

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:30 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/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also Present: Borough Attorney, Phil Boggia, Administrator/Municipal Clerk, Maureen Iarossi-Alwan;

ROLL CALL:

Councilmember Cudequest – Resigned	Councilmember LaMonica - Absent
Councilmember Curry	Councilmember Lane
Councilmember Ghassali	Councilmember Talarico

Councilmember Cudequest resigned effective immediately due to family circumstances. Councilmember Cudequest term will expire 12/31/2015.

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

December 30, 2014

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Ghassali
– all ayes

Sine Die January 5, 2015

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Talarico
– all ayes

Re-Organization Meeting January 5, 2015

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Talarico
– all ayes

20-2015 Award Professional Service Contract/Records Management/Narita Maraj, LLC

WHEREAS, the Borough of Montvale is in need to hire a Records Management Service as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, it is the desire of the Mayor and Borough Council to award a professional service contract to Narita Maraj, LLC, 57 Belgrove Drive, Kearny, NJ 07032, for the management of the Borough of Montvale's Records; and

WHEREAS, The State of New Jersey mandates a local records management program for all municipalities; and

WHEREAS, The Records Management Services and the Open Public Records Act (OPRA) has mandated the process of records management required by the State of New Jersey and the Records Management Services (R.M.S.); and

WHEREAS, the contract is hereby awarded in an amount not to exceed \$10,920.00; and

WHEREAS, any expenditures exceeding \$10,920.00 must be approved by Mayor and Council by resolution; and

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

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

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

1. 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 the services are to be performed are specific in nature, required by law to maintain, legal disposal and appropriate preservation of public records .

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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

21-2015 Award Professional Service Contract/Borough Attorney / Boggia & Boggia

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Boggia & Boggia, 71 Mt. Vernon Street, Ridgefield Park, NJ 07660 were appointed at the Re-organization Meeting of the Governing Body on January 5, 2015; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Philip Boggia, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 Philip Boggia, Esq. from making any reportable contributions through the term of the contract; 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 Mayor and Council of the Borough of Montvale as follows:

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Boggia & Boggia.

BOROUGH OF MONTVALE

JANUARY 13, 2015

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 Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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

22-2015 Award Professional Service Contract/Borough Auditor / Lerch, Vinci & Higgins

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 5, 2015; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract; 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 Mayor and Council of the Borough of Montvale as follows:

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Lerch, Vinci & Higgins

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 Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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

23-2015 Award Professional Service Contract/Borough Engineer / Maser Consulting

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting P.A., 200 Valley Road, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 5, 2015; and

WHEREAS, Andrew R. Hipolit, shall be designated as Principal In Charge for all services provided to the Borough of Montvale, and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Maser Consulting, has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 Maser Consulting from making any reportable contributions through the term of the contract; 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 Mayor and Council of the Borough of Montvale as follows:

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Maser Consulting.

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 Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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

24-2015 Award Professional Service Contract/Borough Planner / Darlene Green

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting, P.A. was appointed at the Re-Organization Meeting of the Governing Body on January 5, 2015; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Darlene Green, P.P., AICP/Associate/Senior Project Planner of Maser Consulting, P.A., Perryville III Corporate Park, 53 Frontage Road, Suite 120, Clinton, NJ 08809 for planning services for the Borough for this period; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Maser Consulting, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 Maser Consulting, P.A. from making any reportable contributions through the term of the contract; 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;

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

1. 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.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
3. A Notice of this action shall be printed once in the official newspaper of the Borough.

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

25-2015 Awarding Extended Service Contract / Agreement Tri-State Technical Services / Computers & Peripherals

WHEREAS, the Borough of Montvale requires professional computer services and an extended service agreement for the computers and peripherals for the period January 1, 2015 through December 31, 2015; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding.

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

That a contract for professional computer services for an Service Agreement for Computers and Peripherals proposal which is attached and made part of this resolution be awarded to Tri-State Technical Computer Services, Inc., of 442 Lafayette Avenue, Hawthorne, New Jersey 07506 in the amount of \$7,954.00 for the period January 1, 2015 through December 31, 2015, as described in the Service Agreement;

WHEREAS, the Certified Municipal Finance Officer has provided funds to be available subject to the adoption of the year 2015 Municipal Budget; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in The Ridgewood News, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

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

26-2015 Appointment Risk Management Consultant / Professional Insurance Associates(PIA)

WHEREAS, the Borough Of Montvale (hereinafter, the Municipality) is a member of the **Bergen County Municipal Joint Insurance Fund (BCMJIF)** and the **Municipal Excess Liability Joint Insurance Fund (MEL)** collectively referred to as, the Funds, for property and casualty coverage's, which include property, general liability, crime, environmental, employee benefits liability, excess liability and workers compensation; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a RISK MANAGEMENT CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Insurance Program and Loss Control efforts; and

WHEREAS, the Board of Fund Commissioners for the BCMJIF established a fee for such services equal to six percent (6%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc.** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Risk Management Consultant's Agreement and to cause a notice of this decision to be published in accordance with NJSA 40A:11-5 (1) (a) (i).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, Carlstadt, New Jersey 07072.

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

27-2015 Appointing Health Benefits Consultant BMED / Professional Insurance Associates (PIA)

WHEREAS, the **BOROUGH OF MONTVALE** (hereinafter, the Municipality) is a member of the **Bergen Municipal Employee Benefits Fund (BMED)** and the **Municipal Reinsurance Health Insurance Fund (MRHIF)** collectively referred to as, the Funds, for the Borough's Employee Health Benefits Program, which includes medical, prescription and dental coverage's; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a **HEALTH BENEFITS CONSULTANT** to perform the various functions and professional services integral to the effective operation of the Municipality's Employee Health Benefits Program; and

WHEREAS, the Board of Fund Commissioners for the BMED established a fee for such services equal to two and one-half percent (2.5%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Health Benefits Consulting duties and the fact the service will be performed by personnel authorized by law to practice a recognized profession that is regulated by law, renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **PIA Security Programs Inc.** as its Health Benefits Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that in accordance with past practice, the **HEALTH BENEFITS CONSULTANT** shall receive as compensation, one –percent (1%) of the Municipality's assessment, paid by the Fund, in accordance with the policies and procedures; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Health Benefits Consultant's Agreement and to cause a notice of this decision to be published in accordance with NJSA 40A:11-5 (1) (a) (i).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to PIA Security Programs, Inc., 429 Hackensack Street, Carlstadt, New Jersey 07072.

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

28-2015 Award Professional Service Contract / Website / Danori, LLC

WHEREAS, the Borough of Montvale has a need to acquire website improvements as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, it is the desire of the Mayor and Borough Council to award a professional service contract to Danori, LLC, 31 West Lincoln Street, Verona, NJ 07044, for improvements to the Borough's website in the amount not to exceed \$7,500; and

WHEREAS, any expenditures exceeding \$7,500 must be approved by Mayor and Council by resolution; and

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

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

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

1. 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.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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

29-2015 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 6, 2014, and shall continue for the remainder of the calendar year 2014; 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 Lane ; seconded by Councilmember Talarico - All ayes

30-2015 Awarding Contract Tyco Animal Control

WHEREAS, the Board of Health of the Borough of Montvale has received a proposal from Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ.

WHEREAS, said proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this contract with Tyco Animal Control Service based upon prior services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2015 Budget for this contract, Other Expense Portion of the Animal Control Services Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Animal Control Services for 2015 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2015, copy of which is attached to this resolution for the base amount of \$9,300.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal.

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

31-2015 Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale/Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the

Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, which is hereto attached to the original of this resolution; and

WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor Roger A. Fyfe and Borough Clerk/Administrator Maureen Iarossi-Alwan be and are hereby authorized to execute the Contract on behalf of the Borough.

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

32-2015 A Resolution Directing a Stay on Enforcement of Borough Code Section 128-7.1(O) and Requesting that the Borough Planner and the Planning Board Engage in a Review of this Section of the Code and Other Related Code Sections

WHEREAS, Section 128-7.1(O) of the Borough of Montvale Code prohibits the parking of all non-passenger vehicles in parking lots in non-residential districts between the hours of 11:00 p.m. and 5:00 a.m., with the exception of vehicles screened from view pursuant to an approved site plan; and

WHEREAS, it has come to the attention of the Council that this provision, as written, would prohibit commercial establishments from parking their own commercial vehicles in their own parking lots overnight in many instances or even during hours that such establishments are open; and

WHEREAS, it has also come to the attention of the Council that the interpretation of this provision as it relates to a prohibition on certain signage in non-residential districts may also be creating confusion and unintended consequences for commercial establishments and Borough officials charged with enforcement of such provisions; and

WHEREAS, the Borough Council recognizes that this may constitute a hardship upon certain businesses which was never the intent of the Borough; and

WHEREAS, the Borough Council is therefore desirous of reviewing the efficacy of these provisions and the impact that they may have on restaurants and other commercial establishments in the Borough, as well as the impact that related provisions of the Borough Code related to signage may have upon such establishments.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Officer and all other officials are hereby directed to stay enforcement of Section 128-7.1(O) of the Borough Code pending further notification from the Borough Council, except that the ban on commercial repair work or service may continue to be enforced; and

BE IT FURTHER RESOLVED that the Mayor and Borough Council hereby request that the Borough Planner and Planning Board conduct a thorough and comprehensive review of Section 128-7.1(O) of the Borough Code and of all other provisions of the Borough Code related to signage and to study the impact that such regulations may have on commercial establishments in the Borough; and

BE IT FURTHER RESOLVED that that Mayor and Borough Council further request that the Planner and Planning Board jointly prepare a report with recommendations concerning proposed amendments to the Borough Code consistent with the intent of this Resolution.

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

33-2015 Refund of Tax Overpayment/Block 3003/Lot 3/10 Garden Lane

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 10 Garden Lane, also known as Block 3003 Lot 3; and **WHEREAS**, the above referenced property was incorrectly assessed for the year 2014 and was charge additional property taxes in error in the amount of \$4,785.11; and **NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund Mr. and Mrs. Anthony Paxinopoulos in the amount of \$4,785.11.

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Lane

Fire Dept

283 Fire calls for the year 2014; thanked the department for decorating center of town; would like to further discuss the purchase of a new fire truck which would cost approximately \$724,000;

Councilmember Ghassali

Sadden to see Councilmember Cudequest resign

Planning Board

John DePinto was appointed Chairman and Frank Stefanelli as Vice Chairman; next meeting is January 20th;

Regional High School Board

A couple resignations from various personnel all effective June 2015;

Environmental Commission

January meeting has been cancelled; next meeting is February 9th

TVAccess

Two new technicians were hired, Peter George and James Russo; volunteers will be Jason Gunk and Susan Ruttenberg; thanked Bill Lagno for his service.

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 36 calls; 599 miles; 40 hours; 15 crew hours

Councilmember Curry

Local Board of Education

Thank Muareen Noonan for her 7 years as BOEd President and congratulations to Scott Rossig as new President

Board of Health

Non-smoking in public parks ordinance was adopted; Joyce Cohen was elected President and Monica Danna as Vice President; thanked Theresa Cudequest for her support and for her encouragement toward her decision to run for councilmember; also her work for the borough has been exemplary;

MAYOR

Wished Theresa Cudequest all the best.

Library

Circulation 10,610; 5,016 patron visits; 14 library cards issued;

Would like to thanked Bill Lagno for his service to TVaccess

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Phil Boggia, Esq.

Report/Update

As a result of Councilmember Cudequest's resignation, the vacancy will be filled by appointment. The Montvale Republication Committee will submit three nominees for the councils' consideration

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a. Mayor's Formal Appointment/Finance Committee Members/As per NJ State Checklist/State Aid
Mayor Fyfe appointed Councilmember Lane, Councilmember Ghassali and Administrator Maureen Iarossi-Alwan

COMMUNICATION CORRESPONDENCE:

In regards to the ERUV on the boarder of New York and Montvale; trying to contact Rockland Electric for further information

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 Ghassali - all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Talarico - all ayes

Meeting was adjourned at 8:00pm

The next Meeting of the Mayor and Council will be held January 27, 2015 at 7:30 p.m.

Budget Meeting is scheduled for January 27th at 6PM

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk