

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:50pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:

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

Also present: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

Resolution No. 37a-2013 – Temporary Capital Budget Amendment

Prepared by CFO – Original include with minutes

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

ORDINANCES:

PUBLIC HEARING: ORDINANCE NO. 2013-1369 AN ORDINANCE TO AMEND ORDINANCE NO. 2012-1352 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 , STATE OF NEW JERSEY

BE IT ORDAINED BY the Mayor and Council of the Borough of Montvale as follows:

SECTION 1. Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

SECTION 2. The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

BOROUGH OF MONTVALE

JANUARY 29, 2013

Title		2013 Salary Range	
1.	Borough Administrator (PT)	\$40,000	- 50,000
2.	Chief Financial Officer (PT)	\$15,000	- 25,000
3.	Municipal Clerk	\$70,000	- 90,000
4.	Deputy Municipal Clerk (PT)	\$38,000	- 47,000
5.	Floater	\$35,000	- 39,000
6.	Tax Collector (PT)	\$50,000	- 60,000
7.	Tax Assessor	\$30,000	- 36,000
8.	Treasurer	\$65,000	- 80,000
9.	Accountant/Purchasing Agent	\$50,000	- 60,000
10.	Accounts Payable Clerk (PT)	\$20	- \$27/hour
Title		2013 Salary Range	
11.	Accounts Payable Clerk (FT)	\$43,000	- 50,000
12.	Superintendent Public Works	\$100,000	- 120,000
13.	Recycling Coordinator	\$7,000	- 10,000
14.	Road Department Employee	\$65,000	- 70,000
15.	Mechanic	\$75,000	- 85,000
16.	Seasonal Department of Public Works (PT)	\$15	- \$25/hour
17.	Land Use Administrator	\$50,000	- 75,000
18.	Land Use Administrator Special Meetings	\$35	- \$60/hour
19.	Board Secretary, Clerical/Recording	\$115	- 130
20.	Office Manager	\$4,000	- 7,000
21.	Registrar Vital Statistics	\$800	- \$1,200
22.	Construction Code Official	\$35,000	- 60,000
23.	Construction Code Official special inspections	\$50	- \$100/hour
24.	Building SubCode Official	\$35,000	- 60,000
25.	Building SubCode Official special inspections	\$28	- \$38/hour
26.	Zoning Officer	\$8,000	- 12,000
27.	Property Maintenance Officer	\$3,000	- 5,000
28.	Construction Dept. Control Person	\$44,000	- 58,000
29.	Construction Technical Support (PT)	\$18	- \$25/hour
30.	Plumbing SubCode Official	\$ 18,000	- 26,000
31.	Plumbing SubCode Official special inspections	\$25	- \$50/hour
32.	Fire SubCode Official	\$13,000	- 16,000
33.	Fire SubCode Official special inspections	\$25	- \$50/hour
34.	Electrical SubCode Official	\$18,000	- 26,000

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35.	Electrical SubCode Official special inspections	\$25 - \$50/hour
36.	Elevator SubCode Official	\$8,500 - 10,500
37.	Fire Prevention Official	\$10,000 - 15,000
38.	Fire Inspector/Sr. Fire Inspector	\$5,000 - 7,000
39.	Municipal Court Administrator	\$60,000 - 75,000
40.	Deputy Municipal Court Administrator	\$38,000 - 46,000
41.	Court Security	\$18 - \$25/hour
42.	Police Secretary	\$35,000 - 45,000
43.	Administrative Assistant	\$40,000 - \$48,000
44.	Admin. Asst./Receptionist/Secretary (PT)	\$15 - \$25/hour
45.	Emergency Mgmt. Coordinator	\$2,000 - 3,300
Title		2013 Salary Range
46.	Library Director	\$75,000 - 90,000
47.	Library – Youth Services Coordinator	\$28,000 - 52,000
48.	Library (PT)	\$13 - \$40/hour
49.	Library (PT) meetings	\$100 - \$200/mtg
50.	Facilities Manager/Custodian	\$42,000 - 68,000
51.	Custodian	\$40,000 - 47,000
52.	Director, Public Assistance	\$5,000 - 6,500
53.	Director of Recreation	\$20,000 - 29,000
54.	Dir. Of Recreation – Summer Stipend	\$5,000 - 8,000
55.	Van Drivers (PT)	\$17 - \$20/hour
56.	Station Manager (PT)	\$6,000 - 8,000

SECTION 3. The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

Title		2013 Salary Range
A.	<i>Municipal Judge</i>	\$25,000 - 40,000
B.	<i>Mayor</i>	\$6,990 - 10,000
C.	<i>Councilpersons (each)</i>	\$5,689 - 8,000

SECTION 4: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, whose compensation shall be on an annual basis, and payable semi-monthly, is hereby fixed and determined as follows:

BOROUGH OF MONTVALE

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Title		2013 Salary Range
A.	Chief	\$160,000 - 190,000
B.	Captain	\$140,000 - 160,000
C.	Lieutenant (Base Wage)	\$120,019 - 147,032
D.	Sergeants (Base Wage)	\$111,685 - 136,822
E.	Detective – Additional per year	\$2,100 -
F.	Juvenile Officer – Addt'l per year	\$400 -
G.	Asst. Juvenile Officer – Addt'l per year	\$350 -
H.	Special/Auxiliary Police	\$18/hour - \$23/hour
I.	School Cross Guard/Police Matrons	\$18/hour - \$23/hour

SECTION 4A: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, hired BEFORE January 1, 2005, whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each) Per Contract hired BEFORE January 1, 2005		
0-6 months	\$34,027	- 41,685
6 months – 1 year	\$44,235	- 54,191
1 – 2 years	\$54,446	- 66,700
2 – 3 years	\$64,655	- 79,207
3 – 4 years	\$74,862	- 91,711
4 – 5 years	\$85,070	- 104,217
5 – 6 years	\$95,277	- 116,721
6 – 7 years	\$103,232	- 126,467

SECTION 4B: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, hired AFTER January 1, 2005, whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each) Per Contract hired AFTER January 1, 2005		
0-6 months	\$34,027	- 41,685
6 months – 1 year	\$38,971	- 47,742
1 – 2 years	\$43,914	- 53,798
2 – 3 years	\$53,800	- 65,909
3 – 4 years	\$63,687	- 78,021

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4 – 5 years	\$73,573 - 90,132
5 – 6 years	\$83,459 - 102,243
6 – 7 years	\$93,346 - 114,356
7 – 8 years	\$103,232 - 126,467

SECTION 4C: In addition to the compensation stated above, Full Time Employees in Section 4, Categories “C”, “D”, Sections 4A and 4B shall be paid an annual longevity increment pursuant to the following schedule:

Years of Service	Officers Hired BEFORE January 1, 2006	Officers Hired AFTER January 1, 2006
After four (4) years	1%	-
After six (6) years	2%	-
After eight (8) years	3%	1%
After ten (10) years	4%	2%
After twelve (12) years	5%	3%
After fourteen (14) years	6%	4%
After sixteen (16) years	7%	5%
After eighteen (18) years	8%	6%
After twenty (20) years	-	7%
After twenty-two (22) years	-	8%
After twenty-three (23) years	9%	9%

SECTION 5. The annual rate of compensation of persons in the Road Department, payable semi-monthly, is hereby fixed and determined, as follows:

	2013	2014	2015
Labor Rate	65,484	67,449	69,472

SECTION 6. The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated “The Borough of Montvale Payroll Account” and “The Borough of Montvale Salary Account” and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants, salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

SECTION 7. This ordinance shall be operative as of January 1, 2013, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

SECTION 8. All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

SECTION 9. This ordinance shall take effect immediately upon publication in the manner provided by Law.

Ordinance No. **2013- 1369** was introduced for second reading by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only

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

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Cudequest; seconded by Councilmember Talarico - all ayes

Motion to adopt on Second and Final Reading in the Ridgewood News by Councilmember Lane; seconded by Councilmember Ghassali; Clerk read by title only ----- A roll call vote was taken --- all ayes

Engineer’s Report

Andrew Hipolit

Chestnut Ridge Road Widening / County of Bergen / Engineering Fees

County approached Montvale about the widening of Chestnut Ridge Road which will be funded by the county, but the municipality has to pay for police and engineering fees – County is asking for the borough to appropriate monies to show that Montvale wants to move forward with the project;

INTRODUCTION OF BOND ORDINANCE NO. 2013-1370 ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY REAPPROPRIATING \$150,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE PRELIMINARY PLANNING AND ENGINEERING EXPENSES RELATED TO THE COUNTY ROAD IMPROVEMENT AND WIDENING PROGRAM IN THE BOROUGH

(public hearing 2/26/13)

A motion to Introduce Ordinance **2013-1370** for first reading was made by Councilmember Curry; 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 Bergen Record; seconded by Councilmember Talarico - A roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2013-1371 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 42 OF THE CODE OF THE BOROUGH OF MONTVALE IN ORDER TO REVISE THE FEES CHARGEABLE FOR INSPECTIONS AND PERMITS
(public hearing 2/26/13)

A motion to Introduce Ordinance **2013-1371** for first reading was made by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Cudequest - A roll call was taken – all ayes

MINUTES:

January 8, 2013

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

RESOLUTIONS:

37-2013 Award Professional Service Contract/Prosecutor/Alternate Prosecutor/Public Defender/Alternate Public Defender/Pascack Joint Municipal Court

WHEREAS, the Pascack Joint Municipal Court has a need to contract for the services of various professionals to serve as the municipal prosecutor or alternate prosecutor, pursuant to N.J.S.A. 2B:25-1, et seq., and to serve as the municipal public defender or alternate public defender, pursuant to N.J.S.A. 2B:24-1, et seq.; and

WHEREAS, these services are being solicited under the non-fair and open procedures of N.J.S.A. 19:44A-20.4 and -20.5; and

WHEREAS, the Attorney General of the State of New Jersey has advised municipalities that without formal appointment of an alternate municipal prosecutors, the municipality and/or the prosecutor may lose immunity conferred by the New Jersey Municipal Tort Claims Act; and

WHEREAS, there are occasions when the appointed municipal public defender may have a conflict of interest, thus creating a need for an alternate public defender; and

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the following individuals to the positions set forth below:

Prosecutor: Christopher C. Botta, Esq.

Alternate Prosecutor: Patricia Speake-Martin, Esq.

Alternate Prosecutor: Natalia Angeli, Esq.

Public Defender: Gerald R. Salerno, Esq.

Alternate Public Defender: Robert Metzdorf, Esq.

WHEREAS, the salary of the Prosecutor shall be \$25,000, and the salary of the Public Defender shall be \$7,000; and

WHEREAS, said salaries shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

WHEREAS, any compensation to be paid to the Alternate Prosecutor and/or Alternate Public Defender shall be paid by the Prosecutor or Public Defender, as appropriate; and

WHEREAS, the term of these contracts shall commence on January 2, 2013, and shall continue for the remainder of the calendar year 2013; and

WHEREAS, the Certified Municipal Finance Officer has the availability of funds; and,

WHEREAS, all of the aforementioned professionals have completed and submitted a Business Entity Disclosure Certification which certifies that he/she has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit professionals from making any reportable contributions through the term of their contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale as follows:

1. These Contracts are awarded without competitive bidding as "Professional Services" 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.

2. The Business Disclosure Entity Certification and the Contracts, including the terms of compensation for each professional, shall be placed on file with this resolution.

3. A Notice of this action shall be printed once in the official newspaper of the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale confirm these appointments

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

38-2013 Authorizing Field License Agreement with the Montvale Board of Education

BE RESOLVED, the Board of Education and the Borough of Montvale are the owners of certain land which is devoted to recreational uses more particularly know as Memorial School Fields and Fieldstone School Fields; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Montvale that the attached Field License Agreement with the Montvale Board of Education has been reviewed by the Department of Public Works Superintendent and approved for execution; and

NOW THEREFORE BE IT RESOLVED, that Mayor be and are hereby authorized to execute the attached Agreement which includes the Maintenance of Fields on behalf of the Borough of Montvale.

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

Councilmember Curry suggested the possibility of adding signs to encourage trash removal. The signs can read something like "carry in – carry out"

**39-2013 Authorize Contract Extension to Rapid Pump & Meter Service Co., Inc /
Emergency Repairs to Sanitary Sewer Pump Station**

WHEREAS, on July 12, 2011 via Resolution No. 137-2011 the Borough awarded a contract for various emergency repairs to the Borough's Sanitary Sewer Pump Stations; and

WHEREAS, when such emergencies arise, the imminent threat to the health, safety and welfare of the public typically renders full public bidding impracticable; and

WHEREAS, bids for said contract were solicited and awarded based upon a fixed, ten percent (10%) markup for parts, and a bidder-specified percentage mark-up to the "prevailing wage" required to be paid to individuals performing work on a public building; and

WHEREAS, one bid was received on June 15, 2011 from Rapid Pump & Meter Service Co., Inc., in the markup amount of sixty-eight percent (68%); and

WHEREAS, the total amount of such contract in the aggregate in any given year may or may not exceed the bid threshold, depending on the number and nature of such emergencies; and

WHEREAS, the Borough soliciting bids for an open-ended contract for all such emergency work that may be needed for the sanitary sewer pump stations, to allow full public bidding for these services in advance of the need for such services pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.* and *N.J.A.C. 5:30-11.10*; and

WHEREAS, said open-ended contract provides no guarantee no minimum order or contract amount to the successful bidder; and

WHEREAS, the Superintendent of the Department of Public Works does hereby request the extension of said contract; and

WHEREAS, each occurrence order for Sanitary Sewer Pump Station repair services pursuant to this contract, the Superintendent shall complete the form attached to this resolution entitled Certification of Request For Emergency Purchase in addition the Municipal Finance Officer shall certify that funds have been appropriated and said certification will be attached to the relevant purchase order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, a one-year contract EXTENSION shall be awarded to Rapid Pump & Meter Service Co., Inc., consistent with its bid and *N.J.A.C. 5:30-11.10*, at a mutual decision of the Borough of Montvale and the contractor; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract to be prepared by the Borough Attorney.

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

40-2013 Award County Contract / Bituminous Concrete, Sand & Stone

WHEREAS, the Borough of Montvale is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP Bid #11-31.1); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #12-26 by Resolution No. 1077-12 to Stone Industries, Inc; Morris Asphalt Co., Inc.; Tilcon New York Inc.; and Campbell Foundry this contract was awarded through the open competitive bidding process and in accordance with *N.J.S.A. 40a:11 et seq.*, Local Public Contracts Law; and

WHEREAS, the contract period is August 13, 2012 through August 12, 2013; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Montvale purchase Bituminous concrete, sand and stone through the Bergen County Cooperative Pricing in an amount not to exceed \$95,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby authorizes the purchase of Bituminous concrete, sand and stone in the amount not to exceed \$95,000 through the Bergen County Cooperative Pricing contract.

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

41-2013 Award County Contract / Atlantic Salt Inc. / Rock Salt for Roadways

WHEREAS, the Borough of Montvale needs to purchase rock salt; and

WHEREAS, the Borough of Montvale is a member of the Bergen County Cooperative Pricing System (state ID #11-BeCCP Bid #11-74); and

WHEREAS, the Bergen County Cooperative Pricing System has awarded contract #12-50 by Resolution No. 1241-12 to Atlantic Salt Inc. 134 Middle Street, Suite 210, Lowell, MA 01852

this contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the contract period is October 1, 2012 through September 30, 2013; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Montvale purchase rock salt through the Bergen County Cooperative Pricing in an amount not to exceed \$115,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby authorizes the purchase of rock salt in the amount not to exceed \$115,000 through the Bergen County Cooperative Pricing contract

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

42-2013 A Resolution Adopting new Rules and Regulations for the Borough of Montvale Police Department

WHEREAS, the Borough of Montvale Police Department has been undergoing an accreditation process 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 new 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 attached hereto are hereby adopted and shall be effective immediately.

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

43-2013 Tax Court Settlement / Block 2411, Lot 27 / 26 Fairview Ave / Irene Beattie

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

WHEREAS, the aforesaid tax appeal concerns a residential property located at 26 Fairview Avenue, and is otherwise referred to as Block 2411 Lot 27 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 \$565,000 to \$463,800 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 Cudequest; seconded by Councilmember Curry - All ayes
Councilmember Lane abstained

44-2013 Resolution Authorizing Adoption Of Complete Streets Policy

WHEREAS, the Borough of Montvale recognizes the need to accommodate all modes of travel on Borough streets, including pedestrians, bicyclists, motorists and public transit users; and

WHEREAS, the Borough of Montvale seeks to meet the transportation needs of all its citizens by providing road networks that are safer, healthier, more livable and welcoming to everyone, regardless of age and ability; and

WHEREAS, the Borough of Montvale defines Complete Streets as roadways designed and operated to enable safe, attractive, and comfortable access and travel for all users, including pedestrians, bicyclists, motorists and public transport users of all ages and abilities; and

WHEREAS, Complete Streets are typically designed to include wider sidewalks, pedestrian intersection treatments, bicycle facilities, enhanced landscaping, and transit accommodations so that users are able to safely and comfortably move along and across a complete street.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Montvale that the Borough Council hereby establishes a Complete Streets Policy, which directs Township staff to accommodate all modes of travel, including pedestrians, cyclists and transit riders, to the highest degree possible when redesigning the public right-of-way or during the review of a land use application that affects the public right-of-way.

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - All ayes
Councilmember Curry asked for clarification;

45-2013 Authorize person to person transfer liquor license from the Waterfall Inc. – The Porterhouse to Monaghan Restaurant, LLC trading name “Brady’s At The Border”

WHEREAS, an application has been filed for a Person-to Person Transfer of Plenary Retail Consumption License Number 0236-33-005-008, heretofore issued to The Waterfall Inc., 125 North Kinderkamack Road, Montvale, New Jersey 07645;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term 2012-2013;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed to the Montvale Police Department which reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Montvale does hereby approve, effective January 29, 2013, the transfer of the aforesaid Plenary Retail Consumption License to Monaghan Restaurant, LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, and is hereby transferred to Monahan Restaurant, LLC, trading as Brady At the Border effective January 29, 2013.

Introduced by: Councilmember _____ ; seconded by Councilmember _____ - All ayes

THIS RESOLUTION HAS BEEN PULLED

46-2013 A Resolution Authorizing Action On The Pol/Epl Premium Options Offered Through XI Insurance Company And The Joint Insurance Fund (Jif)

WHEREAS, the Borough of Montvale (hereinafter, the Borough) is a member of the Bergen County Municipal Joint Insurance Fund (hereinafter, the JIF) for all Property and Casualty coverages (including but not limited to Property, General Liability, Inland Marine and Workers Compensation) and more specifically, Public Officials Liability and Employment Practices Liability (hereinafter, POL/EPL) coverage; and

WHEREAS, the POL/EPL coverage is provided by XL Insurance Company, through a separate insurance contract held by the JIF on behalf of its member municipalities; and

WHEREAS, the 2013 renewal program offered by XL Insurance Company allows for various options to change both deductibles and co-insurance, at an additional premium; and

WHEREAS, the Municipal Risk Management Consultant (hereinafter, the RMC) has performed due diligence in reviewing the options and provided a recommendation for consideration during a recent public meeting of the Governing Body; and

WHEREAS, the Governing Body, after reviewing and discussing the options presented and recognizing the timeframe for action does hereby agree to take action.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, the Borough Administrator and RMC are hereby authorized and directed to effectuate the following option:

\$20,000 Deductible with a 20% Co-Insurance of the 1st \$100,000. of claim

As stated in the Memorandum issued by the JIF Underwriting Manager and made a part of this Resolution, for a **January 1, 2013** effective date; and

BE IT FURTHER RESOLVED, the Borough Administrator is hereby authorized to execute the applicable document(s) to effectuate this coverage option; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Borough.

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

47-2013 A Resolution Awarding a Contract to Reivax Contracting Corp. for the Akers Avenue Roadway Improvement Project

WHEREAS, the Borough of Montvale has a need for services in connection with the Akers Avenue Roadway Improvement Project; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1*, et seq., the Borough of Montvale did publicly solicit bids for said project under the title "Akers Avenue Roadway Improvement Project" with bids due in January 2013; and

WHEREAS, said solicitation requested bids for a Base Bid plus Alternate A; and

WHEREAS, in response to said solicitation, numerous bids were received; and

WHEREAS, the Mayor and Council, in consultation with the Borough Engineer have determined that sufficient funds are available to perform the work included in Base Bid plus Alternate A; and

WHEREAS, the lowest bid for the Base Bid plus Alternate A was submitted by Reivax Contracting Corp., maintaining offices at 356 Thomas Street, Newark, New Jersey, in the amount of \$162,223.20; and

WHEREAS, said bid was within the funds allocated for this project and within the Engineer's estimate for this work; and

WHEREAS, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that a contract for the above-referenced project shall be awarded as follows:

Bidder

Reivax Contracting Corp.
356 Thomas Street
Newark, New Jersey 07114

In the amount of:

Base Bid: \$154,223.20
Alternate A: \$8,000.00
TOTAL \$162,223.20

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes
Councilmember Cudequest asked for clarification as to what part of Akers Ave and when will it start; the engineer stated from Grand Avenue to the bend, possible start date early March.

48-2013 A Resolution Awarding a Contract to Dakota Excavating Contractors for the Fieldstone School Athletic Field Clay Infield Removal/Synthetic Turf Replacement

WHEREAS, the Borough of Montvale has a need for services in connection with the Fieldstone School Athletic Field Clay Infield Removal/Synthetic Turf Replacement Project; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1*, et seq., the Borough of Montvale did publicly solicit bids for said project under the title "Fieldstone School Athletic Field Clay Infield Removal/Synthetic Turf Replacement" with bids due in January 2013; and

WHEREAS, said solicitation requested bids for a Base Bid only; and

WHEREAS, in response to said solicitation, five (5) bids were received; and

WHEREAS, the Mayor and Council, in consultation with the Borough Engineer have determined that sufficient funds are available to perform the work included in Base Bid; and

WHEREAS, the lowest bid for the Base Bid was submitted by Dakota Excavating Contractors maintaining offices at 481 Hackensack Avenue, Suite 2B, Hackensack, New Jersey, in the amount of \$97,400.00; and

WHEREAS, said bid was within the funds allocated for this project and within the Engineer's estimate for this work; and

WHEREAS, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that a contract for the above-referenced project shall be awarded as follows:

Bidder

Dakota Excavating Contractors
481 Hackensack Avenue, Suite 2B
Hackensack, New Jersey 07601

In the amount of:

TOTAL: \$97,400.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney.

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

BILLS: Municipal Clerk read the Bill Report

Motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico - All ayes
Councilmember Cudequest abstained on bill #00502

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Hurricane Irene / Pascack Brook Update

Received a letter stating FEMA would fund \$200,769 to repair gabion wall; FEMA stated monies are no longer available; next step is to talk to OEM coordinator to see how to proceed.

b. Tennis Courts / Update

Grant awarded was \$31,135, borough has to match total approximately \$62,000; the bid spec could state crack repair at Latrenta and then add alternate repairs for Memorial; would like authorization to submit specs to go to bid; Council gave authorization to submit specs;

Councilmember Curry mentioned about a crosswalk missing by Grand Ave and Middletown Road
Councilmember LaMonica asked for clarification about save routes to school;

ATTORNEY REPORT:

Phillip Boggia, Esq.

Report/Update

a. Update Status / Waste Management Contract

Expires in July and currently in negotiations; will include Four Seasons Lane

UNFINISHED BUSINESS:

a. Bloodborne Pathogen Proposals

1) County of Bergen/Department of Health Services

2) Northwest Bergen Regional Health Commission

After review of both proposals, it was recommended to stay with the County

Councilmember Cudequest asked for a clarification about the traffic light on Brea Blvd

NEW BUSINESS:

a. Proposed Draft Ordinance For a New Chapter Entitled Recreation

Council will review the draft;

Councilmember Cudequest asked about the entrance at the municipal complex off of Mercedes Drive, the arrows are for both in and out; Councilmember Talarico will speak the Police Chief;

The borough received \$71,385 for Cablevision franchise fees and for Verizon \$37,313

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

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

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

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember LaMonica – all ayes

Georgianna Hutter, 511 Four Seasons Lane

Was happy to hear Waste Management will consider picking up garbage at Four Seasons Lane;

Linda Bondgardino, 14 Ellsworth Terrace

Wanted status of zone change;

A motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Talarico – all ayes

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

ADJOURNMENT

Meeting adjourned at 9:00pm

The next Meeting of the Mayor and Council will be held February 12, 2013 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk