

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:35 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Fyfe led the Pledge of Allegiance to the Flag, and roll call was taken.

**OPEN PUBLIC MEETING STATEMENT**

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

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

**ROLL CALL:**

Councilmember Cudequest	Councilmember LaMonica
Councilmember Curry	Councilmember Lane
Councilmember Ghassali	Councilmember Talarico

**Presentation: Erik Gundersen/Superintendent of Schools/Re: Student Resource Officer(SRO)**

SRO is a law enforcement officer; he would be present at the school and would also participate in driver's education; health programs like tobacco use, alcohol abuse and drug abuse; also as a counselor to students; it is the same police officer everyday dressed in plain clothes but carries a firearm; Board of Ed has sent aside \$35,000 in their budget for the cost;

**ORDINANCES:**

None.

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

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

**NO PUBLIC COMMENT**

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

January 29, 2013

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Lane - all ayes

**RESOLUTIONS:**

**49-2013 Extending Contract For Licensed C-2 Operator Service/Keith Durie**

**WHEREAS**, the Mayor and Council of the Borough of Montvale wishes to continue the Extraordinary Unspecifiable Service Contract awarded pursuant to NJSA 40A:11-5(1)(a)(ii) and (1)(b) of the Local Public Contract Law for the provisions of licensed C-2 Operator services for the sanitary sewer collection system pursuant to the requirements of the New Jersey Department of Environmental Protection to Keith Ira Durie, of 57 Conklin Avenue, Hillsdale, NJ as a Licensed C-2 Operator No. 0004339; and

**WHEREAS**, it is the desire of the Mayor and Borough Council to continue the contract for 12 continuous months, for the period January 1, 2013 through December 31, 2013; and

**WHEREAS**, the amount to be paid for this service is \$5,100.00 paid in twelve monthly payments; and;

**WHEREAS**, the Certified Municipal Finance Officer has certified funds are available, and it is the intent of the Mayor and Council to provide sufficient funds to cover the cost of this contract in the 2013 Municipal Budget.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be published in the newspaper defined as an official newspaper of the Borough of Montvale.

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes

**50-2013 Borough of Montvale Fire Department LOSAP Eligible' s**

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

**WHEREAS**, to be eligible for the annual \$1,150.00 stipend for 2012 paid in 2013, totaling \$26,450 for the Department, the Montvale Fire Department must meet certain criteria; and

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

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - All ayes

**51-2013 Resolution Appointing Registrar Of Vital Statistics**

**BE IT AND IT IS HEREBY RESOLVED** That the Borough of Montvale Board of Health does hereby appoint Cynthia Peterson, Technical Assistant as the **Registrar of Vital Statistics** for a one (1) year term, commencing January 1, 2013 and expiring December 31, 2013.

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

**52-2013 Awarding 1 year Contract Extension / Sanitary and Storm Sewer Repairs/Dutra Excavating & Sewer Inc.**

**WHEREAS**, the Mayor and Council of the Borough of Montvale awarded a contract after the competitive bidding process on January 25, 2011 via Resolution No. 49-2011 and a one year contract extension on January 31, 2013 via Resolution No. 45-2012 for Sanitary and Storm Sewer Repairs; and

**WHEREAS**, Dutra Excavating & Sewer, Inc. 10 Stone Hollow Road, Montvale, NJ 07645 has met all the conditions as stated for said sanitary and storm sewer repairs contract with the Borough of Montvale; and

**NOW, THEREFORE, BE IT RESOLVED**, the contract extension price shall be for a total amount of \$18,420.00, for a one year extension to commence on January 2013 and expire on December 31, 2013 as provided for in the original contract extension clause determined by the Borough and agreed to by the bidder; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the Mayor and Council does hereby award a contract to

Dutra Excavating & Sewer, Inc., 10 Stone Hollow Road, Montvale, NJ 07645 and said contract, General Construction and Emergency Repairs for the Sanitary and Storm Sewer repairs; and **BE IT FURTHER RESOLVED**, the Municipal Finance Officer certifies funds have been appropriated in the 2013 budget and said certification is attached to the original of this resolution.

Introduced by: Councilmember Lane; seconded by Councilmember LaMonica - All ayes

**53-2013 Authorizing Execution of Contract with the Bergen County Department of Health Services/Bloodborne Pathogen Compliance Program 2013**

**WHEREAS**, the Mayor and Council of the Borough of Montvale wishes to enter into a contract with the Bergen County Department of Health Services, 327 E. Ridgewood Avenue, Paramus, New Jersey 07652 to provide the mandated health services of a technical and professional nature for the Bloodborne Pathogen Compliance Program; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the professional service agreement for these services be and hereby are approved. This resolution shall take effect immediately upon passage.

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - All ayes

**54-2013 Tax Court Settlement / 20 Donnybrook Rd, Trudie Weiser / Block 1301; Lot 15**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Trudie Weiser (hereinafter the "Tax Appeal"), under Docket Number \_\_\_\_\_-2012 (not yet assigned), and;

**WHEREAS**, the aforesaid tax appeal concerns a residential property located at 40 Donnybrook Road, and is otherwise referred to as Block 1301 Lot 15 on the tax assessment map of the Borough (hereinafter the "subject property"), and;

**WHEREAS**, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel and the Borough Tax Assessor, and;

**WHEREAS**, the proposed Tax Appeal settlement would reduce the assessment of the subject property from \$897,600 to \$758,100 for the 2012 tax year, and;

**WHEREAS**, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the settlement of the aforesaid Tax Appeal be approved, per the terms set forth herein, and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Borough Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes

**55-2013 Resolution to Contract for Appraisal Services for Preparing an Appraisal Report for Tax Appeal Without Competitive Bidding**

**WHEREAS**, there exists a need for the services of an Appraiser to prepare appraisal reports for tax appeals for the following three properties which contains multi-tenanted office buildings, for their respective appeals spanning 3 to 4 years each;

- Block 2904/Lot 3 PRIM Montvale, LLC – 102 Chestnut Ridge Road
- Block 2002/Lot 12 PRIM Montvale, LLC – 3 Paragon Drive
- Block 2001/Lot 4 Realty Associates Iowa Corp. – 100 Paragon Drive

**WHEREAS**, the Borough Administrator has determined and certified in writing that the value of total services will not exceed \$13,500 and under such circumstances complies with the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Borough Clerk of the Borough of Montvale are hereby authorized and directed to execute the Contract with MCNERNEY & ASSOCIATES, INC.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Contract amount does not exceed the statutory bid threshold.
4. A Notice of this action shall be printed once in the local newspaper.

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes

**56-2013 Authorize Release of Escrow/Block 1405/Lot 4/21 Eagle Ridge/Baudisch**

**WHEREAS**, Property owner of Block 1405/Lot 4, requested a release in their cash escrow posted as part of the construction and soil movement permit Block 1405/Lot 4; and

**WHEREAS**, a completed inspection of the site has been conducted by Andrew Hipolit, Borough Engineer, and was deemed complete; and

**WHEREAS**, the Borough Engineer, Planner and Planning Board Attorney recommends the release of the cash escrow in the amount of \$5,599.10; and

**NOW THEREFORE BE IT FUTHER RESOLVED**, The Borough Treasurer receives a copy of this resolution for processing and Mr. Richard Baudisch of 21 Eagle Ridge Road, Montvale, NJ.

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - All ayes

**57-2013 Resolution Authorizing Two-Year Extension With Waste Management for Solid Waste and Recyclable Materials Collection and Disposal Services**

**WHEREAS**, in 2010, after duly advertising for and receiving public bids, the Borough of Montvale (the "Borough") entered into a contract with Waste Management of New Jersey (the "Contractor") to perform solid waste and recyclable materials collection and disposal services in the Borough for three (3) years; and

**WHEREAS**, said contract provided that the Borough and the Contractor were entitled to extend said contract for either one (1) two-year extension or two (2) one-year extensions, consistent with the provisions of the *Local Public Contracts Law, N.J.S.A. 40A:11-15*; and

**WHEREAS**, the Borough and the Contractor are desirous of extending the current contract for an additional two (2) years, pursuant to *N.J.S.A. 40A:11-15*; and

**WHEREAS**, said statute provides that such extensions must be exercised by Resolution of the Governing Body upon a finding that the services provided are being performed in an effective and efficient manner; and

**WHEREAS**, Robert Culvert, Superintendent of the DPW, has attested that the Contractor is in fact performing said services in an effective and efficient manner; and

**WHEREAS**, the unit prices for the disposal services (tipping fees) in the contract shall remain the same, the Contractor shall immediately assume collection responsibilities for one additional condominium complex in the Borough, the yearly prices for collection services shall be as set forth below, and all other terms and conditions shall remain substantially the same, pursuant to *N.J.S.A. 40A:11-15*; and

**WHEREAS**, the Chief Financial Officer has provided a certification of available funds for this contract. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council hereby authorize a two-year extension to the above contract as follows:

Waste Management of New Jersey	In the amount of:
77 Brookside Place	2013/14 - \$446,830.00 (Collection)
Hillsdale, New Jersey, 07642	2014/15 - \$463,234.00 (Collection)
	As per current contract for Disposal

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk hereby authorized to execute an amendment to the above-mentioned agreement in order to effectuate the provisions of this Resolution, subject to approval by the Borough Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes

**BILLS:** Municipal Clerk read the Bill Report.  
Motion to pay bills by Councilmember Cudequest; seconded by Councilmember Lane - All ayes

**REPORT OF REVENUE:** Municipal Clerk read the Report of Revenue

**COMMITTEE REPORTS:**

**Councilmember LaMonica**

**Chamber of Commerce**

Monthly meeting was held at Porterhouse; it was well attended; Mayor Fyfe, Hackensack Hospital and Lifetime Fitness were the key note speakers for the evening; Street Fair is scheduled for June 2<sup>nd</sup>; Fire Dept 100 Year celebration will be held June 8<sup>th</sup>; monthly meetings will be at chamber members establishments; Taste of Pascack Valley will be held March 27 – place yet to be determined

**Transit Imitative**

January meeting included the Dept of Human Services to discuss the transit shuttle;

**Historic Preservation**

St Paul’s fire door will be replaced;

**Seniors**

Dick Voorhees re-elected at President; Membership has been increasing; new activities are well attended; the seniors were invited to the local school drama productions;

Clean-up day is scheduled for April 20<sup>th</sup> joining Montvale this year will be Park Ridge and Woodcliff Lake from 9:30am-1pm – looking for volunteers;

**Councilmember Ghassali**

**Administration**

Next budget meeting is scheduled for Feb 26<sup>th</sup> – 6pm

**DPW**

Did a great job with snow storm – 3 trucks went down with mechanical trouble

**Councilmember Curry**

Local BOE

Had presentation on the IPAD initiative for the 8<sup>th</sup> graders; student count at Fieldstone is 512 and 570 at Memorial;

Recreation

Winter programs are up and running; Day in the Park will be schedule for the end of June;

Board of Health

Next meeting is scheduled for March 7th

Construction

An additional technical assistant was hired and is being brought up to speed on department procedures;

**Councilmember Cudequest**

Environmental Commission

February meeting has been cancelled

Planning Board

Two new projects; Amazing Grace Partners will be going into the old 7-11 one side will be an urgent care and the other a copy center; McLouie's will be an restaurant called 15 Grand American Bistro; Lifetime Fitness will be leasing some office space at 295 West Grand Ave;

Regional High School Board

Thanked the superintendent for his presentation of the SRO; new school board member took office February 4<sup>th</sup>;

**Councilmember Talarico**

Police

Monthly report included in original minutes

Tri-Boro

41 calls; 671 miles; 42.5 hours; 153 crew hours all by Montvale

**Councilmember Lane**

Fire Dept

15 Fires; 2 drills and 2 extra credits; Preparing for the 100 year celebration;

Finance

Budget meeting scheduled for February 26<sup>th</sup> at 6pm

**Mayor Fyfe**

Library

Monthly circulation 13,827; patron visits 6,905 and 23 new cards issued;

Opening of Hackensack Hospital in Westwood is scheduled for June 1st – all rooms will be private  
Lifetime Fitness is investing 60 million dollars the new facility; Montvale received a grant for \$450,000 for safe route to schools; The borough's website will now have a red banner for emergency alerts;  
School 2 is being delayed by COAH;

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Engineering Cost Estimate/Inspection Services/Akers Avenue Roadway Improvement Project  
Ready to have pre-construction meeting

b. Engineering Proposal/Memorial/LaTrenta Tennis Courts Improvements

Will bid the project in various stages ; Councilmember Curry asked what is the time frame to repair –  
Engineer stated summer time;

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

**No Report**

**UNFINISHED BUSINESS:**

a. Draft Ordinance for New Chapter Entitled Recreation/Councilmember Comments & Suggestions

Will carry it to next meeting

b. Review Recreational Program Fees/Field Use Fees

1. Letter from Field Use Coordinator

2. Draft Resolution Setting Forth Fees

The council decided they needed further information; this will be discussed at a later date;

**NEW BUSINESS:**

a. Additional Mayor Appointments / Recreation Committee

1. Dave & Johnna Duffy

2. Meredith Stewart

3. Tennis Advisor – Allan Goldberg

A motion to appoint by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

b. Department of Transportation/Safe Route To School Grant Funding/Spring Valley Rd.

Mayor already mentioned this in his report

c. Anonymous donation of \$15,000

Mayor mentioned that someone would like to donate \$15,000 towards recreation. He asked councilmembers to think about what to use it for;

**COMMUNICATION CORRESPONDENCE:**

None.

**MEETING OPEN TO THE PUBLIC:**

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

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

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

Jeff Balanco, 38 Woodland Road

Spoke about SRO – originally came about from Columbine; wanted clarification regarding commercial vehicles and the use of the recycle center; suggest the signs should be changed stating no commercial vehicles; He is part of the planning of the NY and NJ Fireman's Association 100 year celebration; a parade is scheduled for June 8<sup>th</sup> starting at the Pearl River Firehouse and ending at Memorial Drive; Encouraged volunteers for the fire dept -

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT** The next Meeting of the Mayor and Council will be held February 26, 2013 at 7:30 p.m. – Budget meeting begins at 6pm

Motion to adjourn by Councilmember Lane; seconded by Councilmember Cudequest - all ayes

Meeting was adjourned at 9:00pm

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**