

**WORK SESSION  
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:35pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken. Master Sargent Koelling led in the Pledge of Allegiance.

**OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting was provided to The Bergen Record 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 Cudequest  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

Also Present: Mayor Ghassali; Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; Municipal Clerk, Fran Scordo

**PROCLAMATION:**

Declaring The First Friday In June To Be National Gun Violence Awareness Day

**ORDINANCES:**

**PUBLIC HEARING OF BOND ORDINANCE NO. 2023-1537** BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS 53 CRAIG ROAD AND A PORTION OF SUMMIT AVENUE IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$5,150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,900,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

**Section 1.** The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$5,150,000, including the sum of \$250,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property for active or passive recreation

purposes known as 53 Craig Road and a portion of Summit Avenue, as shown on the Tax Maps of the Borough as Block 1903, Lot 5 (approximately 2.67 acres) and a portion (approximately 5.723 acres) of Block 1903, Lot 3, including all related costs and expenditures necessary therefor and

incidental thereto, including, but not limited to, due diligence costs, appraisal, title insurance, legal and other related costs.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 5.** The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,900,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$168,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

**Section 7.** The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

**Section 8.** Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 10.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion Introduced for second reading **Ordinance No. 2023-1537** by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only. Motion to open meeting to public by Councilmember Lane; seconded by Councilmember - all ayes

Carolee Adams, 14 Murray Road

Ms. Adams is in support of the purchase of land

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Roche; Clerk read by title only. - All ayes on a roll call vote

**PUBLIC HEARING OF ORDINANCE NO. 2023-1538** AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2023-1529 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2023

**BE IT ORDAINED BY** the Mayor and Council of the Borough of Montvale as follows:

**SECTION 1.** Each of the offices and positions of employment hereinafter named that are

not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

**SECTION 2.** The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment. All other titles and salary ranges set forth in Ordinance No. 2023-1529 not referenced herein shall remain unchanged.

<b>Title</b>		<b>2023 Salary Range</b>	
5	Municipal Clerk (PT)	\$65,000	- \$85,000
7	Admin. Assistant to Administrator	\$40,000	- \$65,000
8	Tax Collector (PT)	\$62,000	- \$80,000
10	Treasurer/Purchasing Agent	\$78,000	- \$110,000
13	Secretary, Planning Board/Land Use Admin. (PT)	\$83,000	- \$105,000
16	Office Manager (PT)	\$4,000	- \$10,000
24	Administrative Assistant – Planning Board Assistant/ Confidential Secretary/ Board Secretary/ Departmental Coordinator/ Floater	\$40,000	- \$70,000
34	Fire Prevention Official	\$65,000	- \$85,000
35	Fire Inspector/ Senior/Deputy Fire Official	\$7,600	- \$30,000
40	Violations Clerk	\$40,000	- \$60,000
41	Police Secretary	\$42,000	- \$60,000
43	Emergency Mgmt. Coordinator	\$5,000	- \$15,000
45	Library Director	\$80,000	- \$105,000
50	Director of Recreation	\$52,000	- \$70,000

**SECTION 3. [RESERVED]**

**SECTION 4. [RESERVED]**

**SECTION 5. [RESERVED]**

**SECTION 6.** This ordinance shall be operative as of the date of its adoption and publication as required by law, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

**SECTION 7.** All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

**SECTION 8.** This ordinance shall take effect immediately upon publication in the manner provided by Law.

A motion Introduced for second reading **Ordinance No. 2023-1538** by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Roche - all ayes

**NO PUBLIC COMMENT**

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Roche; Clerk read by title only. - All ayes on a roll call vote

**MINUTES:**

May 11, 2023

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Roche - all ayes with the exception of Councilmembers Lane abstaining

**CLOSED/EXECUTIVE MINUTES:**

None

**RESOLUTIONS:**

**127-2023 Authorize The Cancellation of 3<sup>rd</sup> & 4<sup>th</sup> quarter taxes year 2023 and All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs – Jeffrey Auer**

**WHEREAS**, this resolution authorizes the municipality to cancel property taxes for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2023 and for all future taxes due to the granting of totally disabled veteran status by the Department of Veterans Affairs per the Department's letter attached to the original resolution, for Jeffrey Auer. Mr. Auer is the owner of 26 Cottage Ave, Block 2503, Lot 21.

**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 cancel 3<sup>rd</sup> and 4<sup>th</sup> quarter property taxes and all future taxes as per the above.

Introduced by: Councilmember Lane; seconded by Councilmember Roche - a roll call was taken - all ayes with the exception of Councilmembers Koelling and Russo-Vogelsang abstaining

**128-2023 Authorize The Cancellation of 3<sup>rd</sup> & 4<sup>th</sup> quarter taxes year 2023 and All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs – Stephen Domenick**

**WHEREAS**, this resolution authorizes the municipality to cancel property taxes for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2023 and for all future taxes due to the granting of totally disabled veteran status by the Department of Veterans Affairs per the Department's letter attached to the original resolution, for Stephen Domenick. Mr. Domenick is the owner of 59 Pennsylvania Ave, Block 805, Lot 35.

**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 cancel 3<sup>rd</sup> and 4<sup>th</sup> quarter property taxes and all future taxes as per the above.

Introduced by: Councilmember Lane; seconded by Councilmember Cudequest - a roll call was taken - all ayes with the exception of Councilmember Koelling 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.

**129-2023 A Resolution Supporting the Bergen County Fire Mutual Aid Plan in the Borough of Montvale**

**WHEREAS**, the Borough of Montvale provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

**WHEREAS** the fire departments in Bergen County have a day-to-day responsibility to provide for the safety and security of lives and property; and

**WHEREAS**, local resources can become exhausted during the small percentage of large magnitude fire or disaster occurrences; and

**WHEREAS**, mutual aid is the most cost-effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences; and

**WHEREAS**, it is of mutual benefit for fire departments located within the County of Bergen to provide supplemental resources to each other in the event of a local emergency or disaster;

**WHEREAS**, mutual aid assistance agreements between municipalities, counties, fire companies and/or fire departments situated in Bergen County are permitted pursuant to N.J.S.A. 40A:14-26 and N.J.S.A. 40A:14-156.1; and

**WHEREAS**, the Director of the Division of Fire Safety in the Department of Community Affairs has promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11, et seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations, N.J.A.C. 5:75A, et seq.; and

**WHEREAS**, the County of Bergen has adopted the Bergen County Fire Mutual Aid Plan (ESF4), to establish a fire mutual aid and assistance agreement with other Bergen County municipalities to provide additional protection against loss, damage or destruction by fire, catastrophe, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed; and

**WHEREAS** the Fire Mutual Aid Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire department requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

**WHEREAS**, a county area mutual aid plan is encouraged by, and is compatible with the State of New Jersey Fire Service Resource Emergency Deployment Act; and

**WHEREAS**, participation in a county area mutual aid plan will not impose liability on the Borough; and

**WHEREAS**, the Montvale Volunteer Fire Department recommends supporting the Bergen County Fire Mutual Aid Plan for the benefit of residents of the Borough of Montvale, other municipalities in the County of Bergen, and neighboring counties in New Jersey, in the event of an emergency.

**NOW, THEREFORE, BE IT RESOLVED** that upon the recommendation of the Montvale Volunteer Fire Department, the Borough of Montvale does hereby authorize the Montvale Volunteer Fire Department to provide mutual aid assistance to each participating municipality, district, state or federal organization, as identified in the Bergen County Fire Mutual Aid Plan (ESF4) as may be amended from time to time by the participating units and as ratified by the Governing Body.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute any documents necessary to effectuate the intent and purpose of this resolution, in a form approved by the Borough Attorney; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a copy of this resolution to the Bergen County Office of Emergency Management for filing.

**130-2023 Resolution Awarding Purchase Under New Jersey State Contract #19-TELE-00656 Dell Marketing – Police Department computers**

**WHEREAS**, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

**WHEREAS**, attached is a detailed description of the purchase of 3 desktop computers Quote # 3000152210376.1 dated May 9, 2023 which is attached to the original of this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Montvale that the following purchase under New Jersey State Contract is hereby authorized:

**PURCHASE OF 3 Desktop Computers -- STATE CONTRACT #19- TELE – 00656**

Dell Marketing

One Dellway

Round Rock, TX 78682

Total \$3,477.53

**131-2023 A Resolution Awarding a Contract to Foley, Inc. for One 2023 Caterpillar Model CB1.7 Asphalt Compaction Through the Sourcewell Cooperative Purchasing Agreement, Contract 0332119-CAT for Use by the Pascack Valley Department of Public Works**

**WHEREAS**, the Borough of Montvale has a need to acquire one 2023 Caterpillar Model CB1.7 Asphalt Compaction for use by the Pascack Valley Department of Public Works, consistent with the Shared Services Agreement between Montvale and River Vale; and

**WHEREAS**, consistent with P.L. 2011, c.139, and N.J.S.A. 52:34-6.2(b), the Borough is desirous of awarding this contract through a national cooperative purchasing agreement; and

**WHEREAS**, the Borough did solicit a quote from Foley, Inc. (“Foley”) under the Sourcewell Cooperative Purchasing Agreement, which the Borough had previously joined as a member; and

**WHEREAS**, the Pascack Valley DPW did solicit a quote from Foley, Inc. pursuant to Sourcewell Contract 0332119-CAT for said equipment; and

**WHEREAS**, Foley submitted a proposal dated May 17, 2023, for the provision of one 2023 Caterpillar Model CB1.7 Asphalt Compaction, in the amount of \$37,005.00, a copy of which is attached hereto; and

**WHEREAS**, consistent with P.L. 2011, c.139, the Borough did conduct a cost savings determination justifying the award of this contract under a national cooperative contract; and

**WHEREAS**, the Borough provided notice to the public and potential bidders of its intention to make this award by way of a Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement, a copy of which notice is on file with the Borough Clerk, in advance of this award; and

**WHEREAS**, the Borough is desirous of awarding this contract and purchasing said equipment from Foley pursuant to the May 17, 2023 Proposal; and

Whereas, the Chief Financial Officer has certified that sufficient funds have been appropriated and are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Montvale hereby accepts the May 17, 2023 Proposal from Foley Inc., 833 Centennial Avenue, Piscataway, New Jersey 08854, for the aforementioned vehicle and directs, authorizes and empowers all appropriate officials to execute an agreement and/or purchase order for this contract, subject to all the conditions applicable to Sourcewell Contract 0332119-CAT and subject to approval by the Borough Attorney.

**132-2023 A Resolution Awarding a Contract to Modern Equipment Sales & Rental Co. Pursuant to State Contract #00203 for a 2023 Hyundai 940 XT Loader for Use by the Pascack Valley Department of Public Works**

**WHEREAS**, the Borough of Montvale has a need to acquire a 2023 Hyundai 940 XT Loader for use by the Pascack Valley Department of Public Works, consistent with the Shared Services Agreement between Montvale and River Vale; and

**WHEREAS**, the Borough has determined that the most convenient and cost-effective way to procure said vehicle is by State Contract pursuant to N.J.S.A. 40A:11-12a, and the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Pascack Valley DPW did solicit a quote from Modern Equipment Sales & Rental Co. pursuant to State Contract #00203 for said vehicle in the total amount of \$192,706.44; and

**WHEREAS**, the Borough is desirous of awarding this contract and purchasing said vehicle from Modern Equipment Sales & Rental pursuant to the March 15, 2023 Proposal, a copy of which is attached hereto; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Montvale hereby accepts the March 15, 2023 Proposal from Modern Equipment Sales & Rental Co., 75 New Street, Edison, New Jersey 08837, for the aforementioned vehicle and directs, authorizes and empowers all appropriate officials to execute an agreement and/or purchase order for this contract, subject to all the conditions applicable to State Contract #00203 and subject to approval by the Borough Attorney.

**133-2023 A Resolution Awarding a Contract to FDR Hitches for a 5 Ton 6x14 Tilt Trailer for Use by the Pascack Valley Department of Public Works**

**WHEREAS**, the Borough of Montvale has a need to acquire a 5 Ton 6x14 Tilt Trailer for use by the Pascack Valley Department of Public Works, consistent with the Shared Services Agreement between Montvale and River Vale; and

**WHEREAS**, the Pascack Valley DPW did attempt to solicit three quotes for said equipment; and

**WHEREAS**, the lowest price received was from FDR Hitches pursuant to an April 6, 2023 Proposal, a copy of which is attached hereto; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds have been appropriated

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Montvale hereby accepts the April 6, 2023 Proposal from FDR Hitches, 120 W. Westfield Avenue, Roselle Park, New Jersey 07204, for the aforementioned equipment and directs, authorizes and empowers all appropriate officials to execute an agreement and/or purchase order for this contract subject to approval by the Borough Attorney.

**134-2023 A Resolution Authorizing the Receipt of Bids for the Pickleball Courts Crack Filling, Resurfacing and Net Installation Project for the Borough of Montvale**

**WHEREAS**, the Borough of Montvale has a need to procure the services of a contractor to complete the Pickleball Courts Crack Filling, Resurfacing and Net Installation Project for the Borough of Montvale; and

**WHEREAS**, the total value of said contract is expected to exceed the applicable bid threshold pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Clerk and Borough Administrator are hereby directed, authorized and empowered to advertise and receive bids for the above-referenced project.

**135-2023 Resolution Authorizing The Municipal Tax Collector To Prepare And Mail Estimated Tax Bills In Accordance With P.L. 1994, C. 72**

**WHEREAS**, the Bergen County Board of Taxation has not certified the tax rate and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

**WHEREAS**, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies: and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Montvale in the County of Bergen and the State of New Jersey on this 30<sup>th</sup> day of May, 2023, as follows:

1. The Municipal Tax Collector is hereby authorized, if determined necessary, to prepare and issue estimated tax bills for the Borough of Montvale for the third installment of 2023 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994 c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2023 is hereby set at \$54,433,880
3. In accordance with law, the third installment of 2023 taxes shall not be subject to interest until the later of August 10, 2023 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**136-2023 A Resolution of the Borough of Montvale Authorizing the Execution of a Shared Services Agreement with the Montvale Board of Education Concerning a Shared Certified School Nurse for the Montvale Summer Camp and the Memorial Elementary School Summer Learning Program**

**WHEREAS**, the Borough of Montvale (the "Borough") and the Montvale Board of Education (the "Board") agree that it would be more efficient and in the best interests of the Borough for the Borough and the Board to share the services of a certified school nurse during the Montvale Summer Camp and the Memorial School Summer Learning Program; and

**WHEREAS**, the Borough and the Board desire to enter into an agreement concerning the shared certified school nurse, a copy of which is on file with the Municipal Clerk.

**NOW, THEREFORE, BE IT RESOLVED** that the agreement entitled "SHARED SUMMER PROGRAM NURSING SERVICES AGREEMENT" is hereby approved, and the Mayor and Borough Clerk are hereby authorized to execute same in substantially the form negotiated, subject to approval as to form by the Borough Attorney; and

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

**137-2023 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; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

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

**WHEREAS** 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** that the Mayor and Council of the Borough of Montvale 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 (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027; and

**BE IT FURTHER RESOLVED** that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than MONDAY, JUNE 26, 2023.

**138-2023 A Resolution Authorizing The Execution Of An Agreement With The County Of Bergen To Supersede The Cooperative Agreement Dated July 1, 2021, And Amendments Thereto Establishing 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; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

**WHEREAS**, an Agreement has been proposed under which the Borough of Montvale and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, it is in the best interest of the Borough of Montvale to enter into such an Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Montvale that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2021 – June 30, 2024) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than MONDAY, JUNE 26, 2023.

**139-2023 A Resolution Authorizing the Appointment Of Municipal Representatives To The Bergen County Community Development Regional Committee FY 2023 Covering Period July 1, 2023, through June 30, 2024**

**WHEREAS**, the Municipality of Borough of Montvale has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the mayor appoint a representative and alternate for the FY 2023-2024 term starting July 1, 2023 and ending on June 30, 2024.

**NOW THEREFORE, BE IT RESOLVED** that the Municipal Council hereby appoints Joseph Voytus as its representative and Councilmember Dieter Koelling as its alternate and that the Mayor hereby appoints Councilmember Timothy Lane as his representative and Councilmember Douglas Arendacs as his alternate to serve on the Community Development Regional Committee for FY 2023-2024; and

**BE IT FURTHER RESOLVED** that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us **as soon as possible and no later than Monday, June 26, 2023.**

**140-2023 Amending Resolution 19-2023 Authorizing the Re-Affirmation Of The Policy & Procedures Manual Of The Municipality**

**WHEREAS**, the Municipality has a Policies & Procedures Manual which has been established to ensure Employees and prospective Employees are treated in a manner consistent with all applicable employment laws, regulations and protocols; and

**WHEREAS**, the Borough places great value and consideration in relation to the health, well-being and safety of its Employees.

**WHEREAS**, said Manual is also in accordance with the requirements promulgated by the Bergen County Municipal Joint Insurance Fund and under the auspices of the New Jersey Municipal Excess Liability Fund; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the Manual previously adopted by Resolution is hereby reaffirmed to serve as the Borough's Policies and Procedures serving and applying to every Employee, Volunteer, Elected & Appointed Official and Independent Contractor(s) serving the Municipality; and

**BE IT FURTHER RESOLVED**, the Borough will continue to monitor changes in Federal and State Statutes and Regulations to ensure continued compliance with applicable laws, regulations and policies that impact the employment practices of the Municipality; and

**BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be maintained on file in the Clerk's office and shall also be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Municipality.

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

**BILLS: Administrator read the Bill Report**

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

**ENGINEER'S REPORT:**

Andrew Hipolit - absent  
Report/Update

**ATTORNEY REPORT:**

David Lafferty, Esq.  
Report/Update

We approved the bond ordinance for the DePiero acquisition. Colliers is doing our due diligence work. We are on track to close by the end of the summer

**ADMINISTRATOR REPORT:**

Joe Voytus  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

1. Parking of Commercial Vehicles in Residential Zones

Mayor Ghassali stated he received an email regarding a resident parking his commercial vehicle in his driveway. The owner stated that this is the only vehicle his has. The administrator asked councilmembers if they wanted to change the ordinance. After a brief discussion, it was decided to cover the signage on the vehicle or cover the vehicle with a tarp.

2. Historic Designation – 13 W Grand Ave

The administrator spoke with Dick Voorhees in regarding going to the State for Historic designation. Will meet with the Historic committee at site to further discuss going to the State.

3. Welcome to Montvale Signs

The administrator suggested possibly getting sponsors, this way it will offset the cost. Councilmembers decided to go with a darker blue. The administrator will get some samples with blue coloring for the next meeting.

4. Library

Councilmember Cudequest stated the Library will be having a ribbon cutting ceremony for the new Reading Garden on June 17<sup>th</sup> at 12:30

**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.

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

Carolee Adams

In regards to having sponsors on the signs, suggested not to have sponsors because sometimes businesses come and go. Mentioned an article from the Mayor of Hillsdale and former Mayor of East Rutherford regarding Trenton's Hypocrisy on Property Taxes regarding Energy Tax Receipts Property tax relief programs. Regarding deer, Ms. Adams had a dead deer on her property that looked like it was a viciously attacked. Mayor Ghassali suggested he would reach out to Tyco for recommendations about how to deal with foxes and coyotes.

Sal Finocchio, 9 Cypress Peak Lane

Spoke in regards to his commercial vehicle on his property. Councilmember Lane stated to try and cover the lettering. He will contact the State regarding the lettering and registering his vehicle.

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

**ADJOURNMENT:**

Motion to adjourn by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

Meeting adjourned at 8:23pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, June 8, 2023

**Respectfully submitted, Frances Scordo, Municipal Clerk**