

**WORKSHOP SESSION  
MINUTES**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:56pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led the Pledge of Allegiance. 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 Mike Ghassali; Borough Attorney, Phil Boggia; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

**ROLL CALL:**

Councilmember Arendacs  
Councilmember Curry  
Councilmember Gloeggler

Councilmember Koelling  
Councilmember Lane  
Councilmember Weaver - absent

**PRESENTATION:** County of Bergen/Freeholder Thomas Sullivan/Grant Award LaTrenta Field Complex Clay Infield Removal & Synthetic Turf Replacement/\$113,538.00  
County Executive Jim Tedesco presented Mayor Ghassali and Councilmembers a check in the amount of \$133,530 for LaTrenta field turf replacement through Bergen County open space trust fund

**ORDINANCES:**

None.

**MINUTES:**

December 11, 2018

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry – all ayes with the exception of Councilmembers Arendacs and Gloeggler abstaining

**MINUTES CLOSED/EXECUTIVE SESSION:**

December 11, 2018

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry – all ayes with the exception of Councilmembers Arendacs and Gloeggler abstaining

**RESOLUTIONS: (CONSENT AGENDA\*)**

All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**220-2018 Participation Deferred Compensation Program/AXA Equitable Life Insurance Company**

**WHEREAS**, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of the Borough of Montvale (hereinafter referred to as “Employer”), which will provide employees the opportunity to enhance their

financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

**WHEREAS**, there is no direct financial cost to the Employer to adopt and implement both a deferred compensation plan and Service Agreement

**WHEREAS**, the Employer made written requests for proposals from two or more contractors including AXA- Equitable and Mutual Of America for the administration of the investments of funds under a DEFERRED COMPENSATION PLAN including providing Prototypical Plans and Service Agreements that meet the requirements of the Municipal, County and Authority Deferred Compensation programs Rule N.J.A.C. 5.37;

**WHEREAS**, the following contractors submitted proposals:

AXA Equitable Life Insurance Company (hereinafter referred to as "AXA Equitable")

**WHEREAS**, the Borough of Montvale reviewed the proposals and met with the representatives of the responding contractors of deferred compensation services; and

**WHEREAS**, it was deemed that AXA Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Montvale that

- a) effective as of the date of this resolution the DEFERRED COMPENSATION PLAN provided by AXA Equitable and assigned the plan identifier: 89-PD-AXA120616 by the New Jersey Division of Local Government Services, is hereby adopted and signed by the Employer.

It is hereby acknowledge that the said DEFERRED COMPENSATION PLAN is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Tax payer Relief Act of 2001 (United States Public Law No. 105-34), and the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not be considered precedent.

- b) The Administrator is authorized to execute the Service Agreement (bearing the identifier: 96-SA-AXAEquitable-091318 assigned by the New Jersey Division of Local Government) with AXA Equitable for the provision of administrative and investment services. There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

- (c) the Administrator is hereby designated as Local Plan Administrator for the administration of the DEFERRED COMPENSATION PLAN.

The undersigned hereby certifies that this is a true copy of a resolution duly passed by the Mayor and/or Council of the Borough of Montvale at a meeting held on December 27<sup>th</sup>, 2018 and a certified copy of this resolution and all necessary required documents shall be submitted to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval

**221-2018 Authorize Hiring / Full Time Accounts Payable/Accounts Receivable Clerk/ Christine Baker**

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

**WHEREAS**, Christine Baker 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 RESOLEVED**, 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 Accounts Payable/Receivable Clerk, effective January 2, 2019

**222-2018 A Resolution Awarding a Contract to AJM Contracting NJDOT MUNICIPAL AID FY2018/Upper Saddle River Road**

**WHEREAS**, the Borough of Montvale has a need for services in connection with certain road improvements to Upper Saddle River Road; 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 “**NJDOT MUNICIPAL AID FY2018 Upper Saddle River Road Improvements**” with bids due on December 6, 2018; and

**WHEREAS**, in response to said solicitation, five (5) bids were received; and

**WHEREAS**, the lowest bid for Base Bid only was submitted by AJM Contracting, 300 Kuller Avenue, North Bergen, NJ in the total amount of \$172,237.00; and

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

**WHEREAS**, based upon the prices submitted and the funds available, the Borough Engineer has recommended awarding this bid; 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**

AJM Contracting, Inc.  
300 Kuller Avenue  
North Bergen, New Jersey

**In the amount of:**

Base Bid only \$172,237.00

**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.

Acct #8-01-43-316-029 - \$172,237.00

**223-2018 A Resolution Adopting Revised Rules and Regulation for the Borough of Montvale Police Department to Extend the Effective Period of All New Promotional Eligibility Lists**

**WHEREAS**, the Borough of Montvale Police Department is desirous of extending the effective period of all new promotional eligibility lists (which go into effect after the effective date of this resolution) from twelve (12) months to twenty-four (24) months; and

**WHEREAS**, said lists will still be subject to an additional six (6) month extension to meet the administrative needs of the Department; and

**WHEREAS**, the Montvale Police Benevolent Association has indicated that they have no objection to this change; and

**WHEREAS**, it is necessary and advisable to revise the Rules and Regulations of the Montvale Police Department in order to implement this change; and

**WHEREAS**, the Mayor and Council have reviewed this policy change and believe it is in the best interests of the Borough to adopt same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, as the appropriate authority pursuant to N.J.S.A. 40A:14-118, that the Rules and Regulations of the Montvale Police Department are hereby amended to extend the effective period of all new promotional eligibility lists from twelve (12) to twenty-four (24) months, which change shall be effective immediately.

**224-2018 Cancellation of Tax and Excess Sewer Overpayments or Delinquent Amounts Less than \$10.00**

**WHEREAS**, Premier Associates, LLC, with offices located at 574 Grand Ave, Englewood, NJ 07631 has requested release of escrow posted for Block 1902, Lots 6 and 9; and

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**WHEREAS**, the Borough Engineer and other Borough professionals take no exception to the release; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale hereby release to Premier Associates, LLC, with offices located at 574 Grand Ave, Englewood, NJ 07631 in the amount of \$3,427.50; and

**BE IT FURHTER RESOLVED**, the Treasurer shall receive a copy of this resolution for processing.

**225-2018 Authorize Release of Escrow / 50 and 54 Craig Road / Block 1902, Lots 6 & 9**

**WHEREAS**, Premier Associates, LLC, with offices located at 574 Grand Ave, Englewood, NJ 07631 has requested release of escrow posted for Block 1902, Lots 6 and 9; and

**WHEREAS**, the Borough Engineer and other Borough professionals take no exception to the release; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale hereby release to Premier Associates, LLC, with offices located at 574 Grand Ave, Englewood, NJ 07631 in the amount of \$3,427.50; and

**BE IT FURHTER RESOLVED**, the Treasurer shall receive a copy of this resolution for processing

**226-2018 Cancellation Of Prior Year Outstanding Checks**

**WHEREAS**, There exists outstanding checks from the prior year drawn against the General Checking Account, and

**WHEREAS**, it has been determined that the outstanding checks from the prior year be cancelled to the Developers Escrow Reserve Account;

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

**GENERAL CHECKING ACCOUNT**

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>ACCCOUNT</u>
12/11/17	14026	\$12,106.06	Trust	Reserve
12/26/17	14088	<u>132.00</u>	Trust	Reserve
		\$12,238.06		
		=====		

**227-2018 Cancellation Of Various Balances**

**WHEREAS**, there exists receivable balances and a reserve balance on the Current Fund balance sheet and a reserve balance on the General Capital Fund balance sheet of the Borough of Montvale; and

**WHEREAS**, the funds creating the receivable balances and reserve balances have been investigated, and it has been determined that the receivable balances and reserve balances should be cancelled; and

**WHEREAS**, it is necessary to formally cancel said balances so that the uncollected receivable balances on the Current Fund balance sheet may be charged to fund balance, the unexpended reserve balance on the Current Fund balance sheet may be credited to fund balance and the unexpended reserve balance on the General Capital Fund balance sheet may be credited to the Capital Improvement Fund;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, that the following receivable balances and reserve balances may be cancelled:

	<u>&lt;CHARGES&gt;/</u> <u>CREDITS</u>
<b><u>Current Fund</u></b>	
Grants Receivable:	
FEMA - Gabion Wall/Sanitary Sewer	<\$48,880.39>
Municipal Alliance Program	<6,071.75>
	\$<54,952.14>
	=====
Reserve for Grants - Appropriated:	
FEMA - Gabion Wall/Sanitary Sewer	\$199,457.58
	=====
<b><u>General Capital Fund</u></b>	
Reserve for Preliminary Expenses	\$700.00
	=====

**228-2018 Cancellation Of 2018 Current Fund Appropriations**

**WHEREAS**, there exists unexpended 2018 Current Fund budget appropriation balances; and  
**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the following unexpended 2018 Current Fund budget appropriation balances be cancelled:

**GENERAL APPROPRIATIONS****Operations - Excluded from "CAPS"****Public and Private Programs Offset by Revenues**

Municipal Alliance Program	\$9,876.00
CDBG Senior Citizens Activities	<u>3,338.00</u>
	\$13,214.00
	=====

**229-2018 Transfer Of Appropriations**

**WHEREAS**, certain transfer of funds for various 2018 budget appropriations are necessary to cover anticipated expenditures; and

**WHEREAS**, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the transfers be made between the 2018 budget appropriations as follows:

	<u>FROM</u>	<u>TO</u>
<b><u>CURRENT FUND</u></b>		
General Appropriations		
Operations - Within "CAPS"		
Planning Board:		
Other Expenses	\$10,000.00	
Administrative and Executive:		
Other Expenses		\$10,000.00
Planning Board:		
Other Expenses	35,000.00	
Engineering Services and Costs:		
Other Expenses		35,000.00
Maintenance of All Vehicles:		
Other Expenses	18,000.00	
Fire:		
Other Expenses		18,000.00

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Planning Board:

Other Expenses

11,000.00

Police:

Acquisition of Police Vehicles

11,000.00

Planning Board:

Other Expenses

5,000.00

Construction Coded Officials:

Salaries and Wages

5,000.00

\$79,000.00

=====

5,000.00

\$79,000.00

=====

**230-2018 Award Purchase of Fire Chief Vehicle / Winner Ford /State Contract # 88728**

**WHEREAS**, the Mayor and Council approved 2019 Ford F150 4X4 Crew Cab for the Fire Department Chief's vehicle to purchase; and

**WHEREAS**, the Borough of Montvale authorized the execution of payment of purchase with Winner Ford Of Cherry Hill, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 in the amount of \$37,914.00; and

**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 payment to Winner Ford of Cherry Hill, in the amount of \$37,914.00.

Introduced by: Councilmember Koelling; seconded by Councilmember Lane – a roll call was taken  
- all ayes

**231-2018 Resolution Authorizing The Borough Administrator To Sign The NJDEP Wqm-003 Statement Of Consent Form For The Two Paragon Drive, LLC Application**

**WHEREAS**, the New Jersey Department of Environmental Protection requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

**WHEREAS**, the Borough of Montvale owns and operates their wastewater conveyance system that TWO PARAGON DRIVE, LLC is proposing to connect to for sanitary sewerage disposal;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough's sanitary sewer system has adequate capacity;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough's Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

**WHEREAS**, the Borough's Mayor and Council has considered this recommendation;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for TWO PARAGON DRIVE, LLC Application.

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

**BILLS:**

Motion to pay bills by Councilmember Lane; seconded by Councilmember Curry - all ayes

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

- a. Update Montvale Municipal Building HVAC Status/Improvements/VAV/Control System

Mr. Hipolit stated the issue is, the vendor is not on state contract; suggested to go out to bid for the replacement of the VAV boxes and a new automated system

**ATTORNEY REPORT:**

Phil Boggia, Esq.  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

a. Schedule/Advertise Special M&C Meeting/Monday, January 7<sup>th</sup>, 2019/Swearing In Chief Joseph Sanfilippo  
Councilmembers all agreed

**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

**Jarett Schumacher**

Mr. Schumacher asked how many sewer bills will be cancelled; approximately 10; He also wanted to know the resolution transferring appropriations; this resolution is to close out the end of the year and the monies have been allocated in the budget; Suggested to list what topics and/or departments will be discussed at the budget meetings

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

**ADJOURNMENT**

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

Motion to go into closed session by Councilmember Lane; seconded by Councilmember Curry – all ayes

Meeting was adjourned at 8:32pm

Re-Organization Meeting to be held on Tuesday, January 1, 2019 at 7:00 p.m.

The next Regular Meeting of the Mayor and Council will be held January 8, 2019 at 7:30 p.m.

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