

**RE-ORGANIZATION MEETING
MINUTES**

The Re-Organization Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:00 PM. Adequate notification was published in the official newspaper of the Borough of Montvale according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

SWEARING IN OF MAYOR (4 YEAR TERM)

Michael Ghassali by Woodcliff Mayor Carlos Rendo

SWEARING IN OF COUNCILMEMBERS (3 YEAR TERM)

Timothy Lane by Judge Philip Boggia

Christopher Roche by Mayor Mike Ghassali

ROLL CALL

Councilmember Arendacs

Councilmember Lane

Councilmember Curry

Councilmember Roche

Councilmember Koelling

Councilmember Russo-Vogelsang

OPENING PRAYER:

Archbishop, Patriarchal Vicar of the Archdiocese of the Eastern United States of America –
Mor Dionysius John Kawak

ELECTION OF COUNCIL PRESIDENT:

(Council Appointment)

Motion by Councilmember Lane to nominate Councilmember Arendacs for Council President;
seconded by Councilmember Curry - All ayes on roll call vote

ELECTION OF PLANNING BOARD MEMBER:

(Council appointment)

Motion by Councilmember Lane to nominate Councilmember Curry for Planning Board Liaison
seconded by Councilmember Arendacs - All ayes on roll call vote

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 requests it, in which case, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA*RESOLUTIONS 01-2020 THROUGH 16-2020 & 19-2020 20-2020****01-2020 Cash Management Plan**

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:

1. Bank of America
Wells Fargo
N.J. Cash Management Fund
Valley National Bank
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.

02-2020 Authorizing payment to the United States Postal Service to effect the use of a Post Machine

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

03-2020 Establish 2020 Holiday Schedule For Administrative Non-Contractual Employees

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following 2019 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:

HOLIDAY

New Year's Day
 Martin Luther King Day
 President's Day
 Memorial Day
 Independence Day
 Labor Day
 Columbus Day
 Veterans Day
 Thanksgiving Day
 and the Day After
 Christmas Day

DAY OBSERVED

Wednesday, January 1
 Monday, January 20
 Monday, February 17
 Monday, May 25
 Friday, July 3 (observed)
 Monday, September 7
 Monday, October 12
 Wednesday, November 11
 Thursday, November 26
 Friday, November 27
 Friday, December 25

SECTION 2. A Floating Holiday to replace Good Friday 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. Two one-half (1/2) day holidays to replace Election Day: one-1/2 day to be taken immediately before the Christmas Day holiday is observed and one-1/2 day to be taken immediately before the day the New Year's Day Holiday is observed.

If July 4th and Veterans Day fall on Saturday, the holiday shall be observed on Friday. If July 4th and Veterans Day 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

04-2020 Designating the Mayor, Municipal Clerk, Administrator, Chief Municipal Financial Officer, Treasurer, as Official signatories on Borough Warrants and the Judge, Municipal Court Administrator and Deputy Court Administrators as Official signatories on Municipal Court

Accounts

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.

05-2020 Roll Call of the Councilmembers to be called in alphabetical order

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

06-2020 Authorizing the Mayor, Clerk and Collector to issue warrants for certain items with ratification at the following meeting

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, NJ, 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

07-2020 All bills to be presented in proper form to the Finance Department no later than the 25th of each month

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.

08-2020 Change Fund in the amount of \$100.00 be provided for the Municipal Clerk, Collector/Treasurer, \$50.00 for the Dog/Cat License Registrar, \$100.00 for the Court Violations Clerk and \$50.00 for the Police Department

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that a Change Fund in the amount of \$100.00 be provided for the Municipal Clerk/Collector Treasurer, \$50.00 for the Dog/Cat License Registrar, \$100.00 for the Court Violations Clerk, and \$50.00 for the Police Department.

09-2020 Designation of official newspapers for advertising for the Borough of Montvale

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 2018:

The Record – Hackensack, N.J.
The Ridgewood News – Hackensack, N.J.
The Star Ledger – Newark, NJ

10-2020 Fixing the rate of interest to be charged for the nonpayment of taxes, assessments and excess sewer fees

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.

11-2020 Order of business to be followed at all regular meetings of the Mayor and Council

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, NJ that the agenda will be established and printed for each regular meeting of the Council, and that only items of business on the printed agenda will be considered at such regular meeting.

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. Both Public and Workshop Meetings open to public to speak
8. Old Business
9. New Business
10. Reading of all communications, petitions, etc
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.

12-2020 All monies collected by any Borough Official or Employee of the Borough shall be turned over the Borough Treasurer within 48 hours

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.

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.

13-2020 Establish Mayor & Council Meeting Schedule for the Year 2020

BE IT RESOLVED, the meetings of the Mayor and Borough Council shall be held on the following dates for the year 2020 at the location of Borough of Montvale, Municipal Complex, 12 Mercedes Drive, 2ND Floor, Montvale, New Jersey. All meetings will commence at 7:30 PM except where noted.

****January 1 (Wednesday)***

January 14

January 28

Organization Meeting

Public Meeting

Workshop Session

February 11	Public Meeting
February 25	Workshop Session
March 10	Public Meeting
March 31	Workshop Session
April 14	Public Meeting
April 28	Workshop Session
May 12	Public Meeting
May 26	Workshop Session
June 9	Public Meeting
June 30	Workshop Session
July 14	Public Meeting
July 28	Workshop Session
August 11	Public Meeting
Cancelled	Workshop Session
September 8	Public Meeting
September 29	Workshop Session
October 13	Public Meeting
October 27	Workshop Session
November 10	Public Meeting
November 24	Workshop Session
December 8	Public Meeting
December 29	Workshop Session

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

ACTION MAY BE TAKEN AT BOTH PUBLIC AND WORKSHOP MEETINGS.

14-2020 Establishing a procedure for the periodic release of minutes of executive/session minutes

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 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.

15-2020 Open Public Meetings Act, Chapter 231 of Public Laws of the State of New Jersey/Closed Sessions 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.

16-2020 Adoption of year 2020 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, N.J., that the By-laws of the Mayor and Council of the Borough of Montvale are hereby adopted.

Included with original minutes

19-2020 Adoption Borough Policy & Procedure Manual Year 2020

WHEREAS, it is the policy of Borough of Montvale to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Montvale Governing Body has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Mayor & Council of the Borough of Montvale that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers 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, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor & Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Montvale shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Attorney shall assist the Administrator in the implementation of the policies and procedures in this manual.

BE IT FURTHER RESOLVED, this manual shall be distributed to managerial/supervisory employees of the Borough of Montvale

20-2020 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 2020

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 2019 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 2018 calendar year as follows:

**FOR THOSE EMPLOYEES/PLAN PARTICIPANTS PARTICIPATING IN THE OPT-OUT
AFTER MAY, 21, 2010**

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2020)
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 "201 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

Introduced by Councilmember Lane; seconded by Councilmember Curry – a roll call was taken, all ayes

NON-CONSENT AGENDA**RESOLUTION 00-2020 Temporary Budget**

WHEREAS, 40A: 4-19 provides that where any contract, commitment or payment are to be made prior to the final adoption of the 2019 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the effective date of this resolution is January 1, 2020; and

WHEREAS, the total appropriations in the 2019 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance are as follows:

Current \$17,791,242

WHEREAS, 26.25 percent of the total appropriations in the 2019 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance in said 2019 budget is as follows:

Current \$ 4,670,201

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

General Appropriations

Operations - Within "CAPS"

Administrative and Executive:	
Salaries and Wages	\$70,000.00
Other Expenses	65,000.00
Mayor and Council:	
Salaries and Wages	14,000.00
Other Expenses	4,000.00
Borough Clerk:	
Salaries and Wages	42,500.00
Other Expenses	8,000.00
Financial Administration:	
Salaries and Wages	72,000.00
Other Expenses	9,500.00
Tax Assessment Administration (Assessment of Taxes):	
Salaries and Wages	12,000.00
Other Expenses	9,500.00
Revenue Administration (Collection of Taxes):	
Salaries and Wages	20,000.00
Other Expenses	12,500.00
Legal Services and Costs:	
Other Expenses	75,000.00
Engineering Services and Costs:	
Other Expenses	50,000.00
Cable TV Committee:	
Salaries and Wages	2,500.00
Other Expenses	4,000.00
Historic Preservation Commission:	
Other Expenses	300.00
Planning Board:	
Salaries and Wages	29,000.00
Other Expenses	25,000.00
Zoning Official:	
Salaries and Wages	5,000.00
Property Maintenance:	
Salaries and Wages	2,000.00
Life Insurance	1,500.00
General Liability Insurance	125,000.00
Worker's Compensation Insurance	100,000.00

BOROUGH OF MONTVALE**JANUARY 1, 2020**

Employee Group Health	430,000.00
Employee Group Health - Waiver	10,000.00
Fire:	
Other Expenses	45,000.00
Fire Hydrant Service	46,500.00
Police:	
Salaries and Wages	1,080,000.00
Other Expenses	40,000.00
Acquisition of Police Vehicles	10,000.00
Police Dispatch / 911 (Radio Communications):	
Other Expenses	10,000.00
First Aid Organization:	
Other Expenses	10,000.00
Emergency Management:	
Salaries and Wages	4,500.00
Other Expenses	2,500.00
Uniform Fire Safety:	
Salaries and Wages	25,000.00
Other Expenses	3,000.00
Prosecutor:	
Other Expenses	4,000.00
Road Repairs and Maintenance:	
Other Expenses	50,000.00
Snow Removal:	
Other Expenses	50,000.00
Sewer System:	
Other Expenses	40,000.00
Garbage and Trash Removal:	
Other Expenses	150,000.00
Public Buildings and Grounds:	
Salaries and Wages	9,000.00
Other Expenses	25,000.00
Maintenance of All Vehicles:	
Other Expenses	15,000.00
Municipal Services Act:	
Other Expenses	5,000.00
Public Health Services (Board of Health):	
Salaries and Wages	1,000.00
Other Expenses	25,000.00
Environmental Commission:	
Salaries and Wages	1,000.00
Other Expenses	1,000.00
Animal Control Services (Animal Regulation):	
Other Expenses	4,000.00
Welfare Administration (Public Assistance):	
Salaries and Wages	2,000.00
Other Expenses	200.00
Recreation:	
Salaries and Wages	20,000.00
Other Expenses	8,000.00
Senior Citizen:	
Salaries and Wages	6,500.00
Other Expenses	5,500.00
Municipal Court:	
Salaries and Wages	35,000.00
Other Expenses	3,000.00
Public Defender:	
Other Expenses	1,500.00
Construction Code Official:	
Salaries and Wages	60,000.00
Other Expenses	4,500.00
Building Sub-Code Official:	
Salaries and Wages	20,000.00
Plumbing Sub-Code Official:	
Salaries and Wages	20,000.00
Fire Sub-Code Official:	
Salaries and Wages	10,000.00

BOROUGH OF MONTVALE**JANUARY 1, 2020**

Electrical Sub-Code Official:	
Salaries and Wages	15,000.00
Elevator Sub-code Official:	
Other Expenses	10,000.00
Gasoline	30,000.00
Electricity	65,000.00
Telephone	15,000.00
Natural Gas	35,000.00
Street Lighting	40,000.00
Deferred Charges and Statutory	
Expenditures - Municipal Within "CAPS"	
Statutory Expenditures:	
Social Security System	75,000.00
Defined Contribution Retirement Program	<u>4,000.00</u>
	<u>3,340,000.00</u>
Excluded from "CAPS"	
Maintenance of Free Public Library	240,000.00
Sewer Processing and Disposal:	
Contractual	325,000.00
Recycling Tax	<u>4,000.00</u>
	<u>569,000.00</u>
Inter-local Municipal Service Agreements	
Police Dispatch / 911:	
Other Expenses	50,000.00
Municipal Court Administration:	
Salaries and Wages	35,000.00
Other Expenses	20,000.00
Prosecutor:	
Other Expenses	4,000.00
Public Defender:	
Other Expenses	1,500.00
Pascack Valley Special Police Officers:	
Salaries & Wages	45,000.00
Other Expenses	5,500.00
Department of Public Works:	
Other Expenses	<u>600,000.00</u>
	<u>761,000.00</u>
	<u>4,670,000.00</u>
Municipal Debt Service - Excluded from "CAPS"	
Interest on Bonds	<u>151,000.00</u>
	<u>151,000.00</u>
	<u>\$4,821,000.00</u>
	=====

Introduced by Councilmember Lane; seconded by Councilmember Koelling – all ayes

17-2020 Officers Fire Department

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 2020:

Fire Chief	-	Geoffrey Gibbons
Deputy Fire Chief	-	Bruce Hopper
Captain Company #1	-	Vacant
Captain Company #2	-	Vacant
Lt., Company #1	-	Mike Cintineo
Lt., Company #2	-	Richard Alton

Introduced by Councilmember Lane; seconded by Councilmember Koelling – all ayes

18-2020 NJ Pay to Play Law/Professional Service Contract Appointments / Year 2020

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 2016; 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 “non-fair and open” 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 2019 contracts shall be awarded under the “non-fair open” process at the next regular meeting of the Governing Body:

<i>Borough Attorney:</i>	Philip N. Boggia, Esq. Boggia & Boggia, Esqs. 71 Mt. Vernon Street Ridgefield Park, NJ 07660
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<i>Borough Engineer:</i>	Andrew Hipolit Maser Consulting P.A. 200 Valley Road, Suite 400 Mount Arlington, NJ 07856
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<i>Auditor:</i>	Jeff Bliss Lerch, Vinci & Higgins 1717 Route 208 Fairlawn, NJ 07407
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The said professionals, prior to securing such contract, shall execute and file with the Municipal Clerk, a *2020 Business Entity Disclosure Certification* pursuant to N.J.S.A. 19:44A-20-8.

Introduced by Councilmember Lane; seconded by Councilmember Koelling – all ayes

OATHS OF OFFICE ADMINISTERED TO OFFICERS OF MONTVALE FIRE DEPARTMENT
SWEARING IN BY MAYOR MIKE GHASSALI

Fire Chief , Geoffrey Gibbons
Deputy Fire Chief, Bruce Hopper
Lt., Company #1, Mike Cintineo
Lt., Company #2, Richard Alton

MAYOR & GOVERNING BODY APPOINTMENTS, 2020 STAFF, BOARD AND COMMITTEE APPOINTMENTS

Mayor Ghassali read the staff, board and committee appointments into the record. (Listing attached to original minutes).

A motion by Councilmember Curry; seconded by Councilmember Lane - all ayes on a roll call vote

OPEN MEETING TO PUBLIC:

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

NO PUBLIC COMMENT

CLOSE MEETING TO PUBLIC:

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- All ayes

COUNCIL COMMENTS:

Council President Arendacs

Happy and Healthy New Year. Thanked councilmembers for the nomination to be Council President; congratulated Mayor Ghassali and Councilmember Lane on their re-election; welcome Chris Roche as a newly elected member; thanked Elizabeth Gloeggler for her service and dedication on council for the last three years; congratulations to the new fire officers and for their service to the residents; with the assistance of town officials Montvale has a cost effective agreement with the DPW of Rivervale that will benefit both towns; As Deputy Police Commissioner, it has been an honor working along side Police Commissioner Dieter Koelling and Police Chief Joe Sanfilippo, the police department is actively searching for new ways to keep the community safe, including a new traffic officer, several community programs including the junior youth police academy, DARE program and National Night out to name a few. These programs are funded through various grants. Thanked the members of the Mayor's advisory committee; The borough engineer completed a few major projects including one million dollar road program which included 15 roads; repaired the HVAC at the municipal building, installed new pickleball courts; thanked councilmembers, the Mayor and all borough staff and all the volunteers that make Montvale the best it can be.

Councilmember Koelling

Happy New Year; Welcomed Chris Roche; Thanked Elizabeth Gloeggler; Under the new leadership in the Police Department, with Chief Joe Sanfilippo, due to some retirements, new officers were hired in 2019; looking forward to 2020, will be negotiating a PBA contract; urging residents to volunteer for Tri-Boro ambulance; celebrated the 125 anniversary with a well attended picnic, in addition, Marie Hopper published a book, of the history of Montvale which is still available for purchase; look forward to a good year.

Councilmember Russo-Vogelsang

Looking forward to working with fellow councilmembers; wished everyone a Happy, Healthy and Prosperous New Year; looking forward to her new assignments and passing the torch of Recreation to Councilmember Roche;

Councilmember Curry

Welcomed back Mayor Ghassali and Tim Lane; welcomed Chris Roche to the council; thanked Elizabeth Gloeggler for her fine work for the benefit of Montvale; thanked all the volunteers on various boards and commissions for stepping out of your lives and homes for the benefit of Montvale; thanked the borough staff, all the professionals and the police department, together, we can continue to do the right thing for Montvale; It is amazing what can get done and what can be accomplished when one doesn't worry who gets the credit and it is obvious that happens here in Montvale. Wished everyone a Happy New Year and mentioned communication is key.

Councilmember Roche

Thanked all voters, his family and friends; as a 15 year resident of Montvale, noticed some changes in town including Wegmans development but the values that brought him to Montvale are still as strong today; with working on numerous school events, he thought to bring his experience to the town level with being a small business owner and his financial background he felt to he would add a different perspective to the council; looking forward to working with the Mayor and council to continue to move Montvale forward.

Councilmember Lane

Thanked Phil Boggia for the swearing in; thanked Elizabeth Gloeggler for doing an amazing job as councilmember, she always voted with what she believed in and what she thought was best for the town; congratulated Chris Roche on his election; thanked the people of Montvale, he is humbled and honored to be elected for a 5th term; thanked all the volunteers that keep this town moving especially the Fire department; thanked all the employees including our colleagues from our inter-local agreements like the joint court and dpw, also the administration and police department, they are dedicated professionals, they add a lot to our town; blessed with retained professionals, we are very fortunate for them; on the Finance side, 2008 and 2009 were tough years with the recession, a tight budget and very low surplus and a lot of debt, there were tough decisions that were made including layoffs; we worked to get more efficient by implementing shared services; we were able to turn the finances around which included a major investment with the new firehouse, paid down the majority of debt and the last two years were able to pass a budget with no municipal tax increase.

Mayor Ghassali

Thanked all in attendance for coming; send your thoughts and prayers to a member of the fire department that is going through some health issues; congratulated Tim Lane on his re-election and Chris Roche on his election; thanked Elizabeth Gloeggler for her years of service and dedication, she was always there when needed, she is passionate about our community and invested herself for doing the right thing for our town; hope she will continue to be involved with the town; 2020 marks the 40th year of being in the United States; during his first year of Mayor, tough decisions were made and those decisions shape the town; thanked all councilmembers, staff and professionals for doing the right thing with circumstances that were brought on by the courts and the state; going forward, will continue to improve the roads, have town hall meetings, work hard to attract new businesses, making sure we do not have corporate vacancies, will be creating new committees, having the second annual Mayor's Gala, and a first International Food Festival and to continue to work with religious leaders. Thanked his family for their continued support; wished everyone a Happy and Safe New Year and to pray for peace here and around the world.

CLOSING PRAYER

Closing Prayer given by Pastor Sam Goertz – Montvale Evangelical Free Church

Motion to adjourn Re-Organization meeting by Councilmember Lane; seconded by Councilmember Arendacs - all ayes

Meeting adjourned at 7:55PM

Budget Meeting will be held January 14, 2020 at 6:00pm

Next scheduled Mayor and Council meeting will be held January 14, 2020 at 7:30PM

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk