

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held virtually by Zoom and also held in the Council Chambers and called to order at 7:32PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

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

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

APPOINTMENT: Environmental Commission Alternate Member - Michelle Zink-Jojic

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2021-1495 CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 2.5% increase in the budget for said year, amounting to \$290,470.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$406,658.10, and that the CY 2021 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion Introduced for second reading **Ordinance No. 2021-1495** 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 Lane; seconded by Councilmember Roche - all ayes

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

PUBLIC HEARING ORDINANCE NO. 2021-1496 AN ORDINANCE AMENDING CHAPTER 400, "ZONING," ARTICLE III, "DISTRICTS ESTABLISHED; ZONING MAP," OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO REPLACE AND REESTABLISH THE OFFICIAL ZONING MAP OF THE BOROUGH OF MONTVALE

WHEREAS, pursuant to N.J.S.A. 40:55D-32, the Mayor and Council of the Borough of Montvale are authorized and empowered to "by ordinance adopt or amend an official map of the municipality, which shall reflect the appropriate provisions of any municipal master plan"; and

WHEREAS, the Borough Engineer has prepared an updated zoning map of the Borough, dated March 9, 2021, which the Borough Council desires to establish as the official zoning map of the Borough; and

WHEREAS, pursuant to N.J.S.A. 40:55D-32 and -26, upon passage of this Ordinance upon First Reading, it shall be referred to the Borough of Montvale Planning Board for determination as to whether the map prepared by Colliers Engineering & Design dated March 9, 2021, is consistent with the Borough of Montvale Master Plan.

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

Section 1. The Zoning Map of the Borough of Montvale, adopted pursuant to Article III, "Districts Established; Zoning Map," of Chapter 400, "Zoning," is hereby replaced by a new map entitled "Zoning Map, Borough of Montvale, Bergen County, NJ," dated March 9, 2021, prepared by Colliers Engineering & Design, which reflects the zoning regulations that are presently effective in the Borough.

Section 2. Section 400-16, "Maps," of the Code of the Borough of Montvale is hereby amended by adding the underlined text and deleting the [bracketed] text, as follows:

A. The boundaries are hereby established as shown on the following maps:

- (1) The boundaries of each said district are hereby established as shown on the Zoning Map, Borough of Montvale, Bergen County, New Jersey, prepared by Colliers Engineering & Design dated March 9, 2021, [Maser Consulting, P.A. dated March 24, 2014,] which map accompanies this ordinance and is hereby declared to be a part thereof.

(a) The Zoning Map is hereby amended and supplemented by adding a new AHS District on the list of zoning districts and by graphically amending the Zoning Map to show the following property in the AHS District: Block 1606, Lot 6.]

(2) Road Map, Borough of Montvale, Bergen County, New Jersey prepared by Boswell McClave Engineering dated October 1998.

(3) Drug-Free School Zone, Drunk-Driving-Free Zone and Drug-Free Zone Map, Borough of Montvale, Bergen County, New Jersey prepared by Boswell McClave Engineering dated August 2000.

B. A copy of each of the aforementioned maps is on file in the office of the Borough Clerk.

Section 3. Planning Board review.

Upon approval of this Ordinance upon First Reading by the Mayor and Council of the Borough of Montvale, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-32 and -26.

Section 4. 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 5. Effective date.

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

Section 6. 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. 2021-1496** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Koelling - All ayes

No Public Comment

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

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

PUBLIC HEARING ORDINANCE NO. 2021-1497 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,270,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,161,900 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein

stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,270,000, and further including the aggregate sum of \$108,100 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,161,900 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>A) ADMINISTRATION</p> <p>1) Purchase of Octagon House (Block 1601, Lot 22), including all related costs and expenditures incidental thereto.</p>	\$900,000	\$857,143	40 years
<p>B) BUILDING DEPARTMENT</p> <p>1) Purchase of a Iplan table, including all related costs and expenditures incidental thereto.</p>	\$17,000	\$16,190	7 years
<p>2) Acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.</p>	\$38,000	\$36,190	5 years
<p>C) BUILDINGS AND GROUNDS</p> <p>1) Various improvements to all municipal buildings and grounds, including but not limited to the acquisition of video cameras for the lobby area and stairway, as well as, the upgrade of exterior security cameras at 12 Mercedes Drive, including all work and materials necessary therefor and incidental thereto.</p>	\$50,000	\$47,619	10 years

BOROUGH OF MONTVALE**APRIL 13, 2021**

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
D) FIRE DEPARTMENT			
1) Acquisition of turnout gear, including all related costs and expenditures incidental thereto.	\$35,000	\$33,333	10 years
2) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	\$60,000	\$57,143	5 years
3) Acquisition of Cascade System to fill oxygen tanks, including all related costs and expenditures incidental thereto.	\$50,000	\$47,619	15 years
E) POLICE DEPARTMENT			
1) Acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$55,000	\$52,380	5 years
2) Acquisition of a firearms training simulator, including all related costs and expenditures incidental thereto.	\$10,000	\$9,524	10 years
3) Acquisition of plate reader cameras, including all related costs and expenditures incidental thereto.	\$20,000	\$19,047	10 years
4) Acquisition of squad room furniture, including all related costs and expenditures incidental thereto.	\$15,000	\$14,285	10 years
F) PARKS / RECREATION AND OPEN SPACE			
1) La Trenta Parking Lot improvements and resurfacing, including all work and materials necessary therefor and incidental thereto.	\$500,000	\$476,190	10 years

BOROUGH OF MONTVALE

APRIL 13, 2021

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>G) ROADS</p> <p>1) Various road improvements, as described in a list in the office of the Clerk, which list is hereby incorporated herein by reference thereto, including all work and materials necessary therefor and incidental thereto.</p>	\$400,000	\$380,952	10 years
<p>H) FIRE PREVENTION</p> <p>1) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.</p>	\$35,000	\$33,333	5 years
<p>I) ENVIRONMENTAL</p> <p>1) Landscaping improvements to the area around Huff Pond-Memorial Drive, including all work and materials necessary therefor and incidental thereto.</p>	\$25,000	\$23,809	15 years
<p>J) TRI-BORO SAFETY</p> <p>1) Network upgrade and installation of copper and fiber lines, including all work and materials necessary therefor and incidental thereto.</p>	<u>\$60,000</u>	<u>\$57,143</u>	5 years
<p>TOTALS</p>	<u>\$2,270,000</u>	<u>\$2,161,900</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law.

The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 21.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,161,900, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the

event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion Introduced for second reading **Ordinance No. 2021-1497** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Koelling - All ayes

No Public Comment

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

INTRODUCTION ORDINANCE NO. 2021-1498 AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2020-1492 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2021

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1498** for first reading was made by Councilmember Koelling; seconded by Councilmember Arendacs; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Arendacs - a roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2021-1499 AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND READOPTING CHAPTER 292, “PARKS AND RECREATION,” ARTICLE IV, “BASKETBALL COURTS,” TO REVISE CERTAIN PROVISIONS CONCERNING THE USE OF PUBLIC BASKETBALL COURTS IN THE BOROUGH

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1499** for first reading was made by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2021-1500 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 292 OF THE BOROUGH CODE TO CLARIFY CERTAIN PROCEDURES RELATED TO PERMIT REQUIREMENTS FOR THE USE OF BOROUGH-OWNED FIELDS AND PARKS

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1500** for first reading was made by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Roche – all ayes

No Public Comment

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

March 9, 2021

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Roche – all ayes with the exception of Councilmember Curry abstaining

March 30, 2021

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

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.

77-2021 Resolution Supporting S-3522 Creating Local Part of the Public Employees' Retirement System (PERS)

WHEREAS, county, municipal, and other local governments have met their pension obligations as employers for more than a decade while the State of New Jersey has continued to underfund the pension systems in varying degrees since 1996 and thus created one of the worst publicly funded retirement systems in the entire nation; and,

WHEREAS, despite fulfilling their fiduciary duties in meeting their pension obligations, local governments across the State will experience double digit percentage increases in total employer pension contributions in 2021 as determined in figures recently published by the Division of Pension and Benefits in the State Department of Treasury; and,

WHEREAS, even more alarming for local government employers is the fact that the unfunded accrued liability once again increased in 2021 to a staggering \$26.6 billion for the Public Employee's Retirement System ("PERS") alone, causing in part, a decrease in the funded ratio for the Local Part of PERS to 65.4%, the State Part to 31.2%, and the combined rate to a disconcerting 52.2% far below the target funded ratio of 75.0%; and,

WHEREAS, S-3522 would divide PERS into two parts: A State Part for State employees, and a Local Part for all other employees; and

WHEREAS, the legislation creates a seven-member board consisting of three labor employee representatives, three management representatives, and one determined by the Board, tasked with operating the retirement system and directing policies and investments to achieve and maintain full funding; and

WHEREAS, this legislation is similar to the legislation that separated the Police and Fire Retirement System (P.L. 2018, c. 55) except for the control of investments and that management has an equal representation on the board, which was overwhelmingly supported by the legislature and signed by the Governor; and

WHEREAS, S-3522 would protect local governing bodies from the State of New Jersey further directing property taxpayer dollars to subsidize its long mismanagement and underfunding of the pension systems as it would provide the new balanced board of trustees of PERS with the ability to determine or modify member benefits, direct policies and investments to achieve full funding, and serve as fiduciary of the system;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Montvale does in fact hereby support S-3522, which would establish a new board of trustees for the Local Part of PERS to preserve the structure and integrity of the more solvent Local Part.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Governor Phil Murphy, Senate President Stephen M. Sweeney, Speaker of the General Assembly Craig Coughlin, Senator Holly Schepisi and Assembly Representative Robert Auth, and the New Jersey League of Municipalities.

78-2021 Resolution Revising the Borough of Montvale COVID-19 Workplace Safety Plan/Amendment/Travel

WHEREAS, Governor Murphy issued Executive Orders, which provides mandatory health and safety standards to protect all New Jersey's workers at work during the pandemic; and

WHEREAS, the Borough of Montvale formally adopting a policy to implement the requirements of these Executive Orders on November 2020 via Resolution No. 185-2020; and

WHEREAS, The Borough of Montvale wishes to amend the workplace safety plan related to COVID-19 in accordance with the recommendations of the Center for Disease Control and Prevention "CDC" guidelines pertaining to travel; and

WHEREAS, the Borough Administrator and Borough Attorney, have reviewed these recommendations and recommend incorporating these recommendations by reference.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale does hereby endorse and approve the Borough of Montvale COVID-19 Workplace Safety Plan to include this revision when travel is Domestic or International.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

79-2021 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

80-2021 A Resolution Adopting Revised Rules and Regulations for the Borough of Montvale Police Department

WHEREAS, the Borough of Montvale Police Department is in the process of receiving re-accreditation in order to improve the standards and performance of the Police Department; and

WHEREAS, in connection therewith, it has been recommended that the Mayor and Council adopt revised Rules and Regulations governing the operations of the Police Department; and
WHEREAS, the Mayor and Council have reviewed these Rules and Regulations and believe it is in the best interests of the Borough to adopt same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, as the appropriate authority pursuant to *N.J.S.A. 40A:14-118*, that the Rules and Regulations for the Montvale Police Department referenced herein are hereby adopted and shall be effective immediately.

81-2021 Award Contract McNerney & Associates/Preparation/Appraisal Report/Tax Appeal/Thomas Caleca

WHEREAS, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal borders, and;

WHEREAS, the owner of real property located at 110 Upper Saddle River Road and identified as Block 108 Lot 6 has filed a property tax appeal challenging the Borough's assessment of the property for the 2019, 2020 and 2021 tax years, and;

WHEREAS, the Borough is seeking to retain the services of a licensed appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified trial-ready appraisal report that covers the aforementioned tax years, and;

WHEREAS, the Borough had received a Proposal, dated April 5, 2021, from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare an appraisal report for the total amount of \$2,500.00, and;

WHEREAS, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution, and;

WHEREAS the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by *N.J.S.A. 40A:11-5* of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that McNerney & Associates, Inc. is hereby appointed and authorized to prepare a trial ready appraisal report for the property located at 110 Upper Saddle River Road, at Block 108 Lot 6 in the Borough of Montvale, in accordance with the terms set forth in the April 5, 2021 Proposal attached herein.

83-2021 Refund Tax Overpayment / Block 2501; Lot 17 / 5 Meadow Lane

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

WHEREAS, the owner of 5 Meadow Lane, Aram Bedrosian, is totally exempt from taxes due to his Veteran status, he received, a Homestead Rebate, from the State of New Jersey, which is applied as a credit towards 2nd quarter taxes in the amount of \$411.63; and

WHEREAS, a refund in the amount of \$1,547.91 as a pro-rated amount of taxes paid in February due to being totally exempt; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund in the amount of \$1,959.54 to Aram Bedrosian, 5 Meadow Lane, Montvale, NJ 07645

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

82-2021 Amending Resolution No.48-2021/To Include Fees for Usage of Basketball Courts

WHEREAS, The Recreation Department hereby establishes the programs, times and fees for various programs; and

WHEREAS, the Recreation Director has recommended that the following fees, programs, and times be revised as described; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following fees and programs and services be and are hereby established

TIME SCHEDULE FOR SKATING RINK:

Weekdays:

8:00AM - 2:00PM Pickleball
 2:00PM - Dusk Roller/Street Hockey

Weekends:

8:00AM - 10:00AM Pickleball
 10:00AM - 2:00PM Roller/Street Hockey
 2:00PM - 5:00PM Pickleball
 5:00PM - Dusk Roller/Street Hockey

<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
30+ Basketball	Sept-May	\$75	\$95
Adult Soccer	10 weeks	\$15	\$20
Golf Instruction- TGA	6 weeks	\$105	\$125
Pickleball Clinic	3 weeks	\$50	\$65
Pickleball Clinic Drop In Fee	1 class	\$20	\$25
Pickleball Program	January-May	\$50	\$75
Summer Camp: Grades 1-5	4 weeks	\$348 per child \$1044 family max	\$408 per child \$1224 family max
Adventure Camp: Grades 6-7	4 weeks	\$450 per child	\$510 per child
Summer Camp Resident/Non-Resident	\$30 Additional Fee after Registration Period. \$25 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
Extended Day Multisport Camp by TGA During Summer Camp Weeks Only	1 week (2:30-6:30pm)	\$220	\$250
Multisport Camp by TGA After Summer Camp Weeks Conclude and/or During School Breaks	1 week (Half Day)	\$245	\$255
	1 week (Full Day)	\$295	\$305

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	1 week (Full Day + After Care)	\$375	\$395
TaeKwon-Do	8 weeks (@ 2 classes per week)	\$120	\$180
Tai Chi	8 weeks	\$80	\$100
Montvale Senior Club Tai Chi Discount:	8 weeks	\$40	\$40
Tennis Lessons	6 weeks	\$80	\$120
	5 weeks	\$65	\$100
Tennis Badges			
Adult (Ages 18-61)	March-December	\$30	\$60
Child (Ages 17 & Younger)	March-December	\$10	\$20
Family Max	March-December	\$50	\$100
Seniors (Ages 62 & Up)	March-December	Free	\$10
		\$10 Fee for Replacement Tennis Badge	
Basketball Badges			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		\$5 Fee for Replacement Basketball Badge	
Ultimate Frisbee by TGA	6 weeks	\$60	\$80
Volleyball- Adult	January-May	\$50	\$80
Volleyball- Girls	8 weeks	\$80	\$75
Yoga	8 weeks	\$80	\$100
Yoga Mini Session	4 weeks	\$40	\$100
Youth Theater	September-December	\$10	\$50

WHEREAS, Borough Owned Recreational Fields and Facilities 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 1 and June 1 for the respective Spring and Fall seasons.

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

BOROUGH OF MONTVALE

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<u>Facilities</u>	<u>Fee</u>	<u>Resident Team/Corporation</u>	<u>Non-Resident Team/Corporation</u>
Ballfields: Baseball or Softball (Memorial, Fieldstone or LaTrenta)	Per Hour Per Field (2 hour minimum)	\$25	\$50
Turf Fields: Soccer or Lacrosse (Fieldstone)	Per 2 Hour Time Slot Per Field	\$75 (full field) \$50 (half field)	\$150 (full field) \$100 (half field)
Basketball Courts: (Memorial)	Per Hour: Court #2 Only	\$25	\$50
Tennis Court Group Reservation (Memorial or LaTrenta) *Two court maximum reservation at any one location	Per Day	\$25	\$50
Corporation Event Field Reservation (1 scheduled day plus 2 rain dates)	Per Day	\$200	\$400

Field and Facility Permit Regulations

MAL endorsed programs in sports that are not offered by MAL, and which have Montvale residents participating, shall be charged the resident fee for field use.

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 or 2 hour time period or any part thereof, that a field/facility 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.

Field/Facility users who provide 7 days or more notice of changes in their scheduled use can receive a time credit if the scheduled hours are decreased. Any changes in field schedules without 7-day notice will not receive a time credit for unused field time. Time credits are only valid for the existing season and the following season.

Field/facility users applying for 50 or more field hours per season will be billed by their total sum of hours.

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 for Spring season and June 1st for Fall season, 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 Lane; seconded by Councilmember Roche - a roll call was taken - all ayes

Borough Attorney, Joe Voytus, gave a brief explanation, this resolution is a result of the ordinance that was introduced this evening. It separates the court into a resident only court and an open court that would be for residents and non-residents. What this resolution will do, it will allow for organizations and/or teams to reserve open court play, this resolution includes the fees to do so.

84-2021 A Resolution Establishing Rules and Regulations for the Basketball Courts
Montvale Basketball Courts

Accessibility

1. Prior to use of the basketball courts, all residents and non-residents must first obtain an annual badge in accordance with the below fee schedule.
2. Annual Badges must be obtained from Montvale Borough Hall during normal operation hours; Monday-Friday, 8:30AM-4:30PM.
3. All residents are eligible for an annual badge granted the below rules/regulations are followed. One family member can apply on the behalf of all family members residing within the same household. Residents will receive one badge per family member. All badge users must be listed on the application form. Badges are non-transferable and non-refundable.
4. Non-Residents may apply on behalf of all family members residing within the same household, but the below fees will apply to each individual listed.
5. Season commencing January 1st – December 31st.
 - a. All non-resident badges will expire each year on December 31st. Non-residents must obtain a new badge each year.
 - b. Resident badges do not need to be renewed each year.

Rules and Regulations

1. Badges must be worn in a visible location at all times while on the basketball courts.
 - a. Upon request by a Police Officer, Recreation Director, or other Borough official, officer or employee, members must present their badge.
 - b. Any person who shall fail upon request to produce a valid badge (or permit, where applicable) shall immediately leave the court. Failure to immediately leave the court under such circumstances shall be deemed a violation of these rules and regulations.
2. Court 1 shall be strictly reserved for Montvale residents with badges.
3. Court 2 may be used by resident and non-resident badge holders alike.

4. Court 2 can be reserved, on a limited basis, by obtaining a permit from the Field Coordinator. Permit applicants are subject to additional rules and regulations stated within the permit application.
5. All sporting activities conducted by leagues, organizations, teams, trainers or coaches must obtain a permit for court time from the Field Coordinator prior to use.
6. Profane, loud, threatening, insulting, indecent and abusive language is prohibited.
7. Amplifiers for music shall not be unreasonably loud.
8. All trash and recycling shall be placed in proper receptacles. Users shall leave the facility in the same condition in which it was found, or better.
9. On-court play shall be limited to 60 consecutive minutes (aside from permit holders). Play may continue thereafter until others appear to exercise their playing privileges, in which event such players then on the court shall immediately retreat therefrom. Replay shall be allowed upon a player's positioning his or herself last in consecutive order of those waiting to play upon expiration of a player's court time.
10. Violations of the above rules/regulations can result in a fine and/or forfeiture of an annual badge for a period of one year and may additionally affect the ability to obtain a badge in future years.

Fee Schedule

Resident

Non-Resident

Adult (Ages 13 & up)- Free per badge
 Child (Ages 12 & under)- Free per badge
 Seniors (Ages 62 & up)- Free \$10 per badge
 Replacement Badge- \$5 per badge badge

Adult (Ages 13 & up)- \$25
 Child (Ages 12 & under)- \$15
 Seniors (Ages 62 & up)-
 Replacement Badge- \$5 per

Borough Code Chapter 292 Article 4

- c. Any persons who shall violate any provision of this Chapter or the rules and regulations promulgated hereunder shall be subject to suspension of membership for a period of one year from the date of conviction of a violation thereof.
- d. Penalties. Any person who shall violate the provisions of this Chapter shall be subject to a fine of not less than \$100.

The Municipal Court shall have jurisdiction to impose sanctions for violations of this ordinance.

Introduced by: Councilmember Lane; seconded by Councilmember Roche - a roll call was taken - all ayes
 Borough Attorney, Joe Voytus, explained that this resolution coincides with the ordinance and prior resolution establishing a badge system to use the basketball courts

BILLS: Municipal Clerk read the Bill Report.
 Motion to pass bills by Councilmember Lane; seconded by Councilmember Roche - all ayes

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

COMMITTEE REPORTS:

Council President Lane

Fire Dept

16 fire calls; 2 drills; 3 extra credits and 1 meeting; total for the first quarter of this year 62 fires, 2 drills, 1 Chiefs call , 9 extra credits and 3 meetings. The department helped out with two major fires this past month, the Sony building in Park Ridge and the tragic fire in Spring Valley.

Finance

Will be adopting the budget on May 11- looking for resident participation

Diversity Committee

Busy month. Partnered with the Girl Scouts for a virtual world thinking day. Completed the ultimate challenge for Woman's History Month. For World Autism Day, the committee asked the residents to share an act of kindness. Ramadan starts today, April 13, the committee will be collecting donations of non-perishable foods and hygiene products to be donated to the Food Pantry.

Councilmember Roche

Environmental Commission

The dredging of Huff Pond began on March 15; looking for donations of plantings for the trail and for screening by recycle center; the Treks program, collected 1,074 pounds of plastic bags received another bench; had 110 volunteers for clean-up day. Congratulations to the new member of the commission Michelle Zink-Jojic

Special Events/Recreation

Recreation is currently seeking adult or high school volunteers to assist in the planning and coordinating of Montvale's annual events such as Day In The Park, the Halloween Carnival, the Christmas Tree Lighting, the Spring Fling and more! To join the Special Events Committee , please call 201-391-5700 ext. 251 or email MontvaleRecreation@montvaleboro.org for more information.

The committee is currently working on setting dates for 2021's community events. The committee is tentatively planning for outdoor movie nights, a fishing tournament, Day in the Park, the Halloween Carnival, the Christmas Tree Lighting and the Menorah Lighting Ceremony. Spring Programs are Yoga, Tai Chi, Tennis Lessons, Golf Lessons, and Ultimate Frisbee

Registration for Summer Camp procedures and dates for will be announced by this Friday, April 16.

MAL

All coaches must fully complete a criminal history background check before they can begin coaching for the Spring season. Please email backgroundchecks@montvaleboro.org for instructions on how to do so.

Chamber of Commerce

Street Fair is scheduled for October 17; new website;

Regional BOE

Appointed a new Athletic Director, Mr. Papa; Coach Alexander from the football team resigned, he will still be the History teacher; K-8 will return to in-person classes

Councilmember Curry

Seniors

Some programs have begun, Bocce Ball, Corn hole, exercise classes to name a few;

Library

Go to website for programs; the reading garden needs to be looked at by Chris Gruber for some repairs

Councilmember Russo-Vogelsang

Construction

No report at this time

Economic Development Committee

Meeting is scheduled for tomorrow

Local BOE

April 19th phase II – 5 days for in person learning and will still offer virtual for students as well

Historic Prevention Committee

Their meeting will be re-scheduled

Councilmember Arendacs

DPW

Spring clean-up has begun with the ball fields, the center of town clean-up along with patching pot holes and street cleaning;

Engineering

Out for bid for bocce courts; Grand Ave and Mercedes Drive signal will be modified by the County; 2021 road program is waiting for the budge to be approved. LaTrenta field is now open.

Councilmember Koelling

Police

Monthly report included in original minutes;

BOH

Meeting scheduled for May 3

MAYOR

Wishing all who is celebrating Ramadan; Town Hall meeting is scheduled for April 15 to discuss the new legislation on cannabis; April 24 at 4pm will be having the Armenian Genocide memorial at Huff Pond; thanked Bob Hanrahan, the Environmental Commission and all the volunteers for efforts with clean-up day; the Tri-boro Memorial Day Parade will be cancelled this year but Montvale will be doing something, we are working on the details; COVID is still here, more variants, Montvale has 35 new positive cases to date which brings the total positives for this year to 169. Last year totals were 244 positives.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Various Streets – Montvale FY 2021 Municipal Aid Program Award

Received noticed that Montvale will be awarded \$210,000 DOT Grant for Craig Road, this will be for the year 2022.

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

None

MEETING OPEN TO THE PUBLIC:

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

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

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

Carolee Adams

Thanked the Montvale police department for providing traffic control to the Montvale Evangelical Church for their Easter Experience drive through; Suez has been sold to a large French company, suggested that the Mayor's association should have a conversation the BCUA regarding this; asked at the last meeting what is the percentage of taxes that goes to the schools; Pascack Hills HS meeting there was a discussion about having a demographic study performed, Ms. Adams feels it is premature to do a study without the numbers from all the new developments in town. The month of May is bicycle safety month, encouraged that the borough can do something for bicycle month.

Councilmember Lane answered the question regarding what percentages of taxes are for the schools, The municipal portion is 24.6%, the county is 11.3%, open space is .02% the local school is 35% and the high school is 28.8%. The total percentage of school tax is about 64% of your property tax bill.

Frank DiPalma

Will the dredging of Huff Pond be completed in time for the fishing tournament; mentioned that the PBA would like to help out and stock the pond; we were able to recover from FEMA \$113,967 for COVID expenses; next we are working on to recover funds for Tropical Storm Isaias.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

Motion to adjourn Public Meeting by Councilmember Koelling; seconded by Councilmember Roche
- all ayes
Meeting was adjourned at 8:24pm

Next Meeting of the Mayor & Council will be on April 27, 2021

BUDGET INFORMATION

May 11, 2021 Adoption – Public Hearing (Budget Presentation)

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