

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:48 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 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, Esq.; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

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

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2014-1389 AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SANITARY SEWER SYSTEM OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING THE AMOUNT OF \$65,000 FROM GENERAL CAPITAL FUND BALANCE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by the Borough of Montvale. For the said improvements or purposes stated in said Section 2, there is hereby appropriated the sum of \$65,000 from moneys available from General Capital Fund Balance.

Section 2. The improvements hereby authorized and purposes for the financing of which said appropriations are made are for improvements to the sanitary sewer system of the Borough of Montvale, including all work and materials necessary therefor and incidental thereto.

Section 3. The capital budget of the Borough of Montvale is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget has been filed with the Director of the Division of Local Government Services and is on file with the Municipal Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect after publication thereof following final adoption, as provided by Law.

Ordinance No. **2014-1389** was introduced for second reading by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only
Motion to open meeting to the public by Councilmember Cudequest; seconded by Councilmember 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 Ghassali; Clerk read by title only ----- A roll call vote was taken --- all ayes

Pascack Valley Department of Public Works Report: Richard Campanelli, Superintendent
Mr. Campanelli gave a brief overview of the progress with filling over 900 potholes, in addition to maintaining the fields, set up and clean up of the Memorial Day parade and The Chamber of Commerce Street Fair.

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

John Papa

Suggested a voucher system to dump landscaping debris for those residents that hire outside landscapers

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

May 27, 2014

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Cudequest - all ayes except Councilmembers Curry and LaMonica abstained

RESOLUTIONS:

88-2014 Award Lease/Purchase/ 3 Police Vehicles 2014/State Contract/ Ford Motor Credit Company/State Contract #79473

WHEREAS, in the year 2014 the Mayor and Council approved two tax exempt State Contract 2014 Dodge Charger vehicle leases to finance the acquisition of vehicles; and

WHEREAS, in the year 2013 an existing police vehicle was totaled in an accident and would need to be replaced bringing the total quantity to three vehicles; and

WHEREAS, the Borough of Montvale authorized the execution of a Master Lease Purchase Agreement with Ford Motor Credit Company and scheduled 3 annual payments for three 2014 Dodge Charger vehicles base price \$27,927.67 per vehicle; and

WHEREAS, the vehicles will be paid in 3 Annual installments as per the attached financing agreement; and

WHEREAS, payment shall be made to Ford Motor Credit Company, Municipal Finance, P.O. Box 1739 –MD 7500, Dearborn, MI 48121-1739

NOW, THEREFORE, BE IT RESOLVED, the Chief Financial Officer has certified that funds are available and certification is attached to the original of this resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED, the Mayor and Council authorize the Borough Administrator to execute this lease agreement a state contract with the above named vendor to purchase these specified vehicles.

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

89-2014 Reserve For Preliminary Expenses

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 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 \$44,500.00 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 Cudequest; seconded by Councilmember Lane - All ayes

90-2014 Resolution Awarding Contract to Robbie Conley Architect, LLC For Professional Services Related to the Programming and Schematic Design 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, programming and schematic design services 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 March 6, 2014, revised May 23, 2014, copies of which are 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 \$17,500, 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, programming and schematic design services is hereby awarded for the New Montvale Fire House Project as follows:

Contractor:

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

In the amount of:

Verify and modify existing Program	\$5,000.00
Develop Multiple Schematic Designs	\$15,000.00
Present Designs to Committee	\$1,000.00
Develop Final Schematic Design	\$20,000.00
Present Schematic Design to M&C	\$1,200.00
Upon Final Approval of Schematic Phase	\$1,600.00

TOTAL - PROGRAMMING/SCHEMATIC DESIGN: \$43,800.00

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 Lane; seconded by Councilmember Curry - All ayes

91-2014 A Resolution Authorizing Inclusion In The Bergen County Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the Grantee or a unit of general local government that directly or indirectly receives Community Development Block Grant (CDBG) funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Montvale and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015- June 30, 2018); and

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

92-2014 2014-2016 County of Bergen Municipal Snow Plow Agreement

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the appropriate municipal officials be and are hereby authorized to execute the attached two year consecutive snow season agreement to participate in the 2014-2016 County Snow Plowing Program.

BE IT FURTHER RESOLVED, that the Borough of Montvale shall use the Pascack Valley Department of Public Works and/or contractor to perform the snow/ice pushing and removal control operations on all roads and streets located within the Borough of Montvale.

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

93-2014 A Resolution Awarding a Contract to National Water Main Cleaning Co. for the 2014 Sanitary Sewer Repairs

WHEREAS, the Borough of Montvale has a need for services in connection with the 2014 Sanitary Sewer Repair program; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1, et seq.*, the Borough of Montvale did publicly solicit bids for said project under the title "Sanitary Sewer Repairs" with bids due in May, 2014; and

WHEREAS, said solicitation requested bids for a Base Bid plus Alternates "A" and "B"; and

WHEREAS, in response to said solicitation, two (2) bids were received; and

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

WHEREAS, the lowest bid for the Base Bid was submitted by National Water Main Cleaning Co., maintaining offices at 875 Summer Avenue, Newark, NJ in the amount of \$91,011.00; and

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

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

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

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

Bidder	In the amount of:
National Water Main Cleaning Co.	Base Bid \$91,011.00
875 Summer Avenue	
Newark, New Jersey	TOTAL \$91,011.00

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

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

94-2014 Authorize Full Time Administrative Floater Position/C. Rotolo

WHEREAS, the Borough of Montvale restructured a position within the Administration; and

WHEREAS, Christina Rotolo meets the qualifications for this position and agrees to the terms and conditions of employment, and has previously completed a satisfactory background investigation; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to the position of a full-time Floater, effective June 11, 2014.

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

95-2014 Refund of Tax Overpayments / Duplicate Payments

WHEREAS, a resolution authorizing this municipality to refund overpayment of taxes for the following properties located in the Borough of Montvale, and

WHEREAS, due to a duplicate payment which resulted in an overpayment, 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 overpayment of taxes to the following:

Richard & Mary Kuiters	19 Murray Road	\$2,259.00
Paul DiBetta	29A Forshee Circle	\$2,156.00
Steven & Kerri Wharton	36 Westmoreland Ave	\$2,341.00

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

96-2014 A Resolution Authorizing Payment #2/Final Payment/Dakota Excavating/Fieldstone School Athletic Field

WHEREAS, the Borough of Montvale awarded a contract on January 29, 2013 via 48-2013 to Dakota Excavating, 481 Hackensack Avenue, Suite 2B, Hackensack, New Jersey, in the amount of \$97,400.00; and

WHEREAS, Payment No. 1 in the amount of \$95,452.00 was authorized via 204-2013 on December 12, 2013; and

WHEREAS, in a letter dated June 5, 2014 which is attached to the original of this resolution the Borough Engineer takes no exception to the second and final payment in the amount of \$4,948.00.

WHEREAS, the Municipal Finance Officer has certified funds are available as outlined in the Certification of Funds as attached to the original of this Resolution.

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

- 1) Final Payment in the amount of \$4,948.00 is hereby paid to Dakota Excavating.

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

97-2014 Authorize Release of Cash Performance Guarantee Performance/Surety/Bond/Lifetime Fitness/Block 3302/Lot 2

WHEREAS, Lifetime Fitness, 1 BMW Plaza, is requesting a release in their Performance Surety Bond #105624585, issued by Travelers Casualty and Surety Company in the amount of \$1,789,674.00; and

WHEREAS, a completed inspection of the site has been conducted by Andrew Hipolit, Borough Engineer, which recommends said release of the above referenced in letter dated June 5, 2014 which is attached to the original of this resolution; and

WHEREAS, the Borough Engineer recommends the performance bond in the amount of \$1,789,674.00 be released pending the receipt of a required two year maintenance bond in the amount of \$248,566.00 which is 15% of this site improvements as per the attached letter; and

WHEREAS, by the Mayor and Council of the Borough of Montvale that the bond shall be released pending the receipt of a two year maintenance bond be provided to the Municipal Clerks office; and

WHEREAS, The Borough Engineer, recommends the release and takes no exception to the release of the Cash Bond in the amount of \$198,853.00; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the remaining Cash Bond posted be released bond to Lifetime Fitness, 1, BMW Plaza, Montvale, NJ 07645 and the Performance Surety Bond released pending the posting of a two year maintenance; and

NOW THEREFORE BE IT FUTHER RESOLVED, The Borough Treasurer receives a copy for processing and Gail Price, Attorney At Law of the firm Price, Meese, Shulman & D'Armino receives a copy of this resolution.

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

98-2014 A Resolution Authorizing Change Order #2/Payment #2 & #3 (Final Payment)/Field Turf/Fieldstone School Athletic Field

WHEREAS, the Borough of Montvale awarded a contract on March 26, 2013 via 83-2013 to FieldTurf USA, Inc., 175 N. Industrial Boulevard Calhoun, Georgia 30701 in the total amount of \$112,114.26 through a Cooperative Purchasing Agreement with the Keystone Purchasing Network in connection with the Fieldstone School Athletic Field Clay Infield Removal/Synthetic Turf Replacement Project; and

WHEREAS, FieldTurf USA, Inc. submitted a change order for an additional 2,522 Sq. Ft. of Field Turf in a change order in the amount of \$10,192.14 was approved on October 29, 2013 via Resolution No. 178-2013; and

WHEREAS, Change Order #2 in the amount of \$750.00 is included for the markers in the turf for the base locations; and

WHEREAS, on December 23, 2103 via 203-2013 payment #1 was authorized in the amount of \$119,889.54; and

WHEREAS, the Borough Engineer, in a letter dated June 5, 2014 attached to the original of the resolution takes no exception to change order #2 payment #2 and #3 (final) in the amount of \$3,196.72; and

WHEREAS, the Municipal Finance Officer has certified funds are available as outlined in the Certification of Funds as attached to the original of this Resolution.

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

- 1) Change Order No. 2 and Payment #2 & 3 (final) in the amount of \$3,196.72 is hereby paid to FieldTurf, USA utilizing the Bank of America account information provided to the Treasurer.

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

99-2014 CD Cooperative Agreement/Appointing Two Representatives to Community Development Committee/One Appointment by Mayor/One Appointment by Council

WHEREAS, the Borough of Montvale has entered into a Three-Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Service Act , NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community and one appointment by the Chief Executive Officer shall be appointed to be part of the Community Development Regional Committee for the term of one year July 1, 2014 through June 30, 2015.

NOW THEREFORE BE IT RESOLVED, that the Governing Body/Chief Executive Officer of the Borough of Montvale appoints representatives as its representative to participate on the Community Development Committee:

COUNCIL APPOINTMENT

Maureen Iarossi-Alwan
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700 ext. 219

CHIEF EXECUTIVE OFFICER APPOINTMENT

Councilmember Leah LaMonica
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

BE IT FURTHER RESOLVED, that the following be appointed alternate representatives:

COUNCIL ALTERNATE APPOINTMENT

Councilmember Theresa Cudequest
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

**CHIEF EXECUTIVE OFFICER
ALTERNATE APPOINTMENT**

Councilmember Timothy Lane
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Ghassali

Administration

Delinquent notices for non-payment of taxes were mailed to residents, please call tax office for current amount due.

Councilmember Curry

Local BOE

Attended the awards ceremony at Memorial School and over 150 awards were given out from grades K-8

Board of Health

Class for CPR and use of AED for borough employees was held June 6th; a class for residents is schedule for June 30th

Recreation

Day in the Park is scheduled for June 14th;

Construction

26 permits ahead of last year at this time; New employee is doing well; Field scheduling software is working well; thanked DPW for keeping the fields in excellent condition.

Keep Kids Alive Drive 25 Campaign

Stickers are available at borough hall for anyone who would like to place them on their trash cans

Councilmember LaMonica

Chamber of Commerce

June 1st – Street fair; approximately 20,000 people attended

Seniors

Their business meeting was held at Fieldstone School and after they were treated to a musical event by the school band.

No idling signs have been placed at the schools and will be placed at the train station as well;

Councilmember Cudequest

Environmental Commission

Next meeting is scheduled for June 16th

Regional High School Board

Various recognitions were given out at the last meeting in May;

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

41 calls; 632 miles; 38 hours; 2.3 crew hours all by Montvale

OEM

In the upcoming July newsletter there will be an article about preparing your home for an emergency Event.

Councilmember Lane

Fire Dept

The firehouse committee met to discuss preliminary plans for the firehouse ; needs assessment will be provided by end June; hopefully go to planning board by October, completion by Spring of 2016, this timeline is just a preliminary at this time.

Mayor Fyfe

Library

11,883 circulation; 6,477 patron visits; 30 library cards issued; starting July 1st the library will be accepting gently used books, cd's, and dvd's for their annual book sale which is scheduled for Sept 27 and Sept 28th

BCUA awarded grants to three teachers in the category of Environmental Challenges; the teachers are in the Science department;

In the Magazine New Jersey League of Municipalities the Borough of Montvale was featured for its shared services – go to website to read article;

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS

None

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 Cudequest; seconded by Councilmember Ghassali - All ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held June 24, 2014 at 7:30 p.m.

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

Meeting was adjourned at 9:50pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk