

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:35PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent Koelling 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, Joe Voytus; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

**ROLL CALL:**

Councilmember Curry	Councilmember Lane
Councilmember Koelling	Councilmember Talarico - absent
Councilmember LaMonica	Councilmember Weaver

**ORDINANCES:**

None

**PROCLAMATION:** Gerald Salerno, Esq. Pascack Joint Municipal Court

**MEETING OPEN TO PUBLIC:**

Agenda Items Only  
Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Koelling  
- All ayes

**NO PUBLIC COMMENT**

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

**December 29, 2015**

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry – all ayes with exception Councilmember LaMonica abstained

**Sine Die January 3, 2016**

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Koelling – all ayes with exception Councilmember LaMonica abstained

**Re-Organization Meeting January 3, 2016**

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry – all ayes with exception Councilmember LaMonica abstained

**MINUTES CLOSED/EXECUTIVE SESSION:**

December 29, 2015

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry – all ayes with exception Councilmember LaMonica abstained

**20-2016 Awarding Professional Service Contract/Records Management Services/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 \$15,000.00; and

**WHEREAS**, any expenditures exceeding \$15,000.00 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

**21-2016 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 3, 2016; 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.
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 Curry - All ayes

**22-2016 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 3, 2016; 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 LaMonica - All ayes

**23-2016 Award Professional Service Contract / Engineering Services / Maser Consulting P.A. Andrew R. Hipolit, P.E., PP., C.M.E.**

**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 3, 2016; 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 LaMonica - All ayes

**24-2016 Award Professional Service Contract / Borough Planner / Maser Consulting, P.A. / 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 3, 2016; 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 Lane; seconded by Councilmember LaMonica - All ayes

**25-2016 Awarding 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, 2016 through December 31, 2016; 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 \$8,113.00 for the period January 1, 2016 through December 31, 2016, 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 2016 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 Lane; seconded by Councilmember Curry - All ayes

**26-2016 Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2016**

**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 LaMonica - All ayes  
Councilmember Lane asked the clerk how long was PIA the borough's consultant; possibly seven or eight years.

**27-2016 A Resolution To Appoint A Health Benefits Consultant Relative To The Borough's Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2016**

**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 LaMonica - All ayes

**28-2016 Sale of Surplus/Property/Use of GovDeals/Online Auction**

**WHEREAS**, the Borough of Montvale is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Governing Body is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

**NOW THEREFORE, be it RESOLVED** by the Governing Body of The Borough of Montvale, Bergen County, State of New Jersey, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough of Montvale.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows is attached to the original of this resolution.

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Montvale reserves the right to accept or reject any bid submitted.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the Mayor and/or Municipal Clerk are authorized to execute the agreement with GovDeals, and any and all documents necessary for the auction of surplus municipal property.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All eyes  
Councilmember Curry wanted to know what is being auctioned; the clerk stated police vehicles

**29-2016 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 \$26,000, and the salary of the Public Defender shall be \$7,150.00; 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 1, 2016, and shall continue for the remainder of the calendar year 2016; 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 LaMonica - All ayes

**30-2016 Authorize Contract NorthWest Bergen Regional Health Commission**

**WHEREAS**, the Board of Health of the Borough of Montvale has received and reviewed the proposal from NorthWest Bergen Regional Health Commission on Monday January 4<sup>th</sup> at their regular meeting; and

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

**WHEREAS**, the Board of Health recommends this Health Services contract with Northwest Regional Board of Health Commission based upon services provided; and

**WHEREAS**, it is the intention of the Mayor and Council to provide funds in the year 2016 Budget for this contract in the Board of Health Budget; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for 2016 be and is hereby awarded to NorthWest Bergen Regional Health Commission, 20 West Prospect Street, Waldwick, NJ 07463, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2016, copy of which is attached to this resolution for the base amount of \$55,097.25 annually as outlined in the attached proposal.

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

Bill, Betesh, borough tax attorney, gave a brief explanation regarding the following three resolutions. It would be in the best interest of the borough to agree to the settlements suggested by the attorney rather than going to court. It will cost the borough over a million dollars.

**31-2016 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 Curry - All ayes

**32-2016 Authorize Settlement Tax Appeal / 100 Paragon Drive / Block 2001; Lot 1**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Realty Associates Iowa Corp. (hereinafter the "Tax Appeal"), under Docket Numbers 006228-2010, 004272-2011, 007430-2012, 007164-2013, 000144-2014 and 007359-2015, and;

**WHEREAS**, the aforesaid tax appeal involves a commercial property located at 100 Paragon Drive, and is otherwise referred to as Block 2001 Lot 4 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, the Borough Tax Assessor and the Borough Appraiser, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the attached Schedule "A" included herein, 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 hereby approved, in accordance with the terms set forth in the attached Schedule "A", and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal 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.

**SCHEDULE "A"**

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

- 2010 Appeal: Withdraw
- 2011 Appeal: Withdraw
- 2012 Appeal: Withdraw
- 2013 Appeal: Withdraw
- 2014 Appeal: \$9,381,399
- 2015 Appeal: \$9,138,082

B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement.

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

**33-2016 Authorize Settlement Tax Appeal / 3 Paragon Drive / Block 2002; Lot 2**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by PRIM Montvale, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 010984-2009, 001950-2010, 004425-2011, 007629-2012, 006832-2013 and 000143-2014, and;

**WHEREAS**, the aforesaid tax appeal involves a commercial property located at 3 Paragon Drive, and is otherwise referred to as Block 2002 Lot 2 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, the Borough Tax Assessor and the Borough Appraiser, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the attached Schedule "A" included herein, and;

**WHEREAS**, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") are hereby waived, per the terms of the aforementioned settlement, 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 hereby approved, in accordance with the terms set forth in the attached Schedule "A", and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal 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.

**SCHEDULE "A"**

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

- 2009 Appeal: \$14,669,000
- 2010 Appeal: \$14,180,000
- 2011 Appeal: \$13,691,000
- 2012 Appeal: \$13,202,000
- 2013 Appeal: \$12,713,000
- 2014 Appeal: \$10,845,000

B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") are expressly waived by the parties, and shall not be applicable to this settlement.

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

**34-2016 Authorize Settlement Tax Appeal / 102 Chestnut Ridge Rd / Block 2904; Lot 3**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by PRIM Montvale, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 005592-2009, 001963-2010, 004428-2011, 007621-2012, 006790-2013 and 000318-2014, and;

**WHEREAS**, the aforesaid tax appeal involves a commercial property located at 102 Chestnut Ridge Road, and is otherwise referred to as Block 2904 Lot 3 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, the Borough Tax Assessor and the Borough Appraiser, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the attached Schedule “A” included herein, and;

**WHEREAS**, the provisions of N.J.S.A. 54:51A-8 (the “Freeze Act”) are hereby waived, per the terms of the aforementioned settlement, 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 hereby approved, in accordance with the terms set forth in the attached Schedule “A”, and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal 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.

**SCHEDULE “A”**

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

- 2009 Appeal: \$6,455,400
- 2010 Appeal: \$6,306,400
- 2011 Appeal: \$6,207,000
- 2012 Appeal: \$6,207,000
- 2013 Appeal: \$5,959,000
- 2014 Appeal: \$5,287,000

B. The provisions of N.J.S.A. 54:51A-8 (the “Freeze Act”) are expressly waived by the parties, and shall not be applicable to this settlement.

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

**35-2016 Authorize Contract Heath Awareness Regional Program/Hackensack University Medical Center**

**WHEREAS**, the Board of Health of the Borough of Montvale has received and reviewed the proposal from **Hackensack University Medical Center (HARP)** on Monday January 4<sup>th</sup> at their regular meeting; and

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

**WHEREAS**, the Board of Health recommends the Health Department Services of Hackensack University Medical Center based upon the services provided by the Agency; and

**WHEREAS**, it is the intention of the Mayor and Council to provide funds in the year 2016 Budget for this contract for public health services, administrative services, health education, public health nursing and other related services as outlined in the attached contract; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for 2016 be and is hereby awarded to Hackensack University Medical, Center, Hackensack NJ pursuant to the terms and conditions as outlined in the attached contract effective January 1, 2016, copy of which is attached to this resolution in the amount of \$8,402.00 payment as outlined in the attached proposal.

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

**36-2016 Authorize Reduction Performance Bond/Bear-Ban Builders, LLC/Block 1310/Lots 24,26,27 & 33 Block 2204, Lots 39 & 4**

**WHEREAS**, Bear Ban Builders, LLC, is requesting a reduction in their Performance Bond #020008 First Indemnity Of America Insurance Company in the amount of \$1,763,658.63; and

**WHEREAS**, in a letter dated December 15, 2015 which is attached to this resolution the Borough Engineer takes no exception to a reduction of the performance bond in the amount by seventy-three percent or \$1,282,037.25 for a remaining balance of \$481,621.38; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the performance bond is hereby reduced to \$481,621.38.

**WHEREAS**, a revised bond shall be provided to the Borough of Montvale, Municipal Clerks Office

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

**37-2016 Authorize Submission Of An Application For Municipal Alliance Grant Fiscal Cycle July 2014-June 2019**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Council of the Borough of Montvale, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough of Montvale, County of Bergen, State of New Jersey hereby recognizes the following:

The Borough Council does hereby authorize submission of an application for the Borough of Montvale Municipal Alliance grant for calendar year 2017 in the amount of \$9,876.00 DEDR; \$2,469 Cash Match; \$7,407 In-Kind

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

**37-2016 Resolution Authorizing the Execution of a Developer’s Agreement with MSKCC Properties, LLC Affiliate of Memorial Sloan-Kettering Cancer Center**

**WHEREAS**, the Planning Board of the Borough of Montvale has heretofore granted approvals to MSKCC Properties, LLC a Wholly Owned Subsidiary of Memorial Sloan-Kettering Cancer Center, 1275 York Avenue, New York, New York, (the “applicant” or “developer”); and

**WHEREAS**, The applicant/developer has posted Escrow accounts for professional fees and appropriate performance security and performance guarantees administered pursuant to N.J.S.A. 40:55D-5 to enter into a Developer’s Agreement with the Mayor and Council of the Borough of Montvale; and

**WHEREAS**, the Planning Board Attorney, prepared and recommends the execution of the attached Developer’s Agreement; and

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

The Mayor, Administrator and Clerk be and hereby are authorized to execute a Developer’s Agreement between the Borough of Montvale and Memorial Sloan-Kettering Cancer Center, referable to development of property known as Block 2601, Lot 32

**BE IT FURTHER RESOLVED** that the Mayor, Borough Clerk and all appropriate officials are authorized and empowered to take all other actions necessary to effectuate the purposes of this resolution

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

**BILLS:** Municipal Clerk read the Bill Report.

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

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

**COMMITTEE REPORTS:**

**Councilmember Lane**

Fire Department

19 calls; 2 drills ; Feb 11 Drive to Survive Seminar will be held at the Pearl River High School, this seminar preps the drivers of the trucks of the how to's; thanked the Montvale Evangelical Free Church for honoring the Fire Department as well as the Police department and Tri-boro ambulance. Construction of new fire truck is near completion; a storage container has been put in place to start the storing of equipment while the construction takes place

**Councilmember Curry**

Board of Health

Re-elected Joyce Cohen as President and Monica Danna as Vice President; rabies clinic was held on January 9; March 7<sup>th</sup> is next meeting

Construction

11 violations; leaf cleanup is completed; 622 permits issued

Recreation

Winter programs are up and running; next meeting is February 9

Website

Requesting residents to send by email events happening around the community that can be posted to the boroughs face book page

Councilmember Lane wanted to remind residents of the upcoming budget meetings January 26, February 9 and 23

**Councilmember LaMonica**

Chamber of Commerce

First meeting of the year was January 6, the board unanimously voted Lorraine Hutter as a new member; Ms. Hutter is the borough's Land Use Administrator and Office Manager; April 13 will be a networking event held at Davey's and the annual street fair is scheduled for Sunday, June 5

Seniors

Will be hosting a workshop on January 21, urging all seniors to come and see what the club is all about

Thanked the Montvale Evangelical Free Church for honoring the Fire Department as well as the Police department and Tri-Boro ambulance.

**Councilmember Koelling**

Swim Club

A meeting will be scheduled shortly

**Councilmember Weaver**

Regional High School Board

Next meeting is scheduled for January 18th

Environmental Commission

Next meeting is scheduled for January 18th

On a side note... Councilmember Weaver mentioned that this past weekend when he was leaving the soccer field, a car went on fire, it belonged to a coach on the opposing team, one of the volunteer firefighter's arrived in his own vehicle and put out the fire.

**MAYOR**

Library

Circulation 10,195; 4,947 patron visits;

Report

Met with staff; met with prospective buyers; Planning to attend the Pascack Mayors meeting; meeting at county; met with several residents; thanked for DPW for remodeling his office; met with the new owners of the Sony building and mentioned some concerns with their plan, once the final plan has been completed the mayor will have them come before the public

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

Upcoming projects for 2016 will be Chestnut Ridge Road Widening, Eagle Ridge sanitary sewer bids, DePiero construction, Magnolia and Terkuile Road paving, and finally possible fixing the Magnolia bridge.

Mayor Ghassali mentioned he spoke to residents regarding the fire siren at Valley View; Chief Miller explained that the siren was in place prior to Valley View

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

a. Police Officers Retirement/Service Pistols/Piatt/VanDalinda

Mayor Ghassali briefly explained that the in the past when a police officer retired the borough would give them their service pistols to keep for sentimental reasons; a motion to approve by Councilmember Lane; seconded by Councilmember Koelling – all ayes

Mayor Ghassali added to new items for councilmembers to review and further discuss at a work shop meeting; Mayor Ghassali would like to form a committee, the Montvale Economic Development & Retention Commission which will research, study, evaluate and make recommendations as to the economic vitality and marketing strategies for the borough. Also he would like to create a more centralized communication system with social media, emails etc.

**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 Koelling  
- all ayes

NO PUBLIC COMMENT

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT**

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

Meeting was adjourned at 8:42pm

The next Meeting of the Mayor and Council will be held January 26, 2016 at 7:30 p.m.

Budget Meeting is scheduled for January 26<sup>th</sup> at 6PM

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