

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:40PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent Dieter Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or 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).

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

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloeggler

Councilmember Koelling
Councilmember Lane - absent
Councilmember Weaver - absent

Erik Gundersen, Superintendent of Schools/Pascack Valley Regional H.S./Annual Update

Commended the Mayor and the Police Chief for reaching out directly to him during the recent storm. Commended the borough engineer on how significant the intersection improvements have been working with traffic flow; mentioned the school offers mental health awareness and support groups; Internships with local businesses have been popular; new website is up and running; Special Law enforcement officers are located in the building; cameras are in all buildings which feed into the Police department; exterior doors are locked; monthly security drills are performed; girls softball field will be completed in the next few weeks; will be replacing the Pascack Hills turf.

ORDINANCES:

INTRODUCTION ORDINANCE NO. 2018-1444 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MONTVALE, CHAPTER 121, "VEHICLE AND TRAFFIC," TO PROHIBIT VEHICLES OVER FOUR TONS ON FOX HILL ROAD AND LARK LANE AND TO AMEND THE PENALTIES FOR VIOLATIONS OF SECTION 121-8

(Public Hearing 4-10-18)

A motion to Introduce Ordinance **2018-1444** for first reading was made by Councilmember Curry; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Koelling made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Curry - A roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2018-1445 AN ORDINANCE TO PROVIDE FOR THE PRESERVATION OF TREES ON RESIDENTIAL PROPERTIES THROUGHOUT THE BOROUGH OF MONTVALE AND CREATING A NEW CHAPTER 119A IN

(Public Hearing 4-10-18)

A motion to Introduce Ordinance **2018-1445** for first reading was made by Councilmember Curry; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Koelling made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Curry - A roll call was taken – all ayes

The borough attorney clarified this ordinance includes bamboo as well.

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember Curry
– all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Koelling; seconded by Councilmember Curry
– all ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

February 27, 2018

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Gloeggler
- all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

February 27, 2018

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry
– all ayes

RESOLUTIONS:

82-2018 A Resolution Opposing the Concealed Carry Reciprocity Act of 2017

WHEREAS, on January 3, 2017, Congressman Richard Hudson (R-NC) introduced H.R. 38, known as the Concealed Carry Reciprocity Act of 2017, and on February 27, 2017, Senator John Cornyn (R-TX) introduced S.446, known as the Constitutional Concealed Carry Reciprocity Act of 2017, both of which would force every state to recognize the concealed carry standards of every other state, regardless of the standards, or lack thereof, of that state; and

WHEREAS, while every state allows concealed carry, each state has different requirements for who is permitted to carry, what requirements are appropriate, and what type of training should be required; and

WHEREAS, the State of New Jersey, pursuant to N.J.S.A. 2C:58-4, requires persons desiring to carry a handgun to first obtain a permit therefor which requires approval of the local Chief of Police and approval by the Superior Court, provided the Court is satisfied that the applicant is a person of good character, is thoroughly familiar with the safe handling and use of handguns, has a justifiable need to carry a handgun and is not otherwise subject to any of the disabilities set forth in N.J.S.A. 2C:58-3c; and

WHEREAS, N.J.S.A. 2C:58-3c prohibits the issuance of any permit to any person who has been convicted of a crime, convicted of a disorderly person's offense involving domestic violence, is dependent on drugs or alcohol, is suffering from a mental disorder for which such person was confined to an institution unless medical proof is provided that such person no longer suffers from such disorder, is suffering from a physical defect or disease which would make it unsafe to handle a firearm, is under the age of 21, is subject to a restraining order under the Prevention of Domestic Violence Act, is named on the F.B.I.'s consolidated Terrorist Watchlist, or where the issuance would not be in the best interest of the public health, safety and welfare; and

WHEREAS, the Concealed Carry Reciprocity Act of 2017 (H.R. 38) and the Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) would force New Jersey to allow any of the above-identified categories of individuals to carry concealed handguns within its territorial jurisdiction and within its constituent municipalities; and

WHEREAS, twelve states do not require any permit, training or criminal history check to carry a concealed firearm in public, including eight that have repealed their permit requirement in the past three years, and the Concealed Carry Reciprocity Act of 2017 (H.R. 38) and the Constitutional

Concealed Carry Reciprocity Act of 2017 (S. 446) would force all states to allow permitless carry by residents of these states; and

WHEREAS, H.R. 38 also would roll back the federal Gun-Free School Zones Act, allowing some people with no permit at all to carry a gun in a school zone; and

WHEREAS, both bills would override existing state and municipal laws and severely limit the Borough's ability to prevent dangerous people from carrying loaded, hidden firearms in public.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale, County of Bergen, State of New Jersey, that the Borough of Montvale hereby registers its opposition to H.R. 38 and S.446, the Concealed Carry Reciprocity Act of 2017 and the Constitutional Concealed Carry Reciprocity Act of 2017; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to U.S. Senators Cory A. Booker and Robert Menendez and Congressman Josh Gottheimer.

Introduced by: Councilmember Arendacs; seconded by Councilmember Gloeggler - a roll call was taken – Councilmember Koelling – No and Councilmembers Arendacs, Curry and Gloeggler - Yes

83-2018 Authorize Release of Escrow/Block 3004/Lot 1/St. Joseph Regional HS

WHEREAS, St. Joseph Regional High School, 40 Chestnut Ridge Road, Montvale has requested release in escrow for Block 3004; Lot 1, for escrow posted for the installation of a sign at the High School, 40 Chestnut Ridge Road, Montvale ; and

WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale the amount of \$2,437.17 is hereby released to St. Joseph Regional High School; and

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

Introduced by: Councilmember Koelling; seconded by Councilmember Curry - All ayes

85-2018 Refund Tax Overpayment / Block 1301, Lot 24.18 / 4 Flintlock Road

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 4 Flintlock Road, also known as Block 1301, Lot 24.18;

WHEREAS, a duplicate payment was made by 1st Constitution Bank, with offices located at 2650 Route 130, Cranberry, NJ 08512; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund 1st Constitution Bank, 2650 Route 130, Cranberry, NJ 08512 in the amount of \$1,223.00

Introduced by: Councilmember Koelling; seconded by Councilmember Curry - All ayes

86-2018 Emergency Temporary Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2018 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 2018 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$1,544,941.00

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 \$1,440,441.00

2. That said emergency temporary appropriation (will be) provided in the 2018 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"

Planning Board:

Other Expenses \$50,000.00

Police:

Salaries and Wages 250,000.00

Environmental Commission:

Salaries and Wages 500.00

Other Expenses 500.00

Welfare Administration (Public Assistance):

Other Expenses 100.00

Construction Code Official:

Salaries and Wages 20,000.00

Other Expenses 5,000.00

Deferred Charges and Statutory

Expenditures - Municipal within "CAPS"

Statutory Expenditures:

Social Security System 25,000.00

Public Employees Retirement System 164,067.00

Police and Fire Employees Retirement System 725,274.00

1,240,441.00

General Appropriations

Operations - Excluded from "CAPS"

Shared Service Agreements

Police Dispatch / 911:

Other Expenses 50,000.00

Department of Public Works:

Other Expenses 150,000.00

200,000.00

\$1,440,441.00

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Introduced by: Councilmember Curry; seconded by Councilmember Koelling - All ayes
Councilmember Koelling ask for an explanation; this is because we are working with a temporary budget.

**87-2018 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.

Introduced by: Councilmember Curry; seconded by Councilmember Koelling - All ayes

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Koelling; seconded by Councilmember Arendacs - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue – February

COMMITTEE REPORTS:

Council President Koelling

Tri-Boro

Montvale logged: 43 calls; 565 miles; 37 crew hours

Police

Monthly report included in original minutes

Councilmember Arendacs

DPW

Commended the DPW and its staff, and OEM with the last storm; several crews will be picking up tree debris starting March 19th;

Recreation/Special Events

Egg coloring event March 24; Day in the Park is scheduled for June 16 rain date June 17; summer camp registration is now open; adult co-ed soccer March 18 through May 13 on Sundays 5-7pm; tennis badges will be available March 1st

Engineering

2017 road program should start in March; Fieldstone turf replacement will be completed by the end of March; firehouse water line has been installed.

Councilmember Curry

Board of Health

Had a discussion about using some monies in the dog trust account to place pet waste stations at the various parks in town;

Construction

22 property maintenance violations were issued, mostly due to snow removal; preliminary plans have been submitted for the renovations of the senior center bathrooms;

Chamber of Commerce

Street Fair is scheduled for June 10;

Website

Thanked webmaster for being available throughout the storm to update the website and face book

Councilmember Gloeggler

Local BOE

Attended a meeting on March 5 with the Mayor, Councilmember Koelling and the Police Chief along with members of the BOE and concerned parents regarding safety in the schools

TV Access

Cable access is now showing their interviews of the music director of Pascack Hills, Dr. Petersen and Councilmember Arendacs; stay tuned for more interviews in the future

MAYOR

Library

Circulation 8,123; 4,522 patron visits; 24 cards issued;

Report

Thanked Council President Dieter Koelling for filling in for the Mayor is in his absence; a resident is requesting to install a park bench around Huff pond in memory of a loved one; Councilmember Curry stated that she is for it but suggested that the benches should meet a certain criteria and for futures benches to be the same style – all councilmembers agreed; another request came from students from the local school to install a library stand near Huff Pond – all agreed; Boy Scouts are having their annual spaghetti dinner on April 13th; March 27 will be having an informal discussion with the Police Chief, the public is invited to participate as well; would like to thank the OEM, Fire and Police departments, Orange and Rockland, Assembly members and power crews from Michigan, Ohio and Florida for getting the power back as quickly as possible; Congressman Josh Gottheimer is working to pass legislation in response to the new tax laws and property taxes;

Councilmembers praised the mayor for his efforts with storm and for keeping everyone informed

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

Fieldstone turf will be completed in the next few weeks; Councilmember Curry mentioned about the horrendous pot holes on the bend of Kinderkamack Road near Hearth and Tap; he will reach out to county to fill pot holes

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

- a. Recreation Director/Dent/To Discuss/Council Determination/Field/Use Field Fees 2018 - Proposed Draft Resolution No. 84-2018

Recreation Director, Lisa Dent went over all the new fees; the fees are comparable with area towns.

84-2018 A Resolution Revising The Borough Of Montvale Fields Scheduling And Fees For Field Use Effective 2018

WHEREAS, Borough Owned Recreational Fields shall be scheduled by the Borough of Montvale Field Coordinator; and

WHEREAS, Montvale Athletic League ("MAL"), Montvale Recreation and Pascack Hills High School shall have first priority field scheduling use and shall be provide a schedule to the Field Coordinator no later than February 1st.

WHEREAS, MAL, Recreation, Pascack Hills High School and churches are exempt from payment of fees relating to field use.

FIELD USE: 2018

Field Use- Ballfields- Baseball or Softball (Memorial, Fieldstone, or LaTrenta)	Resident team:	\$ 200 per season
	Non-Resident team:	\$ 400 per season

Field Use- Turf Field- Soccer or Lacrosse (Fieldstone)	Resident team:	\$40 per hour
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Non-Resident team: \$50 per hour

**Add 15% to total, if lights are requested at any field

Turf Field Fees shall not exceed \$7,000 per season for any one organization.

Corporation One Day Field Use (1 scheduled day plus 2 rain dates)	Resident	\$ 200
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Corporation One Day Field Use (1 scheduled day plus 2 rain dates)	Non-Resident	\$ 400
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Resident Corporation: Any company that owns or leases commercial within the borough.

Non-Resident Corporation: Any company that does not own or lease commercial space within the borough.

Residential Team: Any athletic team comprised of at least 75% of its roster with Montvale residents.

Non-Residential Team: Any team not having at least 75% of its roster filled with Montvale residents.

Time Slot: An uninterrupted 1 hour time period, or any part thereof, that a field is being used by an approved team.

Corporate Fees: Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

Season: Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

No credit for unused Field Time Slots

All organizational (i.e. club team) play will be considered a non-resident teams.

Payment is required prior to use on all fields or no field use will be granted.

Once field use requests are received in full by February 1st, field use will be established with the following order of preference:

1. Montvale Athletic League, Recreation and Pascack Hills High School
2. Resident: Not-For-Profit Entity
3. Resident: For Profit Entity
4. Non-Resident: Not-For-Profit Entity
5. Non-Resident: For-Profit Entity

WHEREAS, it is the Borough of Montvale's intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.

Introduced by: Councilmember Koelling; seconded by Councilmember Arendacs - roll call was taken
- all ayes

b. Sample Montvale Fire Department/New Fire Department Dedicated Wall Plaque
Councilmembers agreed with the latest version of the plaque

Councilmember Curry asked the borough attorney if a letter was sent to the BOE in regards to field agreement and payment; Councilmember Curry inquired about how would the town go about passing an ordinance about not allowing medical marijuana dispensaries in town; this can be further discussed at a work shop session

NEW BUSINESS:

Councilmember Gloeggler would like to create a committee in regards to recognizing people along with persons of the month, organizations, etc.

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

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

Motion to open meeting to the public by Councilmember Curry; seconded by Councilmember Koelling
- all ayes

Bob Zitelli

Mentioned at the last meeting a gun back program; encouraging the Mayor and council to get involved; reminded the public about March 24 "March for our Lives" at 10am at the courthouse in Hackensack

Motion to close meeting to the public by Councilmember Curry; seconded by Councilmember Gloeggler
- all ayes

Motion to go into close session by Councilmember Koelling; seconded by Councilmember Curry – all ayes

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Koelling; seconded by Councilmember Curry
- all ayes

Meeting was adjourned at 8:50pm

Budget Introduction March 27, 2018
Budget Public Hearing: April 24, 2018

The next Meeting of the Mayor and Council will be held March 27, 2018 at 7:30 p.m.
Montvale School Safety Initiatives To Be Discussed Mayor Ghassali & Police Chief Jeremy Abrams

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk