and return it to your Supervisor or Borough Administrator

Date: _____

Signature: _____

Print Name: _____

Department: _____

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 20-2024**

Re: A Resolution Re-Affirming The Borough's Existing Policy For Eligible Municipal Employees To Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program For Calendar Year 2024

WHEREAS, the Borough of Montvale provides a comprehensive health benefits program comprised of medical, prescription, dental and vision coverages for eligible municipal employees, dependents and retirees; and

WHEREAS, the Governing Body desires the continuance of the program offering for the 2024 Calendar Year.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Montvale, County of Bergen, hereby re-authorizes the offering of the Borough's "Opt – Out" Program to municipal employees/Plan participants eligible for health benefits coverage through the Borough Employee Health Benefit Program, whereby the employee/plan participant can voluntarily waive participation in consideration of an annual financial incentive; and

BE IT FURTHER RESOLVED, the waiver of benefits financial incentive shall be set on an annual basis, such incentive set for the 2024 calendar year as follows:

**FOR THOSE EMPLOYEES/PLAN PARTICIPANTS PARTICIPATING IN THE OPT-OUT
AFTER MAY, 21, 2010**

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2024)
Single	25% of the Net Savings to the Borough of Montvale or \$5,000, whichever is less
Employee/Spouse	
Parent/Child	
Family	

BE IT FURTHER RESOLVED, the above schedules are consistent with the amounts set forth by the Borough and in accordance with the provisions set forth by the NJ Divisions of Local Government Services, as established by Chapter 2, P.L. 2010.

BE IT FURTHER RESOLVED, the specific terms and conditions of said waiver of coverage are contained within the "Waiver of Coverage Offer and Agreement," a copy attached herewith and affirmed by this Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough Finance Officer, Health Benefits Consultant and Borough Attorney.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

Frances Scordo
Municipal Clerk

APPROVED:

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 21-2024**

RE: A Resolution To Affirm The Borough Of Montvale's Civil Rights Policy With Respect To All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, And Members Of The Public That Come Into Contact With Municipal Employees, Officials And Volunteers

WHEREAS, it is the policy of the Borough of Montvale to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Montvale has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Governing Body of the Borough of Montvale that:

Section 1: No official, employee, appointee or volunteer of the Borough of Montvale by whatever title known, or any entity that is in any way a part of the Borough of Montvale shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Montvale's business or using the facilities or property of the Borough of Montvale.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Montvale to provide services that otherwise could be performed by the Borough of Montvale.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Governing Body shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Governing Body shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Montvale as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Governing Body shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Governing Body shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Montvale. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Montvale web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Montvale in order for the public to be made aware of this policy and the Borough of Montvale's commitment to the implementation and enforcement of this policy.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 22-2023**

RE: Authorize Designation of Public Agency Compliance Officer (P.A.C.O.) - Christine Kalafut

WHEREAS, NJAC 17:27-1.1, regulates equal employment opportunity in the performance of contracts funded by the state; and

WHEREAS, NJAC 17:27-3.2 requires that a public agency annually designate a public agency compliance officer who shall be responsible for ensuring the agency's compliance with the regulations;

NOW, THEREFORE, BE IT RESOLVED that Christine Kalafut, Borough Treasurer and Qualified Purchasing Agent, is hereby designated as the Public Agency Compliance Officer for Equal Employment Opportunity pursuant to this action.

BE IT FURTHER RESOLVED that a copy of this resolution to the New Jersey Department of Treasury, Division of Contract Compliance & Equal Opportunity Office

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 23-2024**

RE: Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the governing body of the Borough of Montvale, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under
Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
(NO PHOTO COPIES OF SIGNATURES)

STATE OF NEW JERSEY
COUNTY OF BERGEN

We, members of the governing body of the Borough of Montvale being duly sworn according to law,
upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the Borough of Montvale in the county of Bergen;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

Douglas Arendacs

Theresa Cudequest

Dieter Koelling

Timothy Lane

Christopher Roche

Annmarie Russo-Vogelsang

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Frances Scordo - Municipal Clerk

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 24-2024**

RE: Award Professional Service Contract - Borough Attorney, Huntington Bailey, L.L.P

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Huntington Bailey, L.L.P., 373 Kinderkamack Road, Westwood, NJ 07675 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, David Lafferty, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit David Lafferty, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Huntington Bailey, L.L.P.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

HUNTINGTON BAILEY, L.L.P.

COUNSELLORS AT LAW

RUSSELL R. HUNTINGTON
WILLIAM J. BAILEY
DERMOT J. DOYLE
SIOBHAN SPILLANE BAILEY *
DAVID S. LAFFERTY
MAURA O'HALLORAN DEEGAN
LEVI J. KOOL •

373 KINDERKAMACK ROAD
WESTWOOD, NEW JERSEY 07675
(201) 666-8282
FAX (201) 666-9625

WWW.HUNTINGTONBAILEY.COM

- Also Member NY Bar
- * Also Member PA Bar

November 20, 2023

Joseph Voytus
Borough Administrator
Borough of Montvale
12 DePiero Drive, 2nd Floor
Montvale, New Jersey 07645

Re: Professional Service Fees -2024

Dear Mr. Voytus:

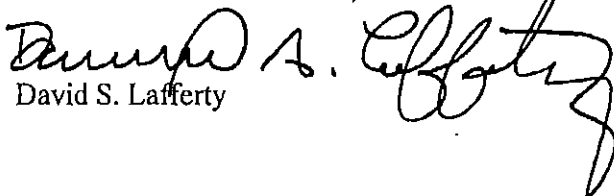
Pursuant to your letter dated October 26, 2023, in anticipation of being reappointed as Borough Attorney for 2024, we propose maintaining our current hourly rates of \$155.00 per hour for attorney billing and \$125.00 per hour for paralegal billing, for all services not included in our annual retainer with the Borough of Montvale.

Consistent with our firm's practice, we propose a two percent (2%) increase in the annual retainer from \$40,000.00 to \$40,800.00.

Should you wish to discuss the foregoing, please feel free to contact me. We look forward to our continued representation of the Borough of Montvale.

Very truly yours,

HUNTINGTON BAILEY, LLP


David S. Lafferty

DSL/dl

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 25-2024**

RE: Award Professional Service Contract - Borough Auditor, Lerch, Vinci & Bliss, LLP

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Bliss, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Lerch, Vinci & Bliss, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Lerch, Vinci & Bliss, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Lerch, Vinci & Bliss

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough of Montvale.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
LERCH, VINCI & BLISS, LLP
COMPARISON OF FEES**

	<u>2024</u>	<u>2023</u>
Annual Audit	\$45,300	\$44,000
LOSAP Review	\$2,500	\$2,400
Preparation of Supplemental Debt Statement and Capital Budget Amendment	\$500 Each	\$500 Each
Preparation of Official Statement		
Bond Sale	\$20,000	\$19,000
Note Sale	\$10,000	\$7,500
Hourly Rates		
Partners	\$160-200 per hour	\$160-\$190 per hour
Managers	\$135-\$165 per hour	\$135-\$150 per hour
Senior Accountants/Supervisors	\$100-\$135 per hour	\$100-\$125 per hour
Staff Accountants	\$80-\$105 per hour	\$80-\$95 per hour
Other Personnel	\$50 per hour	\$50 per hour

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 26-2024**

**RE: Award Professional Service Contract - Engineering Services - Colliers Engineering & Design, Inc.
Andrew R. Hipolit, P.E., PP., C.M.E.**

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Colliers Engineering & Design, Inc. 400 Valley Road, Suite 304, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, Andrew R. Hipolit, shall be designated as Principal in Charge for all services provided to the Borough of Montvale, and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Colliers Engineering & Design, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Colliers Engineering & Design, Inc.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

Borough of Montvale, Bergen County, New Jersey
Rates are effective January 1, 2024 through December 31, 2024

Technical Staff Rates

Billing Titles	Hourly Rates
Technical Director	190.00
Project Manager	185.00
Senior Project Specialist	175.00
Project Specialist	170.00
Technical Professional	165.00
Technical Specialist	160.00
Specialist	155.00
Senior Data Technician	150.00
Senior Technical Assistant	145.00
Technical Assistant	135.00
Data/Field Technician	125.00
Survey Crew – 1 Person w/Robotic Equipment	175.00
Additional Survey Crew Member	50.00
SUE Crew (designating) – 1 Person	130.00
Additional (designating) Member	50.00
SUE Crew (locating) – 2 Person	190.00
Additional (locating) Member	50.00
Expert Witness	360.00
Sr. LSRP (NJ Only)	255.00
LSRP (NJ Only)	230.00

Reimbursable Expenses

General Expenses	Cost + 20%
Travel (Hotel, Airfare, Meals)	Cost + 20%
Sub-Consultants/Sub-Contractors	Cost + 20%
Plotting	4.50 / Each
Computer Mylars / Color Plots	100.00 / Each
Photocopies	0.19 / Each
Color Photocopies	2.05 / Each
Document Binding	4.05 / Each
Portable Media	100.00 / Each
Exhibit Lamination (24" x 36" or larger)	90.00 / Each
Initial Digital Signature	300.00
Additional Digital Signatures	75.00 / Each
Mileage Reimbursement*	0.625 / Per Mile
	Field Vehicle 0.70 / Per Mile

*Mileage reimbursement subject to change based upon IRS standard mileage rate.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 27-2024**

**RE: Award Professional Service Contract - Borough Planner - Colliers Engineering & Design, Inc.
Darlene Green, P.P., AICP**

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Colliers Engineering & Design, Inc. was appointed at the Re-Organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Darlene Green, P.P., AICP, Associate, Senior Project Planner of Colliers Engineering & Design, Inc., Shelbourne at Hunterdon, 53 Frontage Road, Suite 110, Hampton, NJ 08827 for planning services for the Borough; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Colliers Engineering & Design, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Colliers Engineering & Design, Inc.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

Borough of Montvale, Bergen County, New Jersey
Rates are effective January 1, 2024 through December 31, 2024

Technical Staff Rates	
Billing Titles	Hourly Rates
Technical Director	190.00
Project Manager	185.00
Senior Project Specialist	175.00
Project Specialist	170.00
Technical Professional	165.00
Technical Specialist	160.00
Specialist	155.00
Senior Data Technician	150.00
Senior Technical Assistant	145.00
Technical Assistant	135.00
Data/Field Technician	125.00
Survey Crew – 1 Person w/Robotic Equipment	175.00
Additional Survey Crew Member	50.00
SUE Crew (designating) – 1 Person	130.00
Additional (designating) Member	50.00
SUE Crew (locating) – 2 Person	190.00
Additional (locating) Member	50.00
Expert Witness	360.00
Sr. LSRP (NJ Only)	255.00
LSRP (NJ Only)	230.00

Reimbursable Expenses	
General Expenses	Cost + 20%
Travel (Hotel, Airfare, Meals)	Cost + 20%
Sub-Consultants/Sub-Contractors	Cost + 20%
Plotting	4.50 / Each
Computer Mylars / Color Plots	100.00 / Each
Photocopies	0.19 / Each
Color Photocopies	2.05 / Each
Document Binding	4.05 / Each
Portable Media	100.00 / Each
Exhibit Lamination (24" x 36" or larger)	90.00 / Each
Initial Digital Signature	300.00
Additional Digital Signatures	75.00 / Each
Mileage Reimbursement*	0.625 / Per Mile
	Field Vehicle 0.70 / Per Mile

*Mileage reimbursement subject to change based upon IRS standard mileage rate.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 28-2024**

RE: Awarding Service Contract - Agreement Tri-State Technical Services, Computers & Peripherals

WHEREAS, the Borough of Montvale requires professional computer services and an extended service agreement for the computers and peripherals for the period January 1, 2024 through December 31, 2024; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding.

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

That a contract for professional computer services for an Service Agreement for Computers and Peripherals proposal which is attached and made part of this resolution be awarded to Tri-State Technical Computer Services, Inc., of 180 Paramus Road, Paramus, New Jersey 07652 in the amount of \$9,770.00 for the period January 1, 2024 through December 31, 2024 for the service contract, and \$90.00 for labor rate as described in the Service Agreement;

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in an Official Newspaper, be on file, available for public inspection, in the office of the Municipal Clerk, 12 DePiero Drive, Montvale, NJ 07645.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

Tri-State Technical Services, Inc.

P.O. Box 441
Hawthorne, NJ 07507
Cell: (201) 400-5681

November 21, 2023

Mr. Joseph Voytus
Administrator
Borough of Montvale
12 Mercedes Drive
Montvale, New Jersey 07645

Dear Mr. Voytus,

I have always provided the lowest labor rate possible. For the past 10 years, I have not increased the rate; however, due to the rising cost of doing business these past few years, our labor rate for the year 2024 will be increasing \$10 to \$90.00 per hour. The service contract price will be \$9770.00.

If you have any questions, please call.

Sincerely,



Dino George
Vice-President

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 29-2024**

RE: Authorize Contract Animal Control Services - Tyco

WHEREAS, the Board of Health of the Borough of Montvale has received a proposal from Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ.

WHEREAS, said proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this contract with Tyco Animal Control Service based upon prior services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2024 Budget for this contract, Other Expense Portion of the Animal Control Services Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Animal Control Services for 2024 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ 07423 pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution for the base amount of \$11,040.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

TYCO MUNICIPAL ANIMAL CONTROL LLC

*Dependable Professional Animal Control,
We are always there when you need us!*

1 Stout Lane
Ho-Ho-Kus NJ 07423
Phone 201-652-4554

Contract of Services for Borough of Montvale

Contact: Carol A. Tyler
Licensed Animal Control Officer

Tracy Cohen-Grady, DVM
Consultant

This is a contract between the Borough of Montvale and Tyco Animal Control for animal control services for the sum of \$11,040.00 per annum to be paid monthly, effective January 1, 2024. This price will remain in effect through December 31, 2024.

Hours of regular services as provided for herein will be Monday through Friday 8:00 am to 7:00 PM inclusive. Any calls responded to outside of these hours or on any national holiday shall be considered an emergency as described below in statement number five.

SERVICES TO BE PROVIDED:

1. The impounding of any animal deemed to be stray. The only animals to be impounded will be those taken by the animal control officer.
2. The impounding of any owned animal without a current registration tag on its collar.
3. Dependable and quick response to calls from the police department or other municipal official to rescue and remove sick, dangerous, diseased, or injured wildlife.
4. Render a monthly written report of animal control activities in the community.
5. Respond to emergency calls. These shall involve animals on public property that represent a life-threatening hazard to the animal and/or the general public. A call shall be deemed an emergency between the hours of 7:00 PM and 8:00am Monday through Thursday and from 7:00pm Friday to 8:00am Monday. Responses during these hours will result in a charge of \$60.00 per call. At the request of the police shift supervisor, we will respond to pick up deer as an emergency response when needed at a cost of \$60.00 per deer.
6. Supervision of humane trapping of wild and stray animals on public property with no additional fee. In the event that animals must be trapped on private property and additional fee of \$60.00 trap rental and \$60.00 service and removal fee payable in advance shall be born by the owner of the property. Trapping services are available Monday through Friday. There will be no trapping on weekends.
7. Removal of visible wildlife from private homes will be available at a fee of \$60.00 payable by the homeowner.
8. Dead animals on public streets will be removed and disposed of in a professional, dependable, and timely manner during regular business hours up to 4:00 PM for no additional charge. This does not include owned or licensed animals that have been killed on public property. The cost for this removal shall be the responsibility of the owner. The Borough Administrator or Borough Clerk will designate a location in the borough for the disposal of the deceased animals picked up by the animal control officer.

9. All licensed animals impounded from public property will be held, owners contacted, and animals returned. Municipal fees or fines will be collected from the owners and forwarded to the proper agency in the Borough.
10. The Borough shall provide a list of all licensed animals.
11. There will be no provision for Tyco's facility to accept unwanted animals from owners. The only animals to be impounded at our facility will be those actually caught by the animal control officer.
12. Rabies suspect specimens will be prepared at no additional cost, and transported to Bergen County Health when necessary. If a situation arises when the specimen has to be taken to Trenton, a private courier service will be used. In the case of a bite to a human it is the responsibility of that individual to assume the cost for transport. In other situations, the municipality is responsible for the charges of transportation to Trenton. (Currently about \$180.00)
13. Either Party may terminate this contract for any reason upon 90 days written notice to the non-terminating or other party.
14. Assist the Borough Clerk with licensing follow up, issue summons and appear in court on behalf of the Borough.
15. If Tyco must intercede in an emergent situation that causes Tyco to take in and house an unusual number of animals (more than 15), or a circumstance that causes Tyco to provide extraordinary scope of services above and beyond normal animal control an additional fee to cover time and expenses will be borne by the contracting municipality. This fee will be discussed and agreed upon at the onset of the particular circumstance.

Borough of Montvale

Date

Tyco Animal Control Agent

Date

Witness

Date

-End-

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 30-2024**

RE: Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale - Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, which is hereto attached to the original of this resolution; and

WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor and Administrator be and are hereby authorized to execute the Contract on behalf of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

H. No Financial Interest: P&A certifies and warrants that it has no financial interest in the units in the Borough that are restricted under the Regulations.

TERM

The term of this Agreement shall be one (1) year, commencing January 1, 2024. The Agreement is renewable for successive terms and can be terminated at the discretion of the Borough with 60 days written notice without cause.

COMPENSATION

In return for its compliance efforts (as detailed in the Scope of Services above), P&A will be compensated as follows:

- CONSULTING, LIST MAINTENANCE, AND RESPONDING TO INQUIRIES, INCLUDING COORDINATION OF THE AFFORDABILITY ASSISTANCE PROGRAMS: \$400 per month to be paid by the Borough;
- EXISTING UNITS / RE-SALES: \$800 per resale certification fee to be paid by the seller upon transfer of title;
- EXISTING UNITS / RE-RENTALS: up to \$500 per re-occupancy certification fee to be paid by the landlord upon occupancy;
- FUTURE NEW SALE UNITS: \$400 per unit setup and marketing fee*, plus \$900 per unit certification fee that are paid by the developer at a predetermined timetable;
- FUTURE NEW RENTAL UNITS: \$400 per unit setup & marketing fee*, plus \$450 per unit certification fee that are paid by the developer at a predetermined timetable;
- CERTIFICATION OF PARTICIPANTS FOR AFFORDABILITY ASSISTANCE PROGRAMS: \$250 per application, unless the applicant was income-certified within the 6 prior months, in which case there is no charge.
- REFINANCING: \$250 to be paid by the unit owner; and
- LIEN SATISFACTIONS: No charge.
- OTHER PROGRAMS: The cost to provide compliance services for programs, such as Accessory Apartments, Market to Affordable, etc., are contingent upon the number of units and the scope of services required for each.
- ADDITIONAL SERVICES: In the event that the Borough and/or Owner requests services in addition to the Scope of Services above, a mutually agreed upon rate for such services shall be determined prior to implementation.

- In addition to its fee, P&A shall be reimbursed by the Landlord, Owner or Borough as appropriate, for postage to residents and applicants. However, all management and compliance reports outlined above, all forms, web and e-mail services, telephone calls, travel expenses and meeting time, to a reasonable extent, shall be included in the basic fee above.

* There is a \$3,500 minimum per project / developer fee that applies if the new unit or units require the implementation of an exclusive advertising and affirmative marketing process pursuant to the Regulations. There is no minimum fee for new units created as part of a series of units that are already marketed.

SUBMITTED

BY: Piazza & Associates, Inc., a New Jersey Corporation.



BY:

Frank Piazza, Jr.
Its President

November 9, 2023
Date: _____

ACCEPTANCE

Accepted on behalf of the Borough of Montvale

BY:

Date: _____

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 31-2024**

RE: A Resolution of the Borough of Montvale Awarding a Contract To Flanagan Productions, LLC, as an Extraordinary Unspecifiable Service for Montvale Graphic Design Borough Newsletter

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company for the graphic design of the Borough newsletter to better service the Borough's residents and visitors of the Borough; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as "extraordinary unspecifiable services"; and

WHEREAS, the Borough has received a proposal for the year 2024 to provide such services from John Flanagan of Flanagan Productions, LLC, said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions to perform the above-referenced services for the price and on the terms set forth in the Flanagan Productions Proposal; and

WHEREAS, because the value of this contract exceeds the Borough's applicable pay-to-play threshold, it shall be awarded pursuant to the "alternative" provisions of *N.J.S.A. 19:44A-20.4*, et seq., and Flanagan Productions has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Flanagan Productions, for the price and on the terms set forth in the Proposal submitted by Flanagan Productions; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Flanagan Productions proposal but shall not exceed \$1,599.00 without further authorization of the Borough Council, and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Municipal Clerk.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

ESTIMATE

Flanagan Productions, LLC
PO Box 1021
Secaucus, New Jersey 07096
United States

551-655-0888

BILL TO
The Borough of Montvale
Joseph Voytus
12 Mercedes Drive
Montvale, New Jersey 07645
United States

201-391-5700
tmanzelli@montvaleboro.org

Estimate Number: 1

Estimate Date: November 3, 2023

Valid Until: December 3, 2023

Estimate Total \$1,599.00
(USD):

Items	Quantity	Price	Amount
Basic Newsletter Flat rate design services based on a single-column newsletter not to exceed 15 pages in total length. The client must provide all content and images by the 23rd of the month for completion by the 1st of the month. The flat rate is based on 75 minutes per newsletter at an hourly rate of \$100. Billed annually in the first month.	12	\$125.00	\$1,500.00
Photo Hosting Annual Flickr Photo Hosting	1	\$99.00	\$99.00

Subtotal: \$1,599.00

Exempt 0%: \$0.00

Total: \$1,599.00

Estimate Total (USD): \$1,599.00

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 32-2024**

RE: A Resolution of the Borough of Montvale Awarding a Contract to Spatial Data Logic, Inc. as an Extraordinary Unspecifiable Service for Website Design, Web Manage, Hosting and Support and Related Services

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company to redesign, host and support the Borough's website and related web applications and social media in order to better service the Borough's residents and visitors to the Borough's website; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as "extraordinary unspecifiable services"; and

WHEREAS, the Borough has received a proposal for the year 2024 to provide such services from Spatial Data Logic, Inc., said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Spatial Data Logic Inc. to perform the above-referenced services for the prices and on the terms set forth in the attached proposal; and

WHEREAS, because the value of this contract exceeds the Borough's applicable pay-to-play threshold, it shall be awarded pursuant to the "alternative" provisions of *N.J.S.A. 19:44A-20.4, et seq.*, and Spatial Data Logic, Inc. has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Spatial Data Logic Inc. for website design, managing, hosting and support, and related services, for the prices and on the terms set forth in the Proposal submitted by Spatial Data Logic, Inc. ; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Spatial Data Logic, Inc. proposal but shall not exceed \$22,140.00 without further authorization of the Borough Council, and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Municipal Clerk.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

PRICING INFORMATION

Spatial Data Logic is pleased to offer the following pricing.

Service Level Complete Management

Initial Setup

N/A

Ongoing Service

Complete service level. See comparison chart, service level detail detail page, and terms for additional information on services offered.

Annual Services

Complete Website Management - Main Municipal Site	\$15,800
Social Media Management & Archiving	\$3,700
Social Media Archiving (Recreation & Police)	\$1,140
Complete Website Management - Add-on Recreation Website	\$1,500

One-time Fees

None	None
------	------

First Year Total

\$22,140

Notes

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 33-2024**

RE: A Resolution Awarding a Professional Services Contract to Surenian, Edwards & Nolan, LLC to Serve as Special Counsel in Connection with the Borough's Affordable Housing

WHEREAS, the Governing Body is desirous of hiring Special Counsel to represent the Borough in connection with the Borough's affordable housing; and

WHEREAS, the Borough has received a proposal from. Surenian, Edwards & Nolan, LLC, 311 Broadway, Suite A, Point Pleasant Beach, NJ 08742, to perform all services necessary and appropriate in connection with same; and

WHEREAS Surenian, Edwards & Nolan proposal sets forth the following rates:

- (a) \$200.00 per hour for all time spent by Jeffrey R. Surenian;
- (b) \$200.00 per hour for all time spent by Michael J. Edwards
- (b) \$185.00 per hour for all time spent by other attorney's
- (e) \$90.00 per hour for all paralegal work; and

WHEREAS, the Governing Body is satisfied that Mr. Surenian and his firm possess the requisite experience pertaining to such matters; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5(a)(i)*, a professional services contract is exempt from public bidding requirements; and

WHEREAS, because the value of this contract is anticipated to be in excess of \$15,000 (the Borough's local pay-to-play limit), this contract has been awarded under the "alternative process" pursuant to *N.J.S.A. 19:44A-20.4 et seq.* (the "Pay-to-Play Law"), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and

WHEREAS, because this contract has been awarded under the "alternative process," Mr. Surenian has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit said persons and entities from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the Governing Body is desirous of awarding a contract to Jeffrey R. Surenian and Associates, LLC, in an amount not to exceed \$15,000.00 without further authorization of the Governing Body, at the hourly rates set forth above; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that a contract is hereby awarded to L Surenian, Edwards & Nolan LC to serve as Special Counsel in connection with the Borough's Affordable Housing Litigation, pursuant to the terms and conditions set forth herein.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute a contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with *N.J.S.A. 40A:11-5*.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

Jeffrey R. Surenian, Esq. ▲
Email - JRS@Surenian.com

Michael J. Edwards, Esq. ►
Email - MJE@Surenian.com

Edward J. Buzak, Esq. ▼
Email - EJB@Surenian.com

Erik C. Nolan, Esq.
Email - EN@Surenian.com

Also admitted:
▲PA ►NY ■MA ▼DC

A Limited Liability Company
Counselors at Law

311 Broadway, Suite A
Point Pleasant Beach, New Jersey 08742

Phone: (732) 612-3100

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—
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Fax: (973) 335-1145

Kelli L. Gallo, Esq. ►
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Christine M. Faustini, Esq.
Email - CMF@Surenian.com

Susan L. Crawford, Esq. ▲■
Email - SLC@Surenian.com

Nancy L. Holm, Esq. ▲
Email - NLH@Surenian.com

William E. Olson, Esq.
Email - WEO@Surenian.com

November 22, 2023

VIA E-Mail and Regular Mail

Carol Manhart (cmanhart@montvaleboro.org)

Deputy Municipal Clerk
Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645

RE: RE: 2024 Contract for Special Counsel on Affordable Housing

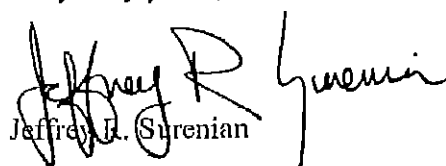
Dear Ms. Manhart:

In accordance with your email on November 21, 2023 enclosed please find a partially executed contract to serve as the Affordable Housing Attorneys for the Borough of Montvale. As per your request the change for this years contract is Michael J. Edwards rate has increased from \$190.00 to \$200.00 per hour. For your convenience a signed copy can be emailed to our office manager at manager@surenian.com.

Please feel free to contact me at 732-612-3100 or via email at JRS@Surenian.com if you have any questions or need additional information.

I thank you and the Borough of Montvale for your continued confidence in our Firm.

Very truly yours,


Jeffrey R. Surenian

JRS/pf

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 34-2024**

RE: Award Professional Service Contract - Public Defender & Alternate Public Defender for Pascack Joint Municipal Court to Aronsohn, Weiner, Salerno & Kaufman

WHEREAS, the Pascack Joint Municipal Court has a need to contract for the services of various professionals to serve as the municipal public defender or alternate public defender, pursuant to N.J.S.A. 2B:24-1, et seq.; and
WHEREAS, the Pascack Municipal Court Committee agreed to acquire Public Defender Services through the alternate process pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and,
WHEREAS, there are occasions when the appointed municipal public defender may have a conflict of interest, thus creating a need for an alternate public defender; and
WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the following individuals to the positions set forth below:

Public Defender: Gerald R. Salerno, Esq.
Alternate Public Defender: Salvatore Sclafani, Esq.

WHEREAS, the salary of the Public Defender shall be \$15,000; and

WHEREAS, said salaries shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

WHEREAS, any compensation to be paid to the Alternate Public Defender shall be paid by the Public Defender, as appropriate; and

WHEREAS, the term of this contract shall commence on January 1, 2024, and shall continue for the remainder of the calendar year 2024; and

WHEREAS, the Certified Municipal Finance Officer has the availability of funds; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

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

1. This Contract is awarded without competitive bidding as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.
2. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

ARONSOHN WEINER SALERNO & KAUFMAN

A Professional Corporation
COUNSELLORS AT LAW
21 MAIN STREET – SUITE 100
COURT PLAZA SOUTH- EAST WING
HACKENSACK, NEW JERSEY 07601

RICHARD H. WEINER
GERALD R. SALERNO
BARRY L. KAUFMAN

PATRICIA A. FERRARO
STEVEN R. VANDERLINDEN
GREGORY L. GROSSMAN
JONATHAN L. GONZALEZ
PATRICK W. HARRINGTON*
*Member NY Bar

RICHARD F. ARONSOHN
(1938-1996)

Telephone: (201) 487-4747
Facsimile: (201) 487-7601
www.aronsohnweinersalerno.com
email@aronsohnweiner.com

OF COUNSEL

GARY NEWMAN
MEMBER N.J., N.Y. & FLA. BARS
JoANNE JULIANO GIGER
MEMBER N.J., N.Y. & IL. BARS

November 16, 2023

Borough of Montvale
12 Mercedes Drive, 2nd Floor
Montvale, New Jersey 07645

Attention: Joseph Voytus
Borough Administrator

Re: Public Defender – Pascack Joint Municipal Court
Professional Services Fees-2024

Dear Mr. Voytus

Please consider my request for an annual salary of \$15,000.00 for professional service fees in my capacity as Public Defender. This request represents a modest \$3,000.00 increase over the 2023 salary and is based upon the increased amount of time being spent on these matters. Thank you for your consideration.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

ARONSOHN WEINER SALERNO & KAUFMAN

By: _____

GERALD R. SALERNO

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 35-2024**

RE: A Resolution Authorizing the Execution of the Continued Participation in the Interlocal Services Agreement with Northwest Bergen Central Dispatch for Emergency Dispatch Services

WHEREAS, N.J.S.A. 52:17C-6 requires all New Jersey municipalities to provide telephonic access to an appropriate Public Safety Answering Point (PSAP) serving the municipality; and

WHEREAS, regionalized provision of such services is a concept specifically endorsed by N.J.S.A. 52:17C-7; and

WHEREAS, Northwest Bergen Central Dispatch (hereafter referred to as "NWBCD") is a joint meeting established by the Borough of Glen Rock and the Village of Ridgewood pursuant to N.J.S.A. 40:48B-1, et seq. to provide, among other things, regional PSAP and dispatch services; and

WHEREAS, the Borough of Montvale is a New Jersey municipality with its offices at 12 DePiero Drive, Montvale, New Jersey; and

WHEREAS, due to increasing costs of operations, capital improvements and maintenance, the Borough of Montvale has determined that it is in the public interest of the communities it serves to have its duties and responsibilities performed by NWBCD; and

WHEREAS, each of the parties is a governmental entity authorized to provide jointly for PSAP and dispatch services pursuant to the provisions of the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS, each of the parties has independently concluded that implementation of the New Jersey mandated Emergency Enhanced 9-1-1 Telephone System program on a shared basis is in the best interests of the taxpayers of the respective entities; and

WHEREAS, Montvale and NWBCD have negotiated the terms of an Interlocal Services Agreement entitled "Interlocal Services Agreement for Enhanced 9-1-1 Service Between Northwest Bergen Central Dispatch, A Joint Meeting and The Borough of Montvale," a copy of which is on file with the Borough Clerk and which is expressly incorporated herein by reference pursuant to N.J.S.A. 40A:65-5(b); and

WHEREAS, the Uniform Shared Services and Consolidation Act requires that the Shared Services Agreement be approved by resolution of the governing body of each participating municipality; and

WHEREAS, the Borough of Montvale is desirous of approving this Agreement and authorizing the Mayor to execute same.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale, The Interlocal Services Agreement continued participation referenced herein between the Borough of Montvale and NWBCD is hereby approved.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

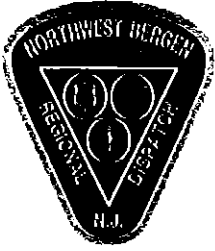
Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor



Northwest Bergen Central Dispatch

30 Garber Square, Ridgewood, New Jersey 07450

(201) 251-6701 (201) 251-6703 (Fax)

December 12, 2023

Mr. Joseph Voytus
Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645-1816

Dear Mr. Voytus,

We would like to thank you for your continued participation and support of Northwest Bergen Central Dispatch. Over the past year, NWBCD has completed the upgrade of our 9-1-1 system to meet Next Generation 9-1-1 (NG911) standards. This new more advanced system provides seamless, geo-diverse redundancy. We are now working on a radio refresh project that will improve our system and extend its lifespan for another 10 years. We also have continued to acquire new technologies and expand our training regimen. These continued enhancements have enabled our center to be more effective and efficient.

As we begin to prepare budgets for 2024. Northwest Bergen Central Dispatch was able to keep the annual increase to \$215,937.78. The new quarterly payment will be \$53,984.44.

NWBCD will continue to deliver high quality service to our customers. We appreciate the excellent working relationship with your community. The dedicated and professional staff at NWBCD are committed to providing the best service available anywhere and we look forward to exceeding your expectations in the coming year.

Sincerely,

A handwritten signature in black ink, appearing to read "Th. E. Pomroy", with a long horizontal flourish extending to the right.

Thomas E. Pomroy
Director Northwest Bergen Central Dispatch
30 Garber Square
Ridgewood, NJ 07450

Providing a high quality gateway to public safety through technology and teamwork.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 36-2024**

RE: Authorize Contract Health Awareness Regional Program (HARP) Hackensack Meridian Health - Hackensack University Medical Center

WHEREAS, the Board of Health of the Borough of Montvale has received and reviewed the proposal from Hackensack Meridian Health, Hackensack University Medical Center (HARP) on Monday, December 4, 2023 at their regular meeting; and

WHEREAS, said attached proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends the Health Department Services of Hackensack Meridian Health, Hackensack University Medical Center based upon the services provided by the Agency; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2024 Budget for this contract for public health services, administrative services, health education, public health nursing and other related services as outlined in the attached contract; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for 2024 be and is hereby awarded to Hackensack Meridian Health, Hackensack University Medical, Center, Hackensack, NJ 07601 pursuant to the terms and conditions as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution in the amount of \$2,468.50 quarterly payment as outlined in the attached proposal.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

ADDENDUM TO BE ATTACHED TO AGREEMENT

January 1, 2024 through December 31, 2024

Between **HEALTH AWARENESS REGIONAL PROGRAM (HARP) OF
HACKENSACK MERIDIAN HEALTH
HACKENSACK UNIVERSITY MEDICAL CENTER**

And **BOROUGH OF MONTVALE**

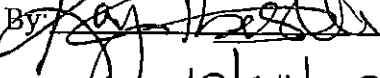
Topic of this Addendum Charge For Services for January 1, 2024 through December 31, 2024

Health Education (\$52.00 X 45 hours)	\$2,340.00
Health Education Director (\$56.00 x 15 hours)	840.00
Public Health Nursing (\$53..50 X 100 hours)	5,350.00
Public Health Nursing Supervision (\$55.00 X 24 hours)	<u>1,344.00</u>
	\$9,874.00

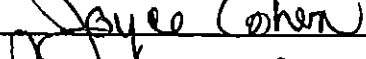
PAYMENT FOR SERVICE

Payment to the Health Awareness Regional Program of Hackensack University Medical Center in the amount of **\$2468.50** each quarter.

ATTEST

By: 
Date: 12/04/2023

BOROUGH OF MONTVALE

By: 
Title: President Montvale Board of Health
Date: November 4, 2023

**HEALTH AWARENESS REGIONAL PROGRAM
HACKENSACK MERIDIAN HEALTH
HACKENSACK UNIVERSITY MEDICAL CENTER**

ATTEST

By: _____

By: _____

Title: President & Chief Hospital Executive
Hackensack University Medical Center
President North Region
Hackensack Meridian Health

Date: _____

Date: _____

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 37-2024**

**RE: Authorize Contract NorthWest Bergen Regional Health Commission –
Years 2024-2026 - (3) year contract**

WHEREAS, the Board of Health of the Borough of Montvale has received and reviewed the proposal from NorthWest Bergen Regional Health Commission; and

WHEREAS, said attached proposal for a three-year (3) contract which has been reviewed and approved by the Board of Health on December 4, 2023; and

WHEREAS, the Montvale Board of Health recommends this two-year Health Services contract with Northwest Regional Board of Health Commission based upon services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the years 2024, 2025 and 2026 budgets for this contract in the Borough of Montvale's Board of Health Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for years 2024, 2025 and 2026 be and is hereby awarded to NorthWest Bergen Regional Health Commission, 20 West Prospect Street, Waldwick, NJ 07463, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution in the amount of \$64,104 for year 2024; \$65,388 for year 2024 and \$66,696 for year 2026 as outlined in the attached proposal.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2023

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**NORTHWEST BERGEN REGIONAL HEALTH COMMISSION CONTRACT FOR
LOCAL PUBLIC HEALTH SERVICES WITH THE BOROUGH OF MONTVALE
January 1, 2024 to December 31, 2026**

SCHEDULE B – ADDENDUM FOR NURSING SERVICES

- Between NORTHWEST BERGEN REGIONAL HEALTH COMMISSION
20 WEST PROSPECT STREET
WALDWICK, NJ 07463
hereinafter referred to as **AGENCY**
- And BOROUGH OF MONTVALE BOARD OF HEALTH
hereinafter referred to as "**LOCAL BOARD OF HEALTH**"
- Witnesseth That for and in consideration of the mutual promises herein contained it is understood and agreed by the parties that:
- Article I The Local Board of Health is required to establish and maintain a program of recognized standards of performance as set forth in the New Jersey Administrative Code, Title 8-Chapter 52, effective as of February 18, 2003. The AGENCY will provide the Public Health services as specified in these standards of performance.
- Article II Public health services shall include administrative services as set forth at N.J.A.C. 8:52-5, health education services as set forth at N.J.A.C. 8:52-6, public health nursing services as set forth at N.J.A.C. 8:52-7, and the three core functions of public health which have been expanded to become the "10 essential public health services" in (a) 1 through 10.
- A. Public health services shall:
1. Monitor health status to identify community health problems as set forth at N.J.A.C. 8:52-10.
 2. Diagnose and investigate health problems in the community as set forth at N.J.A.C. 8:52-12
 3. Inform, educate, and empower people regarding health issues as set forth at N.J.A.C. 8:52-6.
 4. Mobilize community partnerships to identify and solve health problems as set forth at N.J.A.C. 8:52-9.
 5. Develop policies and plans which support individual and community health efforts as set forth at N.J.A.C. 8:52-11.
 6. Enforce the laws and regulations that protect health and ensure safety as set forth at N.J.A.C. 8:52-14.
 7. Link people to needed personal health services and assure health care when it is otherwise unavailable as set forth at N.J.A.C. 8:52-13.
 8. Ensure a competent local public health system and assure a competent personal health care workforce as set forth at N.J.A.C. 8:52-8.
 9. Evaluate the effectiveness, accessibility, quality of personal and population-based health services as set forth at N.J.A.C. 8:52-16.
 10. Research for innovative solutions to health problems as set forth at N.J.A.C. 8:52-15.
- Article III **TERM OF CONTRACT**
- A. This Agreement shall be effective January 1, 2024, and shall be reviewed before the end of the contract term. Specific points to be considered will include:
1. Review of hours, fees, costs, and charges

**CONTRACT FOR LOCAL PUBLIC HEALTH SERVICES
FOR MONTVALE BOARD OF HEALTH
JANUARY 1, 2024 THROUGH DECEMBER 31, 2026**

SCHEDULE A-ADDENDUM TO CONTRACT

1. MEETING SCHEDULE: TBA or attached

2. PAYMENT OF FEES TO PROVIDER:

The annual fee for services for 2024 shall be \$64,104 (2.0% increase).

The monthly payment will be \$5,342.

The annual fee for services for 2025 shall be \$65,388 (2.0% increase)

The monthly payment will be \$5,449

The annual fee for services for 2026 shall be \$66,696 (2.0% increase)

The monthly payment will be \$5,558

THE ABOVE FEES ARE PAYABLE ON THE FIRST OF EVERY MONTH. In the event that payment is not made by the 15th of the month a \$50.00 late fee may be assessed.

3. COLLECTION OF LICENSE & PERMIT FEES: None.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 38-2024**

RE: A Resolution Awarding a Professional Services Contract to Community Grants, Planning & Housing ("CGP&H") for Professional Housing Rehabilitation Services

WHEREAS, the Borough of Montvale has a need to procure professional services to administer the Borough of Montvale's rehabilitation program related to its ongoing affordable housing obligations; and

WHEREAS, the Borough of Montvale has received a proposal (the "Proposal") from Community Grants, Planning & Housing ("CGP&H") to provide the necessary services to the Borough; and

WHEREAS, the funding for said contract shall come from the Borough's Affordable Housing Trust Fund; and

WHEREAS, the Borough is desirous of awarding this contract to CGP&H in accordance with the terms set forth in the Proposal, subject to approval and execution of a formal contract acceptable to the Borough; and

WHEREAS, because the value of this contract is anticipated to be in excess of \$15,000 (the Borough's pay-to-play threshold), this contract has been awarded under the "alternative process" pursuant to *N.J.S.A. 19:44A-20.4 et seq.* (the "Pay-to-Play Law"), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and

WHEREAS, because this contract has been awarded under the "alternative process," CGP&H has completed and submitted a Business Entity Disclosure Certification which certifies that CGP&H has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit CGP&H from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-5*, requires the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5*, public notice of this contract award shall be published in the official newspaper of the Borough in accordance with applicable law; and

WHEREAS, the Borough's Chief Financial Officer 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 that a professional services contract is hereby awarded for housing rehabilitation services in accordance with the terms and conditions set forth in the Proposal and rates which are made a part and detailed in Schedule A Scope of Services and Compensation, as follows:

Contractor:

CGP&H

101 Interchange Plaza, Suite 301

Cranbury, New Jersey 08512

Total not to exceed for 12 months: \$19,500.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute a contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with *N.J.S.A. 40A:11-5*.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

Carol Manhart

From: Joseph Voytus
Sent: Tuesday, November 7, 2023 2:13 PM
To: Carol Manhart
Subject: FW: CGPH Housing Rehabilitation Administration Proposed 2024 Contract
Attachments: CGPH Montvale Boro HR 2024 Contract.pdf
Importance: High

Joseph W. Voytus, Administrator
Borough of Montvale
12 DePiero Drive
Montvale, New Jersey 07645
(201) 391-5700 x210
(201) 391-9317 (fax)



From: Salvatore Trapani <strapani@cgph.net>
Sent: Tuesday, November 7, 2023 1:43 PM
To: Joseph Voytus <jvoytus@montvaleboro.org>
Cc: Stephanie Rubin <Stephanie@cgph.net>
Subject: CGPH Housing Rehabilitation Administration Proposed 2024 Contract
Importance: High

Good Afternoon Mr. Voytus,

Please find attached our proposed Housing Rehabilitation contract for 2024. The primary change year-over-year is that we have added an Ongoing Day-to-Day Administration monthly retainer fee rather than billing hourly for these services. The authorized amount for Administrative Services will decrease from \$7,400 in 2023 to \$5,700 for 2024 (not including case management fees). Additionally, we have updated both our hourly rate and Case Management milestone fees with our new 2024 standards. Please kindly confirm receipt of the attached and let me know if you will be requiring this via mail or if email transmittal will suffice.

Thank You!

Salvatore Trapani
Finance and Administration Manager

strapani@cgph.net
609 642-2833

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 39-2023**

RE: A Resolution of The Borough Of Montvale Of The Borough Of Montvale Adopting A Form Required To Be Used For The Filing Of Notices Of Tort Claims Against The Borough Of Montvale In Accordance The Provisions Of The New Jersey Tort Claims Act, N.J.S.A. 59:8-6.

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

WHEREAS, the Borough of Montvale is a public entity covered by the provisions of the New Jersey Tort Claims Act; and,

WHEREAS, the Borough of Montvale deems it advisable, necessary, and in the public interests to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, by Governing Body of the Borough of Montvale assembled in public session at the Re-Organization Meeting held 1st day of January, 2024, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Montvale; and,

BE IT FURTHER RESOLVED, that all persons making claims against the Borough of Montvale, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1, et. seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

CLAIMANT INFORMATION

Name: _____ Telephone: _____
Address: _____ Date of Birth: _____
_____ Email: _____

ATTORNEY INFORMATION (If Applicable)

Name: _____ Telephone: _____
Address: _____ Fax: _____
_____ File No.: _____
_____ Email: _____

Send Notices to: Y Claimant Y Attorney

GENERAL INSTRUCTIONS: Pursuant to the provisions of the New Jersey Tort Claims Act, this Notice of Tort Claim form has been adopted as the official form for the filing of claims against the .

The questions are to be answered to the extent of all information available to the Claimant or to his or her attorneys, agents, servants, and employees, under oath. The fully completed Claim Form and the documents requested shall be returned to the:

**Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645**

and

**JIF Claims, LLC
373 Kinderkamack Road
Westwood, NJ 07675**

NOTE CAREFULLY: Your claim will not be considered filed as required under the New Jersey Tort Claims Act until this completed form has been filed with the municipality. Failure to provide the information requested, including such responses as “to Be Provided” or “Under Investigation” will result in the claim being treated as not being properly filed.

Timely Notices of Claim must be filed within 90 days after the incident giving rise to the claim.

This form is designed as a general form for use with respect to all claims. Some of the questions may not be applicable to your particular claim. For example, if your claim does not arise out of an automobile accident, questions regarding road conditions might not be applicable. In that event, please indicate “Not Applicable.”

If you are unable to answer any questions because of a lack of information available to you, specify the reason the information is not available to you. If a question asks that you identify a document, it will be sufficient to furnish true and legible copies. Where a question asks that you “identify all persons,” provide the name, address and telephone number of the person.

If you need more space to provide a full answer, attach supplementary pages, identifying the continuation of the answer with the number of the applicable question.

DEFINITIONS:

“Claimant” shall refer to the person or persons on whose behalf the Notice of Claim has been filed with the Township.

“Documents” shall refer to any written, photographic, or electronic representation, and any copy thereof, including, but not limited to, computer tapes and/or disks, videotapes and other material relating to the subject matter of the claim.

“Person” shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

“Public Entity” shall refer to the along with any agent, official, or employee of the against whom a claim is asserted by the Claimant.

NOTE: That the questions are divided into sections relating to the claimant, the claim, property damage, personal injury and the basis for the claim against the public entity or public employee.

If the claim involves only property damage, the portion on personal injuries need not be answered. If the claim involves no property damage, then the portion on property damage need not be answered.

INFORMATION ON THE CLAIMANT

1. Provide the following information with respect to the Claimant:

Y Any other name by which the claimant is known.

Y Address at the time of the incident giving rise to the claim.

Y Marital Status (at the time of the incident and current).

Y Identify each person residing with the claimant and the relationship, if any, of the person to the Claimant.

2. Provide all addresses of the Claimant for the last 10 years, the dates of the residence, the persons residing at the addresses at the same time as the Claimant resided at the address and the relation, of any of the persons to the Claimant.

INFORMATION ON ALL CLAIMS

3. Provide the exact date, time and place of the incident forming the basis of the claim and the weather conditions prevailing at the time.
4. Provide the Claimant's complete version of the events the form the basis of the claim.
5. List any and all individuals who were witnesses to or who have knowledge of the facts of the incident which gives rise to the claim. Provide the full name and address of each individual.
6. Identify all public entities or public employees (by name and position) alleged to have caused the injury or property damage and specify as to each public entity or employee the exact nature of the act or omission alleged to have caused the injury or property damage.
7. If you claim that the injury or property damage was caused by a dangerous condition of property under the control of the public entity, specify the nature of the alleged dangerous condition, and the manner in which you claim the condition caused the injury.
8. If you allege a dangerous condition of public property, state the specific basis on which you claim that the public entity was responsible for the condition and the specific basis and date on which you claim that the public entity was given notice of the alleged dangerous condition. **Statements such as "should have known" and "common knowledge" are insufficient.**
9. If you or any other party or witness consume any alcoholic beverages, drugs or medications within twelve hours before the incident forming the basis of the Claim, identify the person consuming the same and for each person (a) what was consumed, (b) the quantity thereof, (c) where consumed (d) the names and addresses of all persons present.

10. If you have received any money or thing of value for your injuries or damages from any person, firm or corporation, state the amounts received, the dates, names and addresses of the payers. Specifically list any policies of insurance, including policy number and claim number, from which benefits have been paid to you or to any person of your behalf, including doctors, hospitals or any person repairing damage to property.
11. If any photographs, sketches, charts, or maps were made with respect to anything which is the subject matter of the Claim, state the date thereof, the names and addresses of the persons making the maps and of the persons who have present possession thereof. Attach copies of any photographs, sketched, charts or maps.
12. If you or any of the parties to this action or any of the witnesses made any statements or admissions, set forth what was said; by whom said; the date and place where said; and in whose presence, giving names and addresses of any persons having knowledge thereof.
13. State the total amount of your claim and the basis on which you calculated the amount claimed.
14. Provide copies of all documents, memoranda, correspondence, reports (including police reports), etc. Which discuss, mention or pertain to the subject matter of this claim.
15. Provide the names and addresses of all persons or entities against whom claims have been made for injuries or damages arising out of the incident forming the basis of this claim and give the basis for the claim against each.

PROPERTY DAMAGE CLAIM

16. If your claim is for property damage, attach a description of the property and an estimate of the cost of repair. If your claim does not involve any claim for property damage, enter "None."

Note: If your claim is for property damage only, initial here and proceed directly to the certification section on the next to last page of this form.

☐ Initials: _____

PERSONAL INJURY CLAIMS

17. Was any complaint made to the public entity or to any official or employee of the public entity. State the time and place of the complaint and the person or persons to whom the complaint was made.
18. Describe in detail the nature, extent and duration of any and all injuries.
19. Describe in detail any injury or condition claimed to be permanent.
20. If confined to any hospital, state name and address of each and the dates of admissions and discharge. Include all hospital admissions prior to and subsequent to the alleged injury and give the reason for each admission.
21. If x-rays were taken, state (a) the address of the place where each was taken, (b) the name and address of the person who took them, (c) the date when each was taken, (d) what each disclosed, (e) where and in whose possession they now are. Include all x-rays, whether prior to or subsequent to the alleged injury forming the basis of the claim.
22. If treated by doctors, including psychiatrist or psychologist, state (a) the name and present address of each doctor, (b) the dates and places where treatments were treatments are continuing, the schedule of continuing treatments. Provide true copies of all written reports rendered to you or about you by any doctor whom you propose to have testify on your behalf.
23. If you have any physical impairment which you allege is caused by the injury forming the basis of your claim and which is affecting your ordinary movement, hearing or sight, state in detail, the nature and extent of the impairment and what corrective appliances, support or device you use to overcome or alleviate the impairment.

24. If you claim that a previous injury has been aggravated or exacerbated, describe the injury and give the name and present address of each doctor who treated you for the condition, the period during which treatment was received and the cause of the previous injury. Specifically list any impairment, including use of eyeglasses, hearing aid or similar device, which existed at the time of the injury forming the basis of the claim.
25. If any treatments, operations, or other form of surgery in the future has been recommended to alleviate any injury or condition resulting from the incident which forms the basis of the claim, state in detail (a) the nature and extent of the treatment, operation, or surgery, (b) the purpose thereof and the results anticipated or expected, (c) the name and address of the doctor who recommended the treatments operations or surgery, (d) the name and address of doctor who will administer or perform the same, (e) the estimated medical expenses to be incurred, (f) the estimated length of time of treatments, operation or surgery, period of hospitalization and period of convalescence, (g) all other losses or expenditure anticipated as a result of the treatment, operations or surgery, (h) further if it is your intention to undergo the treatments, operation or surgery, please give an approximate date.
26. Itemize any and all expense incurred for hospital, doctors, nurses, x-rays, medicines, care and appliances and indicate which expenses were paid by any insurance coverage.
27. If employed at the time of the alleged injury forming the basis of the claim state (a) the name and address of the employer, (b) position held and the nature of the work performed, (c) average weekly wages for the year prior to the injury, (d) period of time lost form employment, giving dated, (e) amount of wages lost, if any. List any sources of income continuation or replacement, including, but not limited to, workers' compensation, disability income, social security and income continuation insurance.
28. If other loss of income, profit or earnings is claimed, state (a) total amount of loss, (b) give a complete detailed computation of the loss, (c) the nature and dates of the loss.
29. If you are claiming lost wages state (a) the date that the employment began, (b) the name and address of the employer, (c) the position held and the nature of the work performed, (d) the average weekly wages. Attach copies of pay stubs or other complete payroll record for all wages received during the year.

DOCUMENT REQUEST: Provide all documents identified in your answers to the above questions.

CERTIFICATION: I hereby certify that the information provided is the truth and is the full and complete response to the questions, to the best of my knowledge.

Signature of Claimant:

[Date]

Authorization for Release of Employment Records

Date: _____

To: _____

Re: _____
Employee's Name

Address

Social Security Number

Claim Number

You are hereby authorized and requested to disclose, make available and furnish to:

Approximate date of lost time:

A photocopy of this release form, bearing a photocopy of my signature shall constitute you authorization for the release of the information in accordance with the request made to you.

Signature: _____ Date: _____

AUTHORIZATION TO DISCLOSE HEALTH INFORMATION

PATIENT NAME:

DATE OF BIRTH:

ADDRESS:

SOCIAL SECURITY NO.:

1. I do hereby consent and authorize the use and/or disclosure of my health information as described below.
2. The following individual or organization is authorized to make the disclosure.

	Specific date(s) of treatment and/or admission: <i>All dates of examination and treatment</i>
--	---

3. The type and amount of information to be used or disclosed is as follows:

MY ENTIRE MEDICAL CHART FOR ALL DATES OF SERVICE INCLUDING:

<u>XX</u> Problem List	<u>XX</u> Laboratory Results
<u>XX</u> Medication List	<u>XX</u> Consultation Reports
<u>XX</u> List of Allergies	<u>XX</u> X-Ray and Imaging Reports
<u>XX</u> Immunization Record	<u>XX</u> Personal contact with the provider of
service	
<u>XX</u> Most recent history & physical	<u>XX</u> Other: <u>Bills</u>
<u>XX</u> Most recent discharge summary	

I understand that the information in my health record may include information related to sexually transmitted disease, acquired immunodeficiency syndrome (AIDS), or human immunodeficiency virus (HIV). It may also include information about behavioral, psychiatric or mental health services and treatment for alcohol and drug abuse or genetic information. I authorize the release of this information.

This information may be disclosed to and used by the following individual or organization or any of the attorneys or authorized representative thereof for the purpose of legal representation, or to provide copies of my records to opposing parties in litigation, which I have commenced.

I understand I have the right to revoke this authorization at any time. I understand that if I revoke this authorization I must do so in writing and present my written revocation to the health information management department. I understand the revocation will not apply to my insurance company when the law provides my insurer the right to contest a claim under my policy. If I fail to specify an expiration date, event or condition, this authorization will expire at the conclusion of the litigation between _____

I understand the disclosure of this health information is voluntary. I can refuse to sign this authorization. I need not sign this form in order to assure treatment. I understand that I may inspect or copy the information to be used or disclosed, as provided in CFR 164.524. I understand any disclosure of information carries with it the potential for an unauthorized re-disclosure and the information may not be protected by federal confidentiality rules. If I have questions about disclosures of my health information, I can contact the HIM director or privacy officer for information.

I understand that this consent shall operate as a complete release of liability to the hospital, medical provider, and to their employees for the release of the information specified above. I have read and understand the terms of this Authorization and I have had an opportunity to ask questions about the use and disclosure of my health information. I hereby, knowingly and voluntarily, authorize the provider of medical services to disclose my health information in the matter described above.

Signature of Patient/Legal Representative

Date

***** NOTICE OF RECIPIENT OF INFORMATION *****

Each disclosure made with the patient's consent may be accompanied by the written statement reproduced below. This information has been disclosed to you from records protected by Federal confidentiality rules 42 C.F.R. Part 2. The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent from the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2. A general authorization for the release of medical or other information is not sufficient for this purpose. The Federal Rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 40-2024**

RE: Award Professional Service Contract – Planning Board Attorney, Robert T. Regan

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Robert T. Regan, 345 Kinderkamack Road, Westwood, NJ 07675 was appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Robert T. Regan, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit David Lafferty, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Robert T. Regan
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

ROBERT T. REGAN

A Professional Corporation
ATTORNEY AT LAW
STURBRIDGE COMMONS
345 KINDERKAMACK ROAD
P.O. BOX 214
WESTWOOD, NEW JERSEY 07675

MEMBER NEW JERSEY &
NEW YORK BARS

TEL: (201) 664-3344
FAX: (201) 664-3836
rtregan@rtreganlaw.com

November 2, 2023

VIA EMAIL AND REGULAR MAIL

Joseph Voytus, Administrator
Borough of Montvale
Municipal Building
12 De Piero Drive
Montvale, New Jersey 07645

**RE: Planning Board Attorney
Professional Service Fees 2024**

Dear Mr. Voytus:

In reply to your letter of October 5, 2023, this correspondence is intended to address retainer and hourly rates for the 2024 position of Planning Board Attorney.

Presently, my retainer is \$18,000.00. I am requesting this be increased to \$20,000.00. In addition, my current hourly rate is \$195.00 per hour, and I am requesting that this be increased to \$200.00 per hour for 2024.

Kindly contact me should you have any questions.

Very truly yours,


ROBERT T. REGAN

RTR:pnc

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 41-2024**

RE: Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2024 - Professional Insurance Associates, (P.I.A) A Division of World Insurance Associates, LLC

WHEREAS, the Borough of Montvale (hereinafter, the Municipality) is a member of the **Bergen County Municipal Joint Insurance Fund (BCMJIF)** and the **Municipal Excess Liability Joint Insurance Fund (MEL)** collectively referred to as, the Funds, for property and casualty coverage's, which include property, general liability, crime, environmental, employee benefits liability, excess liability and workers compensation; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a RISK MANAGEMENT CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Insurance Program and Loss Control efforts; and

WHEREAS, the Board of Fund Commissioners for the BCMJIF established a fee for such services equal to six percent (6%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Funds; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) empowers the governing body and its autonomous agencies to award contracts for extraordinary unspecifiable services without competitive bidding; and

WHEREAS, the Municipality has a need for extraordinary unspecifiable services for a RISK MANAGEMENT CONSULTANT which, by their nature, are not required or suitable to be awarded through a public bidding process pursuant to N.J.S.A. 40A:11-5, et seq., and which have been awarded through the "alternative process" set forth in N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders competitive bidding impractical.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc. (P.I.A.) A Division of World Insurance Associates, LLC** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Risk Management Consultant's Agreement attached and to advertise in the official newspaper in accordance with N.J.S.A. 40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, (P.I.A.) A Division of World Insurance Associates, LLC, 429 Hackensack Street, Carlstadt, New Jersey 07072.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 42-2024**

RE: A Resolution To Appoint A Health Benefits Consultant Relative To The Borough's Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2024 - PIA, A Division of World Insurance Associates, LLC

WHEREAS, the **BOROUGH OF MONTVALE** (hereinafter, the Municipality) is a member of the **Bergen Municipal Employee Benefits Fund (BMED)** and the **Municipal Reinsurance Health Insurance Fund (MRHIF)** collectively referred to as, the Funds, for the Borough's Employee Health Benefits Program, which includes medical, prescription and dental coverage's; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a **HEALTH BENEFITS CONSULTANT** to perform the various functions and professional services integral to the effective operation of the Municipality's Employee Health Benefits Program; and

WHEREAS, the vendor below has proposed a fixed annual fee of \$14,676 for these services; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) empowers the governing body and its autonomous agencies to award contracts for extraordinary unspecifiable services without competitive bidding; and

WHEREAS, the Municipality has a need for extraordinary unspecifiable services for a **HEALTH BENEFITS CONSULTANT** which, by their nature, are not required or suitable to be awarded through a public bidding process pursuant to N.J.S.A. 40A:11-5, et seq., and which have been awarded though the "alternative process" set forth in N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the judgmental nature of the Health Benefits Consulting duties renders competitive bidding impractical.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc. (P.I.A.) A Division of World Insurance Associates, LLC** as its Health Benefits Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the **HEALTH BENEFITS CONSULTANT** shall receive as compensation as outlined as indicated the attached agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the Health Benefits Consultant's Agreement attached to the original of this resolution and to cause a notice of this decision to be published in accordance with N.J.S.A. 40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to PIA, 429 Hackensack Street, Carlstadt, New Jersey 07072.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

SOQ RESPONSE

Risk Manager & Employee Health Benefits Consultant

QUALIFICATIONS

CERTIFICATIONS & ACCOMPLISHMENTS

- The firm is among a select few Statewide, chosen to provide Employment Practices/Public Officials Liability (EPL/POL) training to Managers and Supervisors and also to provide Anti-Harassment / No Tolerance training for non-managerial personnel. The firm enjoys a long-standing presence in both public sector Insurance needs and in the communities of northern New Jersey.

- Accreditation - MEL Accredited Risk Manager Program.

- Associate Member - Bergen County Police Chiefs Association (BCPCA), Bergen County 200 Club

- A longstanding local presence with a proud history of serving and investing in our communities:

Carlstadt Little League

The V Foundation

Hackensack Univ. Medical Ctr.

East Rutherford HS Sideline Club

Boys & Girls Clubs

The Lions Club

East Rutherford Junior Football

Rutherford Little League

Chambers of Commerce

Athletic Sponsorships

Scholarship Funds

Rotary International

Education Foundations

Bergen County 200 Club

Recreation Foundation

COMPENSATION

For the position of **Risk Manager**, as it relates to coverages attained through the Municipality's Membership in the **BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

The Municipality authorizes payment as compensation for services rendered, an amount equal to **six percent (6%)** of the Municipality's Annual Assessment as promulgated by the **BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**. Said fees shall be paid by the Municipality to the Consultant within 30 days subsequent to the Fund's prescribed payment schedule of the annual assessment

For the position of **Health Benefits Consultant**, as it related to coverages attained through the Municipality's Membership in the **BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND (BMED)**

For Services provided for assisting in the administration and oversight of the Employee Health Benefits Program and also providing claims assistance and client advocate services to both active employees and retirees, the Consultant shall receive as full remuneration, a fixed fee of **\$14,676** annually, invoiced quarterly by the Consultant. There shall be no remuneration paid as a Commission or in any other manner by the Fund to the Consultant.

For all Other Insurance Coverages

For all other coverages authorized by the Municipality, including but not limited to: Accident & Health, Disability, Group Dental, Group Life, etc. the Consultant shall receive, as full compensation, the normal brokerage commissions paid by the insurance company/carrier.

Termination

Either party may cancel the Agreement at any time by mailing to the other, written notice calling for termination at any time not less than ninety (90) days thereafter. Fees shall be pro-rated to the date of termination

**BOROUGH OF MONTVALE
RE-ORGANIZATION MEETING
RESOLUTION NO. 43-2024**

RE: Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to Rosario Presti, Jr.

WHEREAS, the Pascack Joint Municipal Court has a need to contract with a licensed attorney or firm to serve as the municipal prosecutor pursuant to N.J.S.A. 2B:24-1, et seq.; and

WHEREAS, the Pascack Municipal Court Committee agreed to acquire Attorney Services through the alternate process pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and,

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint Rosario Presti, Jr. as Municipal Prosecutor; and

WHEREAS, the compensation of the municipal prosecutor shall be \$33,000 per year; and

WHEREAS, said compensation shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

WHEREAS, the term of this contracts shall commence as of the date of this resolution, and shall continue for the remainder of the calendar year 2024; and

WHEREAS, the Certified Municipal Finance Officer has the availability of funds; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

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

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.
2. The Contracts, including the terms of compensation for each professional, shall be placed on file with this resolution.
3. A Notice of this action shall be printed once in the official newspaper of the Borough.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: January 1, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

ROSARIO PRESTI, JR.

COUNSELLOR AT LAW

450 BROAD STREET

P.O. BOX 55

CARLSTADT, NEW JERSEY 07072-0055

FAX (201) 507-4288

E-MAIL: rpresti@rprestlesq.com

(201) 507-4888

November 30, 2023

Mr. Joseph W. Voytus, Borough Administrator
Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645

Dear Mr. Voytus:

The undersigned has reviewed the subject Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Borough of Montvale, on behalf of the Pascack Joint Municipal Court, ("Borough"), dated November 2023, in connection with the Borough's need for *Municipal Prosecutor*.

I affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual, and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of *Rosario Presti, Jr.*

A handwritten signature in black ink, appearing to be 'RP' followed by a stylized flourish.

Rosario Presti, Jr., Principal/Sole Proprietor
Rosario Presti, Jr., Esq.
November 30, 2023

2. Compensation

- A. The Municipal Prosecutor shall receive compensation in the total amount of thirty-three thousand dollars (\$33,000) per year, payable quarterly, which amount shall be pro-rated from the date of appointment. The Municipal Prosecutor shall be compensated as an independent contractor and not as an employee. The Municipal Prosecutor may also receive fees for the defense of such appeals as shall be deemed reasonable, subject to the approval of the Governing Body of the affected municipality.

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
ADDFORDABLE HOUSING OFFICER				
Christine Baker	Employee	Deputy	01/01/2024	12/31/2024
R. Lorraine Hutter	Employee	Land Use Admin	01/01/2024	12/31/2024
ADMINISTRATION				
Kasey Ciborowski	Employee	AdminFloaterArchivist	01/01/2024	12/31/2024
Theresa DiPopolo	Employee	Admin/Floater	01/01/2024	12/31/2024
Nevene Gayed	Employee	Admin/Floater	01/01/2024	12/31/2024
R. Lorraine Hutter	Employee	Office Manager	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Carol Manhart	Employee	Asst to Administratr	01/01/2024	12/31/2024
Carol Manhart	Employee	Safety Coordinator	01/01/2024	12/31/2024
Heather McGee	Employee	Off Duty Details	01/01/2024	12/31/2024
Heather McGee	Employee	Exec to Police Chief	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024
Dorothy Yannetti	Employee	Police Secretary	01/01/2024	12/31/2024
ANIMAL CONTROL - HUMANE LAW ENFORCMNT OFFCR				
Kimberly Nangle	Contractual	Humane Law Enf Offcr	01/01/2024	12/31/2024
Carol Tyler	Contractual	Humane Law Enf Offcr	01/01/2024	12/31/2024
BERGEN JIF FUND COMMISSIONER				
Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Joseph Voytus	Employee	Bergen JIF Empl Rep	01/01/2024	12/31/2024
BMED INSURANCE				
Michael Ghassali	Elected Official	BMED Alternate	01/01/2024	12/31/2024
Joseph Voytus	Employee	BMED Employee Rep	01/01/2024	12/31/2024
BOARD OF HEALTH				
Kasey Ciborowski	Employee	Secretary	01/01/2024	12/02/2024
Kasey Ciborowski	Employee	Deputy Registrar	01/01/2024	12/31/2024
Gail Clark	Volunteer	1st Alternate	01/01/2024	12/31/2024
Joyce Cohen	Volunteer	President/Member	01/01/2020	12/31/2024
Theresa Cudequest	Elected Official	Council Liaison	01/01/2024	12/31/2024
Monica Danna	Volunteer	Vice Pres/Member	01/01/2024	12/31/2024
Gary Dorsi	Contractual	Sanitary Inspector	01/01/2024	12/31/2024
Joyce Jacobson	Volunteer	Member	01/01/2024	12/31/2024
Joel Landzberg, MD	Volunteer	Member	01/01/2024	12/31/2024
Patricia Lennon	Volunteer	Member	01/01/2024	12/31/2024
Kimberly Nangle	Contractual	Animal Control Offcr	01/01/2024	12/31/2024
Namitha Reddy	Contractual	Health Officer	01/01/2024	12/31/2024
Pamela Rosario	Contractual	Sanitary Inspector	01/01/2024	12/31/2024
Steven Salerno	Contractual	Sanitary Inspector	01/01/2024	12/31/2024
Frances Scordo	Employee	Registrar	01/01/2024	12/31/2024
Carol Tyler	Contractual	Animal Control Offcr	01/01/2024	12/31/2024
BONDING COUNSEL				
McManimon Scotland	Contractual	Bonds	01/01/2024	01/31/2024
BOROUGH ATTORNEY				
David Lafferty	Contractual	Borough Attorney	01/01/2024	12/31/2024

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
BOROUGH COUNCIL				
Douglas Arendacs	Elected Official	Council Member	01/01/2024	12/31/2026
Theresa Cudequest	Elected Official	Council Member	01/01/2024	12/31/2026
Dieter Koelling	Elected Official	Council Member	01/02/2022	12/31/2024
Timothy Lane	Elected Official	Council Member	01/01/2023	12/31/2025
Christopher Roche	Elected Official	Council Member	01/01/2023	12/31/2025
AnnMarie Russo-Vogelsang	Elected Official	Council Member	01/02/2022	12/31/2024
CHAMBER OF COMMERCE				
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
CLERK'S OFFICE				
Carol Manhart	Employee	Deputy Muni Clerk	01/01/2024	12/31/2024
Frances Scordo	Employee	Municipal Clerk	03/01/2023	03/01/2026
COAH COMMITTEE				
Theresa Cudequest	Elected Official	Council Liaison Alt	01/01/2024	12/31/2024
John DePinto	Volunteer	Chairman Planning Bd	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
Darlene Green	Contractual	Borough Planner	01/01/2024	12/31/2024
R. Lorraine Hutter	Employee	Housing Liaison	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Member	01/01/2024	12/31/2024
Robert Regan Esq.	Contractual	PBoard Atty	01/01/2024	12/31/2024
Christopher Roche	Elected Official	Council Member	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024
CONSTRUCTION				
Michael Cataraso	Employee	Electric Subcode	01/01/2024	12/31/2024
Thomas Dillon	Employee	FireSubcode/Tenured	06/17/2019	06/17/2050
Jeanne Fondacaro	Employee	Tech. Assistant	01/01/2024	12/31/2024
Thomas Gensheimer	Employee	Building Subcode	01/01/2024	12/31/2024
Christopher Gruber	Employee	ConstCodeBldgSubCoc	11/13/2020	11/13/2024
Christopher Gruber	Employee	Facilities Manager	01/01/2024	12/31/2024
Christopher Gruber	Employee	Zoning Officer	01/01/2024	12/31/2024
Edward Hutter	Employee	Code Enfcmt/PropMain	01/01/2024	12/31/2024
David Ludwig	Employee	PlumbCode Tenured	10/01/2012	12/31/2050
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2024	12/31/2024
COURT				
Sherri D'Alessandro	Employee	Acting Court Admin	01/01/2024	12/31/2024
Ann Levitzki	Employee	Court Admin /Tenured	01/01/2023	12/31/2050
Pedro Rodrigues	Employee	Deputy Court Admin	01/01/2024	12/31/2024
Gabrielle Scordo	Employee	Violations Clerk	01/01/2024	12/31/2024
ECONOMIC DEVELP RETENTION COMMITTEE				
Nevene Gayed	Employee	Secretary	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
Louis Hendi	Volunteer	Member	01/01/2024	12/31/2024
Raffi Joukhadarian	Volunteer	Member	01/01/2024	12/31/2024
David Laquidara	Volunteer	Member	01/01/2024	12/31/2024
Halyna Perederii	Volunteer	Member	01/01/2024	12/31/2024
Sal Rozzi	Volunteer	Member	01/01/2024	12/31/2024
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2024	12/31/2024

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
John Ryan	Volunteer	Member	01/01/2023	12/31/2024
Don Watson	Volunteer	Member	01/01/2024	12/31/2024

EMERGENCY MANAGEMENT

Mark Bardes	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Frank DiPalma	Employee	Coordinator	01/01/2023	12/31/2025
James Ewing	Volunteer	Member	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
Geoffrey Gibbons	Volunteer	Fire Chief	01/01/2024	12/31/2024
Luigi Greco	Volunteer	Member	01/01/2024	12/31/2024
Theodore Guasconi	Volunteer	Member	01/01/2024	12/31/2024
Ariel Gungil	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Arslan Gungil	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Charlene Gungil	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Gurz Gungil	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Andrew Hipolit	Contractual	Borough Engineer	01/01/2024	12/31/2024
Joe Hughes	Volunteer	Member	01/01/2024	12/31/2024
Dieter Koelling	Elected Official	Council Member	01/01/2024	12/31/2024
Alan Krampert	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Linda Krampert	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Sal Mastroeni	Volunteer	Member	01/01/2024	12/31/2024
Doug McDowell	Employee	Police Chief	01/01/2024	12/31/2024
Bernadine Revie	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Peter Revie	Volunteer	C.E.R.T. Member	01/01/2024	12/31/2024
Carolyn Roche	Volunteer	Tri Boro Amb, Pres	01/01/2024	12/31/2024
Eric Stoll	Volunteer	Member	01/01/2024	12/31/2024

ENGINEERING

Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
Andrew Hipolit	Contractual	Borough Engineer	01/01/2024	12/31/2024

ENVIRONMENTAL COMMISSION

Louis Baldanza	Volunteer	2nd Alternate	01/01/2024	12/31/2024
Lisa DePellegrini	Volunteer	Member	01/01/2024	12/31/2024
Robert Hanrahan	Volunteer	Chairman	01/01/2023	12/31/2025
Mairead Jensen	Volunteer	Member	01/01/2024	12/31/2024
Randall Preston	Volunteer	Member	01/01/2023	12/31/2024
Ellen Riccardi	Employee	Secretary P/T	01/01/2024	12/31/2024
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
Lisa Skoglund	Volunteer	Member	01/01/2023	12/31/2024
Sherwin Tsai	Volunteer	Member	01/01/2024	12/31/2026
Antonio Vozzolo	Volunteer	1st Alternate	01/01/2024	12/31/2024
Michelle Zink-Jojic	Volunteer	Member	01/01/2024	12/31/2024

FAA COMMITTEE

Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
Dieter Koelling	Elected Official	Council Liaison	01/01/2024	12/31/2024

FINANCE COMMITTEE

Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024

FINANCE DEPT

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Christine Baker	Employee	Deputy Treasurer	01/01/2024	12/31/2024
Jeffrey Bliss	Contractual	Borough Auditor	01/01/2024	12/31/2024
Matthew Cavallo	Employee	CMFO	12/01/2022	12/01/2026
Christine Kalafut	Employee	Treasurer/QPA	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Tybe Manzelli	Employee	Accounts Payable	01/01/2024	12/31/2024
Christopher Roche	Elected Official	2nd Signature Voucher	01/01/2024	12/31/2024

FIRE DEPARTMENT

Rick Alton	Volunteer	Lieutenant Co. #1	01/01/2024	12/31/2024
Mike Cintineo	Volunteer	Captain	01/01/2024	12/31/2024
Daniel Demarest	Volunteer	Lieutenant Co. #2	01/01/2024	12/31/2024
Geoffrey Gibbons	Volunteer	Fire Chief	01/01/2024	12/31/2024
Bruce Hopper	Volunteer	Deputy Fire Chief	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Heather McGee	Volunteer	Fire Commissioner	01/01/2024	12/31/2024
James Nicol	Volunteer	Fire Commissioner	01/01/2024	12/31/2024
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison Alt	01/01/2024	12/31/2024
Sal Talarico	Volunteer	Fire Commissioner	01/01/2024	12/31/2024

FIRE PREVENTION

Kasey Ciborowski	Employee	Admin. Asst.	01/01/2024	12/31/2024
Peter Greco	Employee	Fire Inspector	01/01/2024	12/31/2024
Michael Halzack	Employee	Senior Fire Insp	01/01/2024	12/31/2024
John Kurz	Employee	Fire Offcl/Insp	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Liaison	01/01/2024	12/31/2024
Christopher Mazzocchi	Employee	Fire Inspector	01/01/2024	12/31/2024
Clint Miller	Employee	Fire Inspector	01/01/2024	12/31/2024

HISTORIAN

Maria Hopper	Volunteer	Borough Historian	01/01/2024	12/31/2024
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HISTORIC PRESERVATION

Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
Dawn Cherie-Hopper	Volunteer	Chairperson Class A	01/02/2022	12/31/2025
Symmi DeFrancesco	Volunteer	Class C Member	01/01/2023	12/31/2026
Maria Hopper	Volunteer	Class B Member	01/04/2021	12/31/2024
Vicki Slockbower	Volunteer	Class C Member	01/01/2023	12/31/2025
Richard Voorhees	Volunteer	Class C Member	01/01/2024	12/31/2026

LIBRARY

Tom Bonnell	Volunteer	Board Member	01/01/2023	12/31/2024
Theresa Cudequest	Elected Official	Council Liaison	01/01/2024	12/31/2024
Tammy King	Volunteer	Board Member	01/02/2022	12/31/2024
Darren Petersen	Appointed	Superintendent Schls	01/01/2024	12/31/2024
Cindy Pieroni	Volunteer	Board Member	07/13/2023	12/31/2026
Nancy Racich	Volunteer	Board Member Pres	01/01/2023	12/31/2024
Vicki Slockbower	Volunteer	Board Member	01/02/2022	12/31/2024
Amy Varano	Volunteer	Board Member	01/01/2024	12/31/2026

LOCAL BD OF ED

AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2024	12/31/2024
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MAYOR'S ADVISORY COMMITTEE

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
Debra Kardjian-Stephans	Volunteer	Member	01/01/2024	12/31/2024
Faith Kaufmann	Volunteer	Member	01/01/2024	12/31/2024
Cheryl Sawyer	Volunteer	Member	01/01/2024	12/31/2024
Judith Thomas	Volunteer	Member	01/01/2024	12/31/2024
MAYORS OFFICE				
Nevene Gayed	Employee	Mayor Secy	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
MONTVALE ATHLETIC LEAGUE (MAL) LIAISON				
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
MUNICIPAL ALLIANCE				
Brian Lamendola	Employee	Police Officer	01/01/2024	12/31/2024
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2024	12/31/2024
ORDINANCE LIAISON				
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2024	12/31/2024
PASCACK JOINT COURT COMMITTEE				
Dieter Koelling	Elected Official	Council Member	01/01/2024	12/31/2024
Timothy Lane	Elected Official	Council Member	01/01/2024	12/31/2024
Ann Levitzki	Employee	Court Administrator	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024
PASCACK JOINT MUNICIPAL COURT				
Rosario Presti, Jr., Esq.	Contractual	Prosecutor	01/01/2024	12/31/2024
Gerald Salerno, Esq.	Contractual	Public Defender	01/01/2024	12/31/2024
Salvadore Sciafani, Esq.	Contractual	Alt Public Defender	01/01/2024	12/31/2024
PASCACK VALLEY DPW - LIAISON				
Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
PASCACK VALLEY DPW JOINT COMMITTEE				
Matthew Cavallo	Employee	CMFO	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2024
Dieter Koelling	Elected Official	Council Member	01/01/2024	12/31/2024
AnnMarie Russo-Vogelsang	Elected Official	Council Member	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024
PLANNING BOARD COUNCIL LIAISON - COUNCIL APPT				
Dieter Koelling	Elected Official	Council Liaison	01/01/2024	12/31/2024
PLANNING BOARD/MAYOR APPTS. Class I, II & 4				
John Culhane	Volunteer	Vice Chair Class IV	01/04/2021	12/31/2024
John DePinto	Volunteer	Chairman	01/01/2023	12/31/2027
Theresa DiPopolo	Employee	PBoard Sec'y	01/01/2024	12/31/2024
Darlene Green	Contractual	Borough Planner	01/01/2024	12/31/2024
Christopher Gruber	Employee	Class II	01/01/2024	12/31/2024
Javid Huseynov	Volunteer	Class IV	01/01/2024	12/31/2026
R. Lorraine Hutter	Employee	Land Use Admin	01/01/2024	12/31/2024
Dieter Koelling	Elected Official	Council Liaison	01/01/2024	12/31/2024

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
William Lintner	Volunteer	Vice Chair Class IV	01/01/2024	12/31/2027
Joseph Puglisi	Volunteer	2nd Alternate	01/01/2024	12/31/2024
Robert Regan Esq.	Contractual	Attorney	01/01/2024	12/31/2024
John Ryan	Volunteer	Mayor Degreee Class 1	01/01/2024	12/31/2024
Frank Stefanelli	Volunteer	Vice Chair Class IV	01/01/2024	12/31/2027
Dante Teagno	Volunteer	Vice Chair Class IV	01/02/2022	12/31/2026
Sherwin Tsai	Volunteer	CL IV Envrn Lia 3 yr	01/01/2024	12/31/2026
Sherwin Tsai	Volunteer	1st Alternate	01/01/2024	12/31/2026

POLICE / CROSSING GUARDS

Roger Caron	Police Officer	SLEO/CLASS III	01/01/2024	12/31/2024
Frank DiPalma	Volunteer	Special Police Ofc.	01/01/2024	12/31/2024
Scott Ehalt	Police Officer	SLEO/CLASS III	01/01/2024	12/31/2024
Dawn Helfenbein	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Michael Jewell	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Eugenia Kalos	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Dieter Koelling	Elected Official	Council Liaison	01/01/2024	12/31/2024
Frank Lentino	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Mary Marsigliano	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Heather McGee	Employee	Matron/Crossing Guar	01/01/2024	12/31/2024
Matthew Miller	Police Officer	SLEO/CLASS III	01/01/2024	12/31/2024
Arlene O'Brien	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Thomas Ritger	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Maureen Scheffler	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024
Jean Turi	Employee	SchoolCrossing Guard	01/01/2024	12/31/2024

POLICE COMMISSIONER

Dieter Koelling	Elected Official	Council Member	01/01/2024	12/31/2024
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POLICE COMMISSIONER DEPUTY

Douglas Arendacs	Elected Official	Council Member	01/01/2024	12/31/2024
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RECREATION

Edward Hutter	Employee	Field/Park Monitor	01/01/2024	12/31/2024
Lisa Loranger	Employee	Director	01/01/2024	12/31/2024
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
Cassidy Strauss	Employee	Asst to Rec Director	01/01/2024	12/31/2024

RECYCLE COORDINATOR

Rich Campanelli	Employee	DPW Superintendant	01/01/2024	12/31/2024
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REGIONAL BD OF ED

Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
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RISK MANAGEMENT

PIA Frank Covelli	Contractual	Consultant/Insurance	01/01/2024	12/31/2024
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SENIOR CLUB LIAISON

Theresa Cudequest	Elected Official	Council Liaison	01/01/2024	12/31/2024
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SENIOR VAN DRIVERS

Jeffrey Forrest	Employee	Senior Van Driver	01/01/2024	12/31/2024
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SEXUAL HARASSMENT OFFICERS

Active Group Terms

Member terms that will be active on 01/01/2024

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Doug McDowell	Employee	Police Chief	01/01/2024	12/31/2024
Joseph Voytus	Employee	Administrator	01/01/2024	12/31/2024
SPECIAL EVENTS COMMITTEE				
Allison Barnes	Volunteer	Member	01/01/2024	12/31/2024
Gael Burman	Volunteer	Member	01/01/2024	12/31/2024
Alyssa DiPalma	Volunteer	Member	01/01/2024	12/31/2024
Frank DiPalma	Volunteer	Member	01/01/2024	12/31/2024
Lauren DiPalma	Volunteer	Member	01/01/2024	12/31/2024
Lisa Loranger	Employee	Member	01/01/2024	12/31/2024
Michael Manole	Volunteer	Member	01/01/2024	12/31/2024
Christopher Roche	Elected Official	Council Liaison	01/01/2024	12/31/2024
Debbie Tomaselli	Volunteer	Member	01/01/2024	12/31/2024
Margo Vlahinich	Volunteer	Member	01/01/2024	12/31/2024
STIGMA FREE				
Douglas Arendacs	Elected Official	Ambassador	01/01/2024	12/31/2024
Theresa Cudequest	Elected Official	Ambassador	01/01/2024	12/31/2024
STORMWATER MANAGEMENT COORDINATOR				
Andrew Hipolit	Contractual	Coordinator	01/01/2024	12/31/2024
TAX OFFICE				
Frances Scordo	Employee	Tax Collector/Tenure	01/03/2016	12/31/2050
Raymond Tighe	Employee	Assessor/Tenured	07/01/2022	12/31/2050
TV ACCESS				
Theresa Cudequest	Elected Official	Council Liaison	01/01/2024	12/31/2024
Peter George	Employee	Cable Access Member	01/01/2024	12/31/2024
Katherine Gray	Employee	Technician	01/01/2024	12/31/2024
Dan Cecconie Media Consultant	Contractual	Studio/Station Mgr	01/01/2024	12/31/2024
Jim Signorini Media Consultants	Contractual	Studio/Station Mgr	01/01/2024	12/31/2024
Anthony Salerno	Employee	Booker	01/01/2024	12/31/2024
VETERAN AFFAIRS COMMITTEE				
Dieter Koelling	Elected Official	Council Liaison	01/01/2024	12/31/2024
WEB SITE				
Theresa Cudequest	Elected Official	Council Liaison	01/01/2024	12/31/2024
Spatial Data Logic	Contractual	Webmaster	01/01/2024	12/31/2024
Carol Manhart	Employee	Coordinator	01/01/2024	12/31/2024
Flanagan Productions	Contractual	Newsletter	01/01/2024	12/31/2024
YOUTH GUIDANCE COUNCIL				
Douglas Arendacs	Elected Official	Council Liaison	01/01/2024	12/31/2024
Michael Ghassali	Elected Official	Mayor	01/01/2024	12/31/2027
Brian Lamendola	Employee	Police Officer	01/01/2024	12/31/2024