

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:33 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Fyfe led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also present: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo;

ROLL CALL:

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

Report Receipt of Bids/Solid Waste & Recyclable Materials Collection & Disposal Service

Only one bid was received; There was an increase of 20% approximately \$94,000; After a brief discussion, councilmembers decided to have Mr. Boggia contact Waste Management and see if the contract can be extended to end of the year. Also to find out why the high increase; and finally possible to go out to re-bid.

PRESENTATION: Update New Montvale Firehouse Project/R. Conley Architects LLC
Presentation will be included with original minutes

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO 2015-1404 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT

BE IT ORDAINED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 84 of the Code of the Borough of Montvale is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text in §84-1, as follows:

§ 84-1. Creation and composition.

- A. Pursuant to the authority granted by *N.J.S.A. 40A:14-118*, the Borough of Montvale hereby establishes a Police Department in and for the Borough of Montvale, New Jersey, to consist of the following positions, and the maximum number of individuals assigned to each respective rank, as follows:

Chief of Police: 1

Captain: 1

Lieutenant: 2

Sergeant: 4

Patrol Officers: 15. See Subsection C. below.

Auxiliary police officers who may from time to time be appointed and who shall serve at the pleasure of the governing body for a term not to exceed one year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police:
As necessary

This Section shall not be construed as establishing any right on the part of any member or members of the Police Department to appointment to any position within the Department, nor shall it be construed as terminating or interrupting any period of service or tenure of any member of the Montvale Police Department. The existence and continuance of any of the above-specified offices and the number of appointees to each such office shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.

In the event that there is an unfilled vacancy in any of the superior officer positions, the maximum number of patrol officers shall be increased by the number of such vacancies. However, in no event shall the maximum number of officers in the Police Department, including the Chief, Captain, Lieutenants, Sergeants and Patrol Officers, but excluding Auxiliary Police Officers, exceed 23 members. [The number of appointees to the rank of Patrol Officer shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.]

The Mayor and Council of the Borough of Montvale shall be deemed to be the "appropriate authority" for purposes of the Borough Code and N.J.S.A. 40A:14-118.

Section 2. Ratification of Prior Actions; No Interruption in Service. The Borough does hereby ratify and reconfirm all prior actions concerning hiring and promotion in the Police Department taken prior to the adoption of this Ordinance. Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Montvale Police Department.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Ordinance No. **2015-1404** was introduced for second reading by Councilmember Curry; seconded by Councilmember Talarico Clerk read by title only;
Motion to open meeting to the public by Councilmember Talarico; seconded by Councilmember Curry - all ayes

NO PUBLIC COMMENT

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

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

July 28, 2015

A motion to accept minutes by Councilmember Talarico; seconded by Councilmember Koelling – all ayes with the exception of Councilmember Curry abstaining

MINUTES CLOSED/EXECUTIVE SESSION:

July 28, 2015

A motion to accept minutes by Councilmember Talarico; seconded by Councilmember Koelling – all ayes with the exception of Councilmember Curry abstaining

RESOLUTIONS:

112-2015 Appointment Regular Member / Montvale Fire Department / Mark Vogelsang

WHEREAS, the Montvale Fire Department is desirous of adding a regular member; and
WHEREAS, Mark Vogelsang of Montvale, NJ has been approved by the Board of Fire Commissioners and has undergone a satisfactory physical, pursuant to the attached application which has been made part of this resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the appointment of Mark Vogelsang, as a Regular Member of the Montvale Fire Department, is hereby approved.

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

113-2015 Awarding Professional Service Contract/Construction Administrative Services /Bergen County Curb Ramp Program/Maser Consulting

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide construction administrative management services for the Bergen County Cooperative Curb Ramp Program; 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 and detailed scope of services for these professional construction administrative services associated with the Bergen County Cooperative Curb Ramp Program dated July 23, 2105 which is attached to this resolution; and
WHEREAS, the cost not to exceed \$17,000.00 for these services; and
WHEREAS, the Certified Municipal Finance Officer certifies funds are available said certification is hereto attached to the original of this resolution; and
BE IT FURTHER RESOLVED a copy of this resolution shall be published in an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

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

114-2015 Appointment Full Time Deputy Court Administrator/Pascack Joint Municipal Court/Ann Levitzki

WHEREAS, the Pascack Joint Municipal Court is in need of a Deputy Court Administrator; and
WHEREAS, Ann Levitzki meets the qualifications and has been approved by the Assignment Judge to perform the duties of this position; 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 Deputy Court Administrator for the Pascack Joint Municipal Court effective August 3, 2015.

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

115-2015 Authorizing Settlement Of Tax Appeal/32A Forshee Circle/Pui Ka So

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Pui Ka So (hereinafter the "Tax Appeal"), under Docket Number 018628-2011, and;
WHEREAS, the aforesaid tax appeal involves a condominium unit located at 32A Forshee Circle, and is otherwise referred to as Block 2001 Lot 5.01 Unit C0042 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 and the Borough Tax Assessor, and;
WHEREAS, the proposed Tax Appeal settlement would adjust the subject properties' property tax assessment to \$585,000, and;
WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement for the 2012 tax year only, 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, 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.

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

116-2015 Cancellation of Outstanding Checks / Prior Years / Pascack Joint Municipal Court
WHEREAS, there exists various outstanding checks from prior years drawn against certain accounts; and

WHEREAS, the Municipal Court Administrator provided a listing of outstanding checks that require cancellation (listing attached) from prior years.

BE IT RESOLVED, the Chief Financial Officer is hereby authorized to deposit these funds to the respective reserve or surplus account;

BE IT FURTHER RESOLVED, the Municipal Court Administrator shall receive a copy of this resolution for record keeping; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following outstanding checks from prior years be cancelled;

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

117-2015 A Resolution Authorizing the Joint Purchase with the Borough of Woodcliff Lake and the Borough of Park Ridge of a 2016 Police Interceptor Utility Vehicle Pursuant to State Contract T-2776, Winner Ford, Contract #88728, for use by the Tri-Boro Volunteer Ambulance Corps

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-10(a)(1)* provides that local contracting units may enter into agreements to jointly provide goods and services for use by their respective municipalities; and

WHEREAS, the Tri-Boro Volunteer Ambulance Corps currently serves the Boroughs of Montvale, Park Ridge and Woodcliff Lake; and

WHEREAS, Montvale, Park Ridge and Woodcliff Lake are desirous of jointly purchasing a 2016 Police Interceptor Utility Vehicle (the "Vehicle") for use by the Tri-Borough Volunteer Ambulance Corps, to be modified as per specifications provided by the Ambulance Corps; and

WHEREAS, Park Ridge and Woodcliff Lake have each provided the Borough of Montvale with their pro-rata share of the cost of the Vehicle and said modifications; and

WHEREAS, the purchase of the Vehicle shall be made pursuant to State Contract T-2776, Winner Ford, Contract #88728, the documentation pertaining to which is attached hereto; 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 pursuant to State Contract T-2776, jointly funded by the Boroughs of Montvale, Park Ridge and Woodcliff Lake, for the purchase of a 2016 Police Interceptor Utility, All Wheel Drive Vehicle as modified, for use by the Tri-Boro Volunteer Ambulance Corps, shall be awarded as follows:

<u>Contractor</u>	<u>Price</u>
Chas S Winner Inc. dba Winner Ford 250 Berlin Road Cherry Hill, New Jersey 08034 State Contract # 88728	\$25,616.00

BE IT FURTHER RESOLVED that in accordance with the existing operations of the Tri-Boro Volunteer Ambulance Corps, the Borough of Woodcliff Lake shall be required to procure all insurance on the Vehicle and bill Montvale and Park Ridge for their respective pro-rata shares of the cost of same.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all other appropriate officials are authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

118-2015 A Resolution Authorizing the Joint Purchase with the Borough of Woodcliff Lake and the Borough of Park Ridge of Certain Vehicle Modifications by VCI Emergency Vehicle Specialists for the 2016 Police Interceptor Utility Vehicle Purchased for use by the Tri-Boro Volunteer Ambulance Corps

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-10(a)(1)* provides that local contracting units may enter into agreements to jointly provide goods and services for use by their respective municipalities; and

WHEREAS, the Tri-Boro Volunteer Ambulance Corps currently serves the Boroughs of Montvale, Park Ridge and Woodcliff Lake; and

WHEREAS, Montvale, Park Ridge and Woodcliff Lake have agreed to jointly purchase a 2016 Police Interceptor Utility Vehicle (the "Vehicle") for use by the Tri-Borough Volunteer Ambulance Corps, to be modified as per specifications provided by the Ambulance Corps; and

WHEREAS, Park Ridge and Woodcliff Lake have each provided the Borough of Montvale with their pro-rata share of the cost of the Vehicle and said modifications; and

WHEREAS, in accordance with *N.J.S.A. 40A:11-6.1*, a contract to perform certain vehicle modifications deemed necessary by the Tri-Boro Volunteer Ambulance Corps is to be awarded to VCI Emergency Vehicle Specialists, the documentation pertaining to which is attached hereto; 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, jointly funded by the Boroughs of Montvale, Park Ridge and Woodcliff Lake, for certain modifications to the 2016 Police Interceptor Utility, All Wheel Drive Vehicle, for use by the Tri-Boro Volunteer Ambulance Corps, shall be awarded as follows:

<u>Contractor</u>	<u>Price</u>
VCI Emergency Vehicle Specialists 43 Jefferson Avenue Berlin, New Jersey 08009	\$1,451.05

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all other appropriate officials are authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

119-2015 A Resolution Authorizing the Joint Purchase with the Borough of Woodcliff Lake and the Borough of Park Ridge of Certain Vehicle Modifications by Goosetown Communications for the 2016 Police Interceptor Utility Vehicle Purchased for use by the Tri-Boro Volunteer Ambulance Corps

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-10(a)(1)* provides that local contracting units may enter into agreements to jointly provide goods and services for use by their respective municipalities; and

WHEREAS, the Tri-Boro Volunteer Ambulance Corps currently serves the Boroughs of Montvale, Park Ridge and Woodcliff Lake; and

WHEREAS, Montvale, Park Ridge and Woodcliff Lake have agreed to jointly purchase a 2016 Police Interceptor Utility Vehicle (the "Vehicle") for use by the Tri-Borough Volunteer Ambulance Corps, to be modified as per specifications provided by the Ambulance Corps; and

WHEREAS, Park Ridge and Woodcliff Lake have each provided the Borough of Montvale with their pro-rata share of the cost of the Vehicle and said modifications; and

WHEREAS, in accordance with *N.J.S.A. 40A:11-6.1*, a contract to perform certain vehicle modifications deemed necessary by the Tri-Boro Volunteer Ambulance Corps is to be awarded to Goosetown Communications, the documentation pertaining to which is attached hereto; 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, jointly funded by the Boroughs of Montvale, Park Ridge and Woodcliff Lake, for certain modifications to the 2016 Police Interceptor Utility, All Wheel Drive Vehicle, for use by the Tri-Boro Volunteer Ambulance Corps, shall be awarded as follows:

<u>Contractor</u>	<u>Price</u>
Goosetown Communications	\$2,026.30
58 N. Harrison Avenue	
Congers, New York 10920	

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all other appropriate officials are authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

120-2015 A Resolution Authorizing the Joint Purchase with the Borough of Woodcliff Lake and the Borough of Park Ridge of Certain Vehicle Modifications by 10-75 Emergency Lighting for the 2016 Police Interceptor Utility Vehicle Purchased for use by the Tri-Boro Volunteer Ambulance Corps

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-10(a)(1)* provides that local contracting units may enter into agreements to jointly provide goods and services for use by their respective municipalities; and

WHEREAS, the Tri-Boro Volunteer Ambulance Corps currently serves the Boroughs of Montvale, Park Ridge and Woodcliff Lake; and

WHEREAS, Montvale, Park Ridge and Woodcliff Lake have agreed to jointly purchase a 2016 Police Interceptor Utility Vehicle (the "Vehicle") for use by the Tri-Borough Volunteer Ambulance Corps, to be modified as per specifications provided by the Ambulance Corps; and

WHEREAS, Park Ridge and Woodcliff Lake have each provided the Borough of Montvale with their pro-rata share of the cost of the Vehicle and said modifications; and
WHEREAS, in accordance with N.J.S.A. 40A:11-6.1, a contract to perform certain vehicle modifications deemed necessary by the Tri-Boro Volunteer Ambulance Corps is to be awarded to 10-75 Emergency Lighting, the documentation pertaining to which is attached hereto; 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, jointly funded by the Boroughs of Montvale, Park Ridge and Woodcliff Lake, for certain modifications to the 2016 Police Interceptor Utility, All Wheel Drive Vehicle, for use by the Tri-Boro Volunteer Ambulance Corps, shall be awarded as follows:

<u>Contractor</u>	<u>Price</u>
10-75 Emergency Lighting 14 First Avenue Unit 3 Haskell, New Jersey 07420	\$6,757.21

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all other appropriate officials are authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

Mayor Fyfe mentioned that there was a mishap with the mailing of the tax bills and that we are not sure if all taxpayers did in fact receive their bills. Therefore, the tax collector would like to re-mail the tax bills only to the taxpayers that pay directly to the borough. The cost of the additional mailing is not to exceed \$750.00. A motion to re-send the tax bills by Councilmember Ghassali; seconded by Councilmember LaMonica – all ayes

COMMITTEE REPORTS:

Councilmember LaMonica

No Report

Councilmember Keolling

Swim Club

Still waiting on the new pumps; Mayor Fyfe added that the swim club is trying to return the bonds that members have been requesting.

TV Access

TV access will post meetings on YouTube; also working on airing high school sports as well.

Councilmember Ghassali

Environmental Commission and School board did not have a meeting.

Planning Board

Cancelled August 18th meeting; would like to welcome GGI, a financial company, to 180 Summit Ave and Sansui USA, to 28 W Grand Ave;

Councilmember Curry

Construction

20 lights out at LaTrenta Field – repairs needed at the backstop – Lightning Detection system is in the process of being installed within the next few weeks.

Admin

Tax Department drop box is working well.

Recreation

A very successful summer camp;

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 47 calls; 635 miles; 43 hours; 43 crew hours

MAYOR

Library

Circulation 14,661; 6,872 patron visits; 35 library cards issued; Slightly used books, cds, and dvds are needed for the Friends of the Library annual book sale in September

Superior Court upheld the planning board site plan on the Depiero's

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

Mayor Fyfe spoke on behalf Mr. Hipolit, in regards to the micro paving and would like to award a contract to APS at the next meeting.

ATTORNEY REPORT:

Phil Boggia, Esq.

Report/Update

a. Report Receipt of Bids/Solid Waste & Recyclable Materials Collection & Disposal Service

Discussed at beginning of meeting.

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 Talarico; seconded by Councilmember Curry
- all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

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

Meeting was adjourned at 8:43pm

The next Meeting of the Mayor and Council will be held August 25, 2015 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk