

**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, Joe Voytus; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo;

**ROLL CALL:**

Councilmember Curry	Councilmember LaMonica
Councilmember Ghassali	Councilmember Lane
Councilmember Koelling	Councilmember Talarico

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE NO. 2015-1399** CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1 .5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the governing body hereby determines that a 2.0% increase in the budget for said year, amounting to \$180,586.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$316,025.50, and that the CY 2015 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. **2015- 1399** was introduced for second reading by Councilmember Curry; seconded by Councilmember Lane Clerk read by title only; Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Talarico - all ayes

**NO PUBLIC COMMENT**

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

**INTRODUCTION OF ORDINANCE NO. 2015-1400** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING CHAPTER 28 OF THE BOROUGH CODE, ENTITLED “CURFEWS,” IN ITS ENTIRETY

A motion to Introduce Ordinance **2015-1400** 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 The Ridgewood News; seconded by Councilmember Talarico - A roll call was taken – all ayes

**INTRODUCTION OF ORDINANCE NO. 2015-1401** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 2B, “AFFORDABLE HOUSING” OF THE BOROUGH CODE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIASION FOR THE PURPOSE OF ADMINSTRERING MONTVALE’S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT

**(public hearing 4/28/15)**

**This ordinance was PULLED until further notice – due to incomplete information**

**INTRODUCTION OF ORDINANCE NO. 2015-1402** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN EXTENSION LEASE WITH THE MONTVALE SWIM CLUB, INC. FOR THE PUBLIC PURPOSE OF OPERATING A MUNICIPAL POOL ON CERTAIN REAL PROPERTY NOT NEEDED FOR PUBLIC PURPOSE WHICH IS OWNED BY THE BOROUGH

**(public hearing 4/28/15)**

A motion to Introduce Ordinance **2015-1402** for first reading was made by Councilmember Curry; 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 Talarico - A roll call was taken – all ayes

**PVDPW Superintendent- R. Campanelli, Report PVDPW Operation Update/Report:**

Gave a brief overview of the winter months. Since we had a bad winter, once again the numerous pot holes are an issue and they are trying to fill them as quickly as possible. They have been working with the Board of Health in regards to the sewer lines; there has been some confusion with the recycle center, you may now put all of your recycle items in the same container, at the curb as well as at the center. Councilmember Ghassali advises the DPW to be more conscious of shutting off lights, heat. Etc.

**2015 Budget PRESENTATION**

The power point presentation has been included with original minutes; Councilmember Ghassali mentioned seeing as how money raised by taxes are being placed in surplus is it feasible not to raise taxes at all and use what we have in surplus; the auditor explained that by not raising taxes one year would not be a prudent thing to do because by using most of your surplus it will

leave the borough potentially in a bad situation in case of large tax appeals, some corporate base parcels leaving Montvale, and possible pension contributions.

**Resolution No. 59A-2015 Self-Examination of 2015 Municipal Budget**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Montvale has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Montvale that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

**PUBLIC HEARING 2015 MUNICIPAL BUDGET**

**MEETING OPEN TO PUBLIC:**

Municipal Budget Only

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

Tom Sullivan

What will the surplus be at the end 2015 - \$4,572,000; the increase of the salary and wages will change when the police contract expires in 2016; the replacement of the turf field, where will that be paid from, The funds received for use of the fields get place in an open space line item and used for repairs to the turf. Is the borough current with their pension contributions, answer yes.

**MEETING CLOSED TO PUBLIC:**

Municipal Budget Only

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

**Resolution No.59B Adoption of 2015 Municipal Budget**

Original resolution included with the minutes

Introduced by: Councilmember Ghassali; seconded by Councilmember Lane - All ayes roll call vote

**MINUTES:**

March 10, 2015

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

**RESOLUTIONS:**

**60-2015 Authorize Release of Escrow / Block 105/Lot 6 / Michael Gee**

**WHEREAS**, the Borough Treasurer, recommends the release and takes no exception to the release of the escrow funds posted for Block 105/Lot 6 as all inspections have been conducted; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale hereby release the remaining escrow funds in the amount of \$37.00 to Michael Gee, 54 Old Chestnut Ridge Road, Montvale NJ 07645; and

**BE IT FURTHER RESOLVED**, the Borough Treasurer hereby receives a copy of this resolution for processing

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

**61-2015 Authorize Release of Escrow / Block 1001/Lot 1 / Mack-Cali Properties, LLC**

**WHEREAS**, the Borough Treasurer, recommends the release and takes no exception to the release of the escrow funds posted for Block 1001/Lot 1 as all inspections have been conducted; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale hereby release the remaining escrow funds in the amount of \$3,368.37 to Mack-Cali Properties, LLC, 343 Thornall Street, 5<sup>th</sup> Floor, Edison, NJ 08837, for property located at 135 Chestnut Ridge Road, Montvale

**BE IT FURTHER RESOLVED**, the Borough Treasurer hereby receives a copy of this resolution for processing.

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

**62-2015 Awarding Professional Service Contract/Planning Services/Affordable Housing Constitutional Compliance/Municipal Planner/D.Green/Maser Consulting LLC**

**WHEREAS**, the Borough of Montvale is required to achieve constitutional compliance with its affordable housing mandate. It is deemed necessary to engage the professional services of our Municipal Planner to provide these services; 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; and

**WHEREAS**, Maser Consulting, Inc. 200 Valley Road, Suite 306, Mt. Arlington, NJ 07856 has submitted a proposal dated March 27, 2015 which is attached to this resolution; and

**WHEREAS**, the cost is not to exceed \$7,550.00, for additional research required by COAH after the submission, will be billed at the hourly rate included in the Planner’s professional service agreement between the Borough of Montvale and Maser Consulting; 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 Lane; seconded by Councilmember Talarico - All ayes

**63-2015 Awarding Professional Service Contract/Engineering Services/2015 Road Improvement Program/Maser Consulting, LLC**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to design, bid and inspect municipal road improvements for the 2015 Roadway Improvement Program; and

**WHEREAS**, professional services include micro surfacing, inlet repairs at various locations, and sidewalk repairs adjacent to Grand Avenue; 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; and

**WHEREAS**, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated March 6, 2014 to provide engineering services for these services which is attached to the original of this resolution, and

**WHEREAS**, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

1) That the proposal for the scope of engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.

That the following be provided: Engineering Inspection, Design and Bidding For Improvement To Various Roads. The cost not to exceed shall be \$117,000.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

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

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes  
Councilmember Ghassali questioned the fee this time around is higher than 10% ; this proposal combines two proposals

**64-2015 Refund Tax Overpayment / Joseph Buzansky**

**WHEREAS**, a resolution authorizing this municipality to refund overpayment of taxes for a property located in the Borough of Montvale.

**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 overpayment of taxes for following homeowners:

Joseph Buzansky                      38 Terkuile Road                      \$819.00

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

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

**COMMITTEE REPORTS:**

**Councilmember Ghassali**

Planning Board

New Dental supply company coming in at 240 W Grand Ave; new coffee company at Craig Road; Bank of America is changing their drive thru which will be automated; new owners of the Chestnut Ridge shopping center where Fresh Market is will be updating the store fronts and signs.

Regional High School Board

Passed their 2015 budget, as a result, there will be a \$54 increase per assessed value of 514,321

Environmental Commission

Eagle Scout presented a project for an environmental friendly generator; approved several landscaping designs; cancelled the meeting of April 20<sup>th</sup>.

**Councilmember LaMonica**

Chamber of Commerce

Street Fair will be June 7<sup>th</sup>

Seniors

More younger members are joining.

Historic Preservation

Dick Voorhees was re-elected as President and Wendy Fontana is Vice President

Keeping it Green

KMPG will be doing an Earth Week project, they decided the two entrances at Borough Hall.

Montvale clean-up day which is co-sponsored by the Bergen County Clean Communities will be April 18, please meet at the red shed; community services letters will be available.

**Councilmember Koelling**

Swim Club

Members of the swim club are having a fundraiser at Mamas Kitchen, 20% will be donated by Mamas Kitchen; MAL will have some programs at the swim club.

**Councilmember Talarico**

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 27 calls; 321 miles; 25 hours; 74 crew hours

**Councilmember Curry**

Building/Grounds

Swing at Huff Park is missing, slide will be replaced; field reservations are in full swing;

Recreation

Next meeting will be held April 22; Camp counsellor interviews will be held April 23-25; camp registration begins April 29; Day in the Park is June 20; Doreen Marchetti will be stepping down for Thursday round robin tennis;

Local Board of Ed

Teacher of the Year for Fieldstone School is John McGinley and for Memorial School is Erica Ribbson

**Councilmember Lane**

Fire Dept

20 calls in March; continuing moving forward with the construction plans; one year ago this week Chief Miller was hurt in a Fire from a deck collapsing and is happy to see Chief Miller back on his feet.

**MAYOR**

Library

Circulation 11,846; 5,900 patron visits; 20 library cards issued; Dining for Dollars – May 4 and May 5  
15% donation Davey's Locker

Wanted to clarify about the recent news of Mercedes leaving Montvale as well as Sony and Hertz in Park Ridge. There is a lot of interest from developers for the Mercedes property as well as the surrounding areas. It is very valuable real estate especially with access from the Garden State Parkway. Not at all concerned about the use of the property, one way or another it will be used for something.

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. 2015 Road Improvement Program

Proposal for the roads will be included with minutes

b. United Water will be Lining and Cleaning of Pipes

Some of the roads will be Akers Ave, Ellsworth, Egren Way, Ramapo, Herring, Maureen, White Oak - this will take about a month, further information will be posted on the website

c. County Road Program/ Handicapped Ramps

Should be starting within the next two weeks

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

Received notice of appeal for the DePiero litigation was submitted, the next step in the process will start

**UNFINISHED BUSINESS:**

a. Discussion Typewriter Maintenance Agreement

After a brief discussion, it was decided to take two of the least used typewriters off the maintenance agreement, a motion by Councilmember Ghassali; seconded by Councilmember LaMonica – all ayes

**NEW BUSINESS:**

a. Relay for Life / Permission to putting purple ribbons on trees or poles

A motion to grant permission by Councilmember Lane; seconded by Councilmember Talarico – all ayes  
Mayor Fyfe stated just make sure they take down ribbons when the race is over.

**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 Curry - all ayes

Tom Sullivan, Freeholder, Bergen County

Wanted to let Mayor and Council know if he can be of any help, his direct line 201-336-6277  
County rented two state of the art pothole machines and are trying to fill them as fast as possible.

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 9:15 pm

The next Meeting of the Mayor and Council will be held April 28, 2015 at 7:30 p.m.

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