

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:41pm. Adequate notification was published in the official newspaper of the Borough of Montvale. 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).

ROLL CALL:

| | |
|---------------------------------|---|
| Councilmember Arendacs - absent | Councilmember Koelling |
| Councilmember Curry | Councilmember Lane |
| Councilmember Gloegler | Councilmember Russo-Vogelsang – via telephone |

Also present: Mayor Michael Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Andrew Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan

Presentation: Mattheos Celikel/Boy Scout Eagle Project

GaGa ball pit – would like to build it by the tennis courts/Memorial School; it was decided by councilmembers to approve the project, the location will be further discussed by the engineer, councilmembers and the recreation director.

ORDINANCES:

FINAL ADOPTION:

ORDINANCE NO 2019-1470 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,351,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Public Hearing Held 5-14-19 Official Vote - Affirmative **vote** of two-thirds (2/3rds) of full membership of the Governing.
Roll Call: vote was taken all ayes except Councilmember Arendacs – absent

PUBLIC HEARING: ORDINANCE NO. 2019-1471 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 121 OF THE BOROUGH CODE IN ORDER TO PROHIBIT PARKING ON CERTAIN STREETS BETWEEN THE HOURS OF 8 A.M. AND 8 P.M. FROM MONDAY THROUGH SATURDAY

WHEREAS, members of the public have long been encouraged by the Borough and the Board of Education to park in the high school parking lot during sporting events held at the high school, instead of parking on nearby residential streets; and

WHEREAS, because numerous cars nevertheless parked on Akers Avenue instead of utilizing the high school parking lots, resident-only permit parking was instituted on Akers Avenue in order to prohibit public parking before and after school hours and during sporting events at the high school; and

WHEREAS, as a result of the institution of this resident-only permit parking, some vehicles have instead begun parking on streets adjacent to or near Akers Avenue, including Ellsworth Terrace, Maureen Court, and a portion of Hering Road; and

WHEREAS, the Borough Council solicited input on the effects of the resident-only permit parking on Akers Avenue; and

WHEREAS, after considering the comments of the residents on the aforementioned streets, the Borough Council has determined that it is in the best interests of the health, safety and welfare of the public to prohibit parking on said streets between the hours of 8:00 a.m. and 8:00 p.m., Monday through Saturday; and

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

Section 1. Chapter 121, Section 26, "Schedule II – No Parking Certain Hours," of the Code of the Borough of Montvale is hereby amended and supplemented by adding the underlined text, alphabetically, as follows:

§ 121-26 No Parking Certain Hours.

In accordance with the provisions of § 121-4, no person shall park a vehicle between the hours specified upon any of the following described streets or parts of streets:

| Street | Side and Hours | Location |
|--------------------------|---|--|
| <u>Ellsworth Terrace</u> | <u>Both 8:00 a.m. to 8:00 p.m.;</u> <u>Monday through Saturday</u> | <u>Entire length</u> |
| <u>Hering Road</u> | <u>Both 8:00 a.m. to 8:00 p.m.;</u> <u>Monday through Saturday</u> | <u>From Ellsworth Terrace to</u> <u>Terkuile Road</u> |
| <u>Maureen Court</u> | <u>Both 8:00 a.m. to 8:00 p.m.;</u> <u>Monday through Saturday</u> | <u>Entire length</u> |

Section 2. 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 3. 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 4. 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 5. Effective Date.

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

A motion Introduced for second reading Ordinance No 2019-1471 by Councilmember Gloeggler seconded by Councilmember Lane; Clerk read by title only.

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

Jarret Schumacher

Asked for clarification of the streets which will have no parking; and to confirm Akers will stay as is.

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

Motion to adopt on Second and Final Reading in Bergen Record by Councilmember Lane; seconded by Councilmember Koelling - All ayes on a roll call vote –

MINUTES:

None.

MINUTES CLOSED/EXECUTIVE SESSION:

May 14, 2019

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Gloeggler - all ayes with the exception of Councilmember Lane 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.

122-2019 Resolution Authorizing The Borough Administrator To Sign The NJDEP WQM-003 Statement Of Consent Form For Triboro Square (Phase I) Development at Mercedes Drive & West Grand Avenue 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 the property owner, SHG Montvale MB, 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 the application by the owner, **SHG Montvale MB, LLC.**

123-2019 Resolution Requesting Permission For The Dedication By Rider For Police Department

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Montvale Police Department is an active member of the Law Enforcement Support Office Program (LESO); and

WHEREAS, this program allows for the transfer of excess Department of Defense property, that might otherwise be destroyed, to law enforcement agencies. Once transferred to the local agency if the equipment is not needed, it may be sold and the proceeds dedicated to that agency; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for the acceptance of donations from various agencies for specific purposes; and

WHEREAS, the sale of this donated property will generate revenue to be used for the support of the Law Enforcement Support Office Program (LESO);

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Montvale, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to establish a reserve for police equipment pursuant to N.J.S.A. 40A: 5-29.
2. The Clerk of the Borough of Montvale, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

124-2019 Award Purchase/ 1 Construction Department Vehicle /State Contract #A88727/Beyer Ford

WHEREAS, The Montvale Construction Department is in need of a 2019 Ford Super Duty F-250 SRW XL 4WD Reg. Cab 8' Box; and

WHEREAS, the Construction Department has the funding available within their budget for this purchase in the amount of \$38,095.00; and

WHEREAS, payment shall be made to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960; 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 the purchase of this vehicle which documentation is attached to the original of this resolution.

125-2019 Authorize Refund of Recreation Program/Summer Camp

BE IT RESOLVED, the below individuals are hereby granted a refund for Summer Camp for online registration; and

1. Janet Lew, 18 Prospect Avenue, Montvale, NJ 07645 \$ 341.00
2. Josie louis-Jacques, 207 N Maple Avenue, Park Ridge, NJ \$866.08

126-2019 Authorize Refund of Recreation Program/Summer Lunch

BE IT RESOLVED, the below individuals are hereby granted a refund for Summer Camp lunch

1. Josie louis-Jacques, 207 N Maple Avenue, Park Ridge, NJ \$15.00

127-2019 Authorizing a Payment of Professional Services Consulting Services to LKM Consulting, LLC

WHEREAS, the Borough of Montvale had/has the need for a professional consultant to conduct a shared services agreement audit follow up for it Shared Services Agreement with the Township of River Vale for public works services; and

WHEREAS, pursuant to the New Jersey Local Public Contract Law, N.J.S.A 40A:11-1, et seq., contracts for professional services are exempt from public bidding; and

WHEREAS, the Borough has received a statement of work completed in April 2019 for the attendance at meetings, audit follow up, Montvale PVDPW Advisory Committee Participation, Draft Agreement Addendum and other advisory services from LKM Consulting, LLC based upon the hourly rate set forth in the time report for an amount of \$2,700.00; and

WHEREAS, the Borough wished to use the services of LKM Consulting for future professional services for attendance at meetings for the year 2019 for the best interest of the Borough of Montvale in finalizing the audit and Shared Service Agreement; 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 the above-referenced is hereby paid to LKM Consulting in the amount of \$2,700.00 and funds are appropriated for future use in the year 2019 for said services not to exceed \$1,000.00

| <u>Contractor</u> | <u>Amount</u> |
|---|---------------|
| LKM Consulting, LLC 11 Harter Road Morristown, NJ 07960 | \$2,700.00 |

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

BILLS: *Municipal Clerk read the Bill Report*

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

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

Pickle Ball courts are completed; pot hole repairs were completed on Paragon Drive; Councilmember Gloeggler asked for an update with the HVAC repairs; Mr. Hipolit stated the work has been started and should be completed in the next few weeks.

ATTORNEY REPORT:

Joseph Voytus, Esq.
Report/Update
No report

UNFINISHED BUSINESS

None

NEW BUSINESS:

a. Request Permission/Band/Birthday Celebration/Exceed Noise Ordinance/Valley View Terrace/Pearlstein

Asking for approval for June 28th to have the band play until 11:30pm; Councilmembers all agreed to approve.

COMMUNICATION CORRESPONDENCE:

a. Report of European Beech Tree/Status/Old School #2/United Way/Bartlett Tree Experts

The clerk gave an explanation stating that United Way has spent approximately \$14,000 to try and save the tree; an arborist report noted that the tree is dying from many years of salting of Grand Ave; Tom Toronto, from United Way, wanted to let council know that they will be taking down the tree.

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.

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry – all ayes

Carolee Adams

Happy to hear the council approved the Eagle Scout project; commented on the resident requesting the band for a party, does it set a precedent; the astronomy club in town is growing, found out the library will be celebrating the 50th year anniversary of the moon landing. Suggested to have TV Access involved with this celebration. Mentioned that the police department does not do terror assessments; Mayor Ghassali stated that it is done through the Prosecutor's office and the Sherriff's office as well.

A resident from Woodland Road complained about the speeding; Mayor Ghassali stated the police are aware and a traffic officer has been investigating the situation.

Paul Walsh

Thanked council for passing the ordinance in regards to the no parking on Ellsworth

A motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Koelling – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Koelling - all ayes

The next Meeting of the Mayor and Council will be held June 11, 2019 at 7:30 p.m.

Meeting adjourned at 8:30pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk