

MINUTES WORK SESSION

The Work Session Meeting of the Mayor and Council was Virtual by Zoom Tele-Conference and In-person in Council Chambers called to order at 7:31pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

Also Present: Mayor Mike Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Andy Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2021-1494 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE BOROUGH CODE TO REVISE THE FEES APPLICABLE TO OFF-DUTY DETAILS

WHEREAS, the Borough of Montvale sets forth certain fees applicable to the utilization of police officers for off-duty details; and

WHEREAS, the administrative fee and vehicle fee applicable to such details: 1) have not been changed in years, 2) are markedly lower than comparable municipalities, and 3) do not adequately compensate the Borough for its costs and the wear-and-tear on Borough-owned vehicles; and

WHEREAS, the Borough is therefore desirous of increasing these fees to more appropriately reimburse the Borough for the real cost of the utilization of police officers for off-duty details.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Montvale, as follows:

Section 1. Chapter 84, "Police Department," Section 44, "Rates of compensation; administrative fee; payment for services," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§84-44 Rates of compensation; administrative fee; payment for services.

Rates of compensation for contracting the services of off-duty law enforcement officers shall be based on a rate of time and one-half. Rates of compensation for contracting the services of off-duty law enforcement officers are established as follows:

- A. Rate of compensation as per PBA contract.
- B. An administrative fee of 15% [10%], in addition to a \$20 [\$10] vehicle-use charge per hour, will be added to the total. Therefore, the total charged to the vendor will be time plus one-half per hour according to the current PBA contract, plus related FICA and Medicare payroll costs, plus the administrative charge of 15% [10%] and the [ten]twenty-dollar vehicle charge per hour.

Section 2. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

Section 3. Effective date.

This Ordinance shall take effect immediately upon adoption and publication as required by law.

Section 4. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

A motion Introduced for second reading **Ordinance No. 2021-1494** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Roche

- All ayes

No Public Comment

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

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

MINUTES:

February 9, 2021

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Arendacs

- all ayes

CLOSED/EXECUTIVE MINUTES:

None

RESOLUTIONS: (CONSENT AGENDA*)

All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

55-2021 Refund Tax Overpayments / Various Parcels

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the first quarter installment of 2021; and

WHEREAS, a duplicate payment was made by the mortgage company and/or bank;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund the following:

Laura Epstein, 19 Hering Rd., Montvale, NJ in the amount of \$3,396.00

Lawrence SooHoo, 7 Quail Ridge Rd., Montvale, NJ in the amount of \$6,229.00

56-2021 Emergency Temporary Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2021 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$236,000.00

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$184,000.00

2. That said emergency temporary appropriation (will be) provided for in the 2021 budget;

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND

General Appropriations

Operations – within “CAPS”

Police:

Salaries and Wages	\$200,000.00
Acquisition of Police Vehicles	<20,000.00>

Public Health Services:

Salaries and Wages	\$4,000.00
	<u>\$184,000.00</u>

57-2021 Transfer Of 2020 Appropriation Reserves

WHEREAS, certain transfer of funds for 2020 budget appropriation reserves are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-59 provides for transfers from appropriation reserves with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriation reserves, to those appropriation reserves deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the transfer be made between the 2020 budget appropriation reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
<u>GENERAL APPROPRIATIONS</u>		
Operations - within "CAPS"		
Administrative and Executive:		
Other Expenses	\$25,000.00	
Garbage and Trash Removal:		
Other Expenses		\$25,000.00
Legal Services and Costs:		
Other Expenses	60,000.00	
Garbage and Trash Removal:		
Other Expenses		60,000.00
Planning Board:		
Other Expenses	30,000.00	
Garbage and Trash Removal:		
Other Expenses		30,000.00
Employee Group Health	35,000.00	
Garbage and Trash Removal:		
Other Expenses		35,000.00

BOROUGH OF MONTVALE**FEBRUARY 23, 2021**

Celebration of Public Events:		
Other Expenses	10,000.00	
Garbage and Trash Removal:		
Other Expenses		10,000.00
Senior Citizen:		
Other Expenses	15,000.00	
Garbage and Trash Removal:		
Other Expenses		15,000.00
Electricity	40,000.00	
Garbage and Trash Removal:		
Other Expenses		40,000.00
	<u>\$215,000.00</u>	<u>\$215,000.00</u>

58-2021 Borough of Montvale Fire Department LOSAP Eligible Individuals

WHEREAS, The Borough of Montvale, has adopted a LOSAP program for the members of the Montvale Fire Department; and

WHEREAS, to be eligible for the annual \$1,350.00 stipend for 2020, totaling \$18,900.00 for the Department, the Montvale Fire Department must meet certain criteria; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Borough Treasurer initiate LOSAP payments in the name of those Fire Department members deemed eligible to receive them.

59-2021 Authorize Release of Escrow / 225 Summit Avenue/ Memorial Sloan Kettering

WHEREAS, Memorial Sloan Kettering, with offices located at 225 Summit Avenue, Montvale NJ have requested release of escrow posted for Block 2601, Lot 32; and

WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release of \$95,48.64; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to Memorial Sloan Kettering, 307 East 63rd Street, New York, New York 10065; and
BE IT FURTHER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

60-2021 Stigma Free Campaign/Declaring Montvale as a Stigma Free Zone

WHEREAS, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designated Stigma Free Zones in every municipality; and

WHEREAS, at the June 2013 meeting of the Bergen County Mental Health Board, members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a Stigma Free Zone in Paramus; and

WHEREAS, the members of the Mental Health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness, and

WHEREAS, The National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year and 1 in 17 adults live with serious mental illness such as schizophrenia, major depression, or bipolar disorder, approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year; and

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and

WHEREAS, **Stigma Free Zones** aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma; and

WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed; and

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless; and

WHEREAS, establishing **Stigma Free Zones** will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and

NOW THEREFORE BE IT RESOVED, that the Borough of Montvale recognizes the community needs to support the efforts of the County of Bergen in designating Montvale as a Stigma Free Zone.

61-2021 Resolution Authorizing The Borough Administrator To Sign The NJDEP Wqm-003 Statement Of Consent Form For AR Landmark Montvale, LLC Application

WHEREAS, the New Jersey Department of Environmental Protection requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

WHEREAS, the Borough of Montvale owns and operates their wastewater conveyance system that the property owner, AR Landmark Montvale, LLC is proposing to connect to for sanitary sewerage disposal;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough’s sanitary sewer system has adequate capacity;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough’s Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

WHEREAS, the Borough’s Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for the application by the owner, AR Landmark Montvale, LLC.

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

BILLS: *Municipal Clerk read the Bill Report*

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

ENGINEER’S REPORT:

Andrew Hipolit

Report/Update

North Market center office building will be opened in mid-March

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

A scheduled Zoom meeting to discuss the Traffic Study of the new development in the Village of Chestnut Ridge will be on March 3rd at 7pm.

NEW BUSINESS:**a. Discussion/Noise Ordinance/Resident's Complaints**

The borough attorney stated, there have been some neighbor complaints regarding loud music on a particular street coming from the same backyard; they can hear and feel it within their homes; the police have been called several times and once the police leave the volume goes up. Right now, our ordinance, is subjective in terms of how it addresses these types of complaints, it deals with it on a nuisance level. Mr. Voytus, did try and reach out to the homeowner but have not connected. Some options are to adopt a more formal objective noise ordinance that would set decibel levels that could be monitored by the police department; right now there are no consequences; do you want the residents to come to a meeting to discuss with the council, do you want to research a new type of ordinance; The DEP sets the guidance to use; After a brief discussion, the councilmembers decided to speak with the Police Chief for his input.

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:**HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:**

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

A motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember Roche – all ayes

Carolee Adams

Mentioned the passing of State Senator Cardinale, Governor Murphy issued the flags to be flown at half mast, he served this community for many years; shout out to the snow heroes; at the high school a final vote for the changing of the mascot has been changed to this Thursday by Superintendent Gunderson; suggested to have some discussion on the new marijuana legislation and would like to hear from our Police Chief; our Go50 campaign is in final video production.

A motion to close meeting to the public by Councilmember Curry; seconded by Councilmember Roche – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Roche – all ayes

Meeting adjourned at 7:57pm

The next Meeting of the Mayor and Council will be held March 9, 2021 at 7:30 p.m.

Budget Introduction: March 30, 2021

Budget Adoption: May 11, 2021

ZOOM information is as follows:

Topic: M&C Meeting

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone

1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk