

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:34 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: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo;

ROLL CALL:

Councilmember Curry - absent	Councilmember LaMonica
Councilmember Ghassali	Councilmember Lane – via phone
Councilmember Koelling	Councilmember Talarico

Police Commissioner Talarico announced the recommendations of promotions to Sergeant and Lieutenant. For Sergeant the recommendation is Officer Foley – a motion by Councilmember Ghassali; seconded by Councilmember Talarico - a roll call vote was taken – all ayes

Recommendation for Lieutenant is Sergeant McDowell – a motion by Councilmember Talarico; seconded by Councilmember LaMonica – a roll call vote was taken – all ayes with the exception of Councilmember Ghassali abstaining.

The appeal process is until March 24, 2015 and the swearing in will be on April 14th.

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2015- 1398 AN ORDINANCE TO AMEND ORDINANCE NO. 2014-1384 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY
(public hearing 3/31/15)

A motion to Introduce Ordinance **2015-1398** for first reading was made by Councilmember LaMonica; seconded by Councilmember Ghassali; 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 Ghassali - A roll call was taken – all ayes

INTRODUCTION OF ORDINANCE NO. 2015-1399 CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (public hearing 4/14/15)

A motion to Introduce Ordinance **2015-1399** for first reading was made by Councilmember LaMonica seconded by Councilmember Ghassali; 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 Ghassali - A roll call was taken – all ayes

INTRODUCTION 2015 MUNICIPAL BUDGET: Resolution No. 46A-2015

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Montvale, Bergen County, New Jersey for the year 2015.

BE IT FURTHER RESOLVED, that the said Budget be published in The Bergen Record in the issue of March 24, 2015 and that a hearing on the Budget will be held at the Borough Hall Council Chambers on April 14, 2015 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

This resolution was adopted by the Mayor and Council of the Borough of Montvale at a meeting held on March 10, 2015.

Introduced by: Councilmember Ghassali; seconded by Councilmember Lane - a roll call was taken - All ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

February 24, 2015

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

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$9,000.00 (premium) and \$1,220.00 (foreclosure fees) for a total amount of \$10,220.00 to the aforementioned lien holder.

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

49-2105 Award Professional Service Contract/Engineering Services/Design/Pascack Brook/Sanitary Sewer Extension Project/Maser Consulting

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional engineering services for the design of the Pascack Brook Sanitary Sewer Extension Project; and

WHEREAS, the proposed sanitary sewer extension is to be constructed to replace the existing sanitary sewer main that crosses the Pascack Brook.

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; and

WHEREAS, Maser Consulting, Inc. 200 Valley Road, Suite 306, Mt. Arlington, NJ 07856 has submitted a proposal and detailed scope of services into phases for the project dated February 19, 2015 which is attached to this resolution; and

WHEREAS, the cost not to exceed \$50,000.00 for the engineering services; and

WHEREAS, the Certified Municipal Finance Officer certifies funds are available said certification is hereto attached to the original of this resolution; and.

BE IT FURTHER RESOLVED a copy of this resolution shall be published in an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

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

50-2015 Preliminary Authorization/Montvale Fire House

WHEREAS, the Mayor and Council of the Borough of Montvale hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking. The purpose of these preliminary costs is for professional services, including but not limited to, architectural design services in connection with the construction of a firehouse and that the amount to be charged is for a purpose for which bonds may be issued under Chapter 2 of Title 40A.

NOW THEREFORE, BE IT RESOLVED that the amount appropriated for preliminary costs shall not exceed \$300,000.00 and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses from the Capital Improvement Fund of the General Capital Fund.

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

51-2015 Resolution Awarding Contract to Robbie Conley Architect, LLC For Professional Services Related to the Design Development, Preparation of Construction Documents, Bidding and Negotiations, and Contract Administration for the Construction of a New Montvale Fire House

WHEREAS, the Borough of Montvale has a need for and requires the professional services of an architect to provide professional architectural services including design development, preparation of construction documents, bidding and negotiations, and contract administration in connection with a construction project for a New Montvale Fire House; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, said professional services are exempt from public bidding under the *Local Public Contracts Law*; and

WHEREAS, Robbie Conley Architect, LLC (“Conley”) has submitted a proposal for this work dated February 26, 2015, a copy of which is attached hereto; and

WHEREAS, the Borough is desirous of awarding this contract to Conley in accordance with the terms set forth in said revised proposal, subject to approval and execution of a formal contract acceptable to the Borough; and

WHEREAS, because the value of this contract is anticipated to be in excess of \$15,000, this contract has been awarded under the “alternative process” pursuant to N.J.S.A. 19:44A-20.4 et seq. (the “Pay-to-Play Law”), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and

WHEREAS, because this contract has been awarded under the “alternative process,” Conley has completed and submitted a Business Entity Disclosure Certification which certifies that Conley has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit Conley from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the *Local Public Contracts Law*, N.J.S.A. 40A:11-5, requires the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, public notice of this contract award shall be published in the official newspaper of the Borough in accordance with applicable law; 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 professional services contract for architectural services including design development, preparation of construction documents, bidding and negotiations, and contract administration in connection with a construction project for a New Montvale Fire House is hereby awarded as follows:

Contractor:

Robbie Conley Architect, LLC
596 Glassboro Road
Woodbury Heights, New Jersey 08097

In the amount of:

Design Development	\$58,400.00
Preparation of Construction Documents	\$116,800.00
Assist with Bidding and Negotiations	\$14,600.00
Contract (Construction) Administration	\$58,400.00

TOTAL	\$248,200.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute a contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with N.J.S.A. 40A:11-5.

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

52-2015 Resolution to Confirm Endorsement of Community Development Projects

WHEREAS, a Bergen County HOME Investment Partnerships application of \$800,000 has been proposed by Madeline Corporation for The Montvale Senior Housing in the municipality of The Borough of Montvale, and

WHEREAS, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the Mayor and Council, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Montvale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid HOME application,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale hereby confirm endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Ghassali; seconded by Councilmember Talarico - All ayes
Councilmember Ghassali asked for clarification on the geese control contract

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember LaMonica

Chamber of Commerce

Street Fair will be June 7th; town clean up day is scheduled for Saturday, April 18 - 8:30-12:30

A new bank in town, behind Da Beaute, First Commerce Bank

Tri-boro shuttle will cease its service at the end of March -

Councilmember Ghassali

Planning Board

March 3rd meeting was cancelled due to weather

Regional High School Board

A large amount of parents attended a recent meeting with concerns regarding traffic with drop off and pick up at the high school; possible solution was to fund a private school bus;

Councilmember Lane

Fire Dept

21 calls in February; firehouse committee met , the next step will be to discuss financial options

If you have a fire hydrant on or near your property, please clear away the snow.

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 28 calls; 349 miles; 23 hours; 65 crew hours

Local Public Assistance

Please consider dry goods to donate – the bin is located by library

MAYOR

Library

Circulation 9,927; 4,796 patron visits; 16 library cards issued;

The decision by Superior Court was received regarding the DePiero's property, it was dismissed;

The Supreme Court ruled about the rules and regulations on Council on Affordable Housing (COAH)
The borough will have to keep an eye on any further developments of the ruling;

Cathy Flagg, member of the Board of Health, passed away last week; thanked Cathy for all her years of service to the borough.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. 2015 Road Improvement Program

The engineer will have list of roads for next meeting

- b. Bergen County Cooperative Curb Ramp Program Award/Changes From Prior Bergen County Award

53-2015 Resolution Amending Resolution 71-2014 Award Professional Service Contract/Bergen County Cooperative Curb Ramp Program/Concrete Construction Corporation

WHEREAS, the County of Bergen established a Cooperative Program to improve Curb Ramps throughout Bergen County for selected roadways in each municipality; and

WHEREAS, the County of Bergen publicly bid the project and awarded it to Concrete Construction Corporation, 24 Pink Street, P.O. Box 4063, South Hackensack, New Jersey 07601; and

WHEREAS, the cost to Bergen County for the construction of the project is \$337,354.95 which is based on 91 locations within the Borough which have been approved by Bergen County; and

WHEREAS, Montvale will be reimbursed the initial 50% of construction cost upfront upon this award to Concrete Construction. Final amount of reimbursement will be based on final as-built quantities of work approved by Bergen County. Attached to the original of this resolution is Bergen County Resolution No. 1460-14; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale award a contract to Concrete Construction Corporation for the Bergen County Cooperative Curb Ramp Program for an amount not to exceed \$337,354.95

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

Councilmember Ghassali mentioned that a while back he noticed a crack in the wall of the DPW building and wanted to know if Mr. Hipolit can take a look at it.

Mayor Fyfe mentioned he would like to appoint Councilmember Koelling to be the liaison for TVAccess – a motion by Councilmember Ghassali; seconded by Councilmember Talarico – all ayes

ATTORNEY REPORT:

Philip Boggia, Esq.
Report/Update

Mr. Boggia clarified the Supreme Court’s ruling on COAH regulations; the ruling will now allow parties to file private actions with Superior Court challenging a municipality’s compliance with COAH housing obligations; this ruling will be delayed 90 days, to allow municipalities to file their own action in Superior Court to obtain clarity of their obligations. Because of this ruling, the Planning Board, Mayor and Councilmembers will have to come up with a plan on how to proceed.

UNFINISHED BUSINESS:

A report was given in regards to the condition of the Montvale Swim Club – inspections were done by the engineer, risk insurance manager and buildings and grounds – after a lengthy discussion by councilmembers and swim club representatives, it was decided to partner up with the swim club by designating monies in the building and grounds portion of the budget to assist the swim club in possible repairs, etc. The Pascack DPW will now maintain the grounds as far as landscaping, etc. A motion by Councilmember Talarico; seconded by Councilmember Ghassali to move forward with the partnership. Councilmember Koelling will be the liaison.

NEW BUSINESS:

None

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 Ghassali; seconded by Councilmember LaMonica - all ayes

Anita Bagdat, 21 West Drive

Wanted to bring to the attention of council about commuters parking on West Drive and Wortendyke around 12 cars. Can something be done? Mayor suggested he will have Police Commissioner talked to the Police Chief to see about putting up No Parking signs.

Clint Miller

Wanted to know about the funding for the firehouse and the purchase of the fire truck.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

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

Meeting was adjourned at 9:45 pm

The next Meeting of the Mayor and Council will be held March 31, 2015 at 7:30 p.m.
Municipal Budget Hearing April 14, at 7:30pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk