

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:38 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Fire Chief Miller 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: Borough Attorney, Phil Boggia; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Curry	Councilmember Lane
Councilmember Koelling	Councilmember Talarico
Councilmember LaMonica	Councilmember Weaver

PRESENTATION: Elizabeth Tomaselli – STEM (Science, Technology, Engineering, Mathematics) Girl Scout Gold Award Project - Ms. Tomaselli will be hosting an event on Tuesday, February 23rd at the senior community center from 7-8pm. She is asking for community involvement as well as councilmember involvement to keep her program going.

ORDINANCES:

INTRODUCTION ORDINANCE NO. 2016-1406 AN ORDINANCE TO AMEND ORDINANCE NO. 2015-1384 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
(Public Hearing 2/23/16)

A motion to Introduce Ordinance **2016-1406** for first reading was made by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Koelling - A roll call was taken – all ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only
Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Talarico
- All ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

January 26, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Koelling
– all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

January 12, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Talarico
– all ayes

January 26, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Talarico
– all ayes

RESOLUTIONS:

44-2016 Emergency Temporary Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2016 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$47,745.00

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$47,745.00

2. That said emergency temporary appropriation (will be) provided in the 2016 budget;

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND

Administrative and Executive:

Other Expenses	\$25,000.00
General Liability Insurance	10,000.00
Environmental Commission:	
Other Expenses	400.00
	35,400.00

Operations – Excluded from “CAPS”

Public and Private Programs Offset by Revenues	
Municipal Alliance to Prevent Substance Abuse	\$9,876.00
Municipal Alliance to Prevent Substance Abuse – Matching	2,469.00
	<u>12,345.00</u>
	\$47,745.00
	=====

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

45-2016 Authorize Hiring / Part Time On Call / Crossing Guard / Eugenia Kalos

WHEREAS, the Montvale Police Department desires to hire a part-time on call crossing guard in the Borough of Montvale; and,

WHEREAS, Eugenia Kalos has met the qualifications for this position, agrees to the terms and conditions of employment; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to the position of Part-time On Call Crossing Guard, effective January 8, 2016.

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

46-2016 Authorize Volleyball Program Refund/C. Stoker

BE IT RESOVLED, a refund in the amount of \$100.00 is hereby authorize to Christine Stoker, 9 Kings Court, Woodcliff Lake, NJ who paid and child could not participate in the Borough of Montvale Recreation Department Volleyball Program.

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

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

47-2016 Opposing Suez/United Water Rate/Tax Increase

WHEREAS, Suez Water New Jersey (United Water) has filed a petition for approval of a rate increase to the BPU; and

WHEREAS, the requested rate increase proposes a Thirty Three percent (33%) rate increase in the fixed monthly service charge and a Seventeen percent (17%) in consumption charges , and

WHEREAS, the Suez Water Company Utility Notice Notice seeks to increase their revenue by Thirteen point Five One%, (13.51 %) and increase rates by Eighteen point zero five% (18.05%) per customer, and

WHEREAS, the Borough of Montvale, and all municipalities in the State are restricted to a two percent (2%) annual CAP within the budget and utilities fall within the State mandated CAP, and

WHEREAS, any increase beyond two percent (2%) has a very negative effect of municipal budgets; and

WHEREAS, every increase of over 2%; comes at a direct cost to municipal budgets reducing available funds in the balance of the budget, and

WHEREAS, utility costs cannot be bid or negotiated, any increase must be incorporated into the budget, regardless of available funds; and

WHEREAS, homeowners and businesses report annual wage increases of less than 2% annually, State, County, Municipal and School budgets are stressed to a point of breaking; now

BE IT RESOLVED, that Suez Water New Jersey not be granted this exorbitant increase, be mandated instead to provide service within the budget parameters mandated by the State on all government agencies within the State with any future rate increases in a timely and appropriate manner consistent with State mandate for public budgets, and only be approved so any increase can be placed within the budget in a timely manner; and

BE IT FURTHER RESOLVED, that the Borough of Montvale strongly opposes the 18.05% rate hike that Suez Water New Jersey is currently requesting and urges the BPU if there is any increase that it be slowly and incrementally placed to reflect the 2% CAP imposed by the State on all government agencies, to be keenly aware that rate increases have the chilling effect of causing the State of New Jersey to continue to hold the lead as one of the MOST TAXED STATES IN THE UNION, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Christie, our State Legislators, all Bergen County municipalities, and the Board of Public Utilities, Irene Kim Asbury, Secretary BPU 44 South Clinton St, 9th floor Trenton, NJ 033625-0350 and The Honorable Evelyn J. Marose, Office of Administrative Law, 33 Washington St. Newark, NJ 07102.

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

48-2016 Mutual Aid – Pascack Valley / Fire Departments

WHEREAS, the Borough of Montvale recognizes the necessity for the sharing of the emergency services, aka mutual aid, to communities or districts inside and outside of the presently established Pascack Valley and Tri-Boro Mutual Aid groups, for the purpose of providing of personnel and fire rescue equipment; and

WHEREAS, the Borough of Montvale's Fire Chief or the Fire Chiefs designated representative will be making decisions to provide mutual aid to area communities with brief notice; and

WHEREAS, the Borough of Montvale's Fire Chief or the Fire Chiefs designated representative will ensure that arrangements are made, prior to providing such mutual aid to other communities, for appropriate emergency protection for the Borough of Montvale and its residents; and

WHEREAS, the Borough of Montvale understands that the community or region requiring mutual aid may not be adjacent to or part of the existing Pascack Valley or Tri Boro Mutual Aid groups already established in the Pascack Valley of Bergen County; and

WHEREAS, Worker's Compensation will be provided by the Borough of Montvale (employer), General Liability is assumed by the recipient of the service and Automobile Liability/Physical Damage and Property Insurance stays with the owner of the property (Borough of Montvale).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it authorizes the Borough of Montvale's Fire Chief and or the Fire Chiefs designated representative to provide mutual aid services to any community or district the Fire Chief or his designated representative deems necessary.

BE IT FURTHER RESOLVED, that the Borough of Montvale will provide its insurance carriers and its insurance agents with copies of this resolution to ensure that insurance coverage, in the same manner as provided on an everyday basis, is provided to the Borough of Montvale and its representatives during the time period mutual aid is provided to another community or district.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Governing Body of Emerson, Hillsdale, Park Ridge, Old Tappan, River Vale, Township of Washington, Westwood, Woodcliff Lake and to the Montvale Fire Department.

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

49-2016 Refund Tax Overpayment / Block 2601, Lot 9 / 4 Timberland Trail

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 4 Timberland Trail, also known as Block 2601 Lot 9;

WHEREAS, a duplicate payment was made by the mortgage holder; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund James Barton, 4 Timberland Trail, Montvale, NJ 07645, in the amount of \$5,446.00

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

50-2016 Support for the Pascack Valley Mayors' Opposition to the Pension & Health Benefit Study Commission Report Dated February 24, 2015

WHEREAS, the Governor created the New Jersey Pension and Health Benefits Study Commission which released a report dated February 24, 2015; and

WHEREAS, this report recommends merging all nine (9) public employee pension funds in the State of New Jersey into one plan that would be merged into a new defined contribution plan (also known as a 457 plan); and

WHEREAS, local governments would have to pay an additional four (4) percent for each employee in the proposed new plan as well as fund a new pension liability for the two (2) local pension plans PERS and PFRS that would be frozen while current retirees receive their benefit; and

WHEREAS, the report also recommends that the State of New Jersey transfer the responsibility for teacher pension payments to the local school districts; and

WHEREAS, the report further recommends that the school district absorb and make payment on an as yet undetermined portion of the over \$80,000 unfunded liability for the teachers' pension plan; and

WHEREAS, if these two (2) recommendations related to the Teacher's Pension Plan are enacted, it will mean an immediate property tax increase to cover these costs which are currently paid for by the State or are future funding obligations of the State; and

WHEREAS, of the nine (9) public employee pension plans in the State of New Jersey, the seven (7) established for State employees will become insolvent within six (6) to seventeen(17) years; and

WHEREAS, there are two (2) pensions plans that support local government employees, local PERS for municipal employees is solvent into perpetuity at current funding levels, local PFRS for police officers and firefighters is fully funding for the next forty (40) years at current funding levels, and

WHEREAS, the New Jersey State League of Municipalities, the New Jersey Municipal Management Association (NJMMA), and the Government Finance Officers Association (GFOA) are in agreement that the two (2) solvent local government pension plans should not be merged with the seven (7) State pension plans that are on the road to insolvency.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Montvale opposes the findings outlined in the Roadmap to Resolution Report dated February 24, 2015; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Montvale urge all municipalities and school districts in the State of New Jersey to review the cost allocation estimates of pension liability for each percent of payroll contribution report which was prepared by Professor Raphael J. Caprio, PhD. dated July, 2015 published by the Bloustein Local Government Research Center which can be found at the following link: <http://tinyurl.com/paxvpty>.

BE IT ALSO RESOLVED that a copy of this resolution be sent to the Governor, all State Legislators, and all municipalities in Bergen County, the New Jersey State League of Municipalities and the Pascack Valley Mayor's Association.

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue - January

COMMITTEE REPORTS:

Council President Lane

Fire Department

29 calls; 2 drills; Increase in membership continues; Chief gave a brief review about the meeting with architect and possible bidders for the project at the firehouse

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 50 calls; 745 miles; 49 hours; 49 crew hours

Update on cleaning of the train station, new keys have been made and given to the cleaning company

Councilmember Curry

Construction

Memorial Sloan Kettering has applied for some basic site permits; In the process of getting quotes for fencing of the fields;

Recreation

Winter programs are up and running; Councilmember Curry made a motion to add Tom Mascarelli to the committee; seconded by Councilmember Lane – all ayes

Building and Grounds

There seems to be an issue with the roof at the senior center in regards to rodents. Mr. Fette is looking into it.

Councilmember LaMonica

Chamber of Commerce

February 24 at 5:30pm at the Courtyard Marriot there will be a networking event with keynote speakers Mayor Ghassali and CEO of Memorial Sloan Kettering; April 13 will be a networking event held at Davey's at 7:00am including breakfast; a few more networking events are planned for March 1st at Garden State Plaza and at Bellissimo on May 1st; The annual street fair is scheduled for Sunday, June 5

Seniors

Had a workshop on January 21, urging all seniors to come and see what the club is all about; they have a lot of activities like card games, billiards, exercise classes and trips

Planning Board

Work trailer will be placed at Memorial Sloan very soon;

Tree Ordinance

The committee has been working very hard and will have the ordinance ready for review soon

Stigma-Free Coalition

All the schools are actively participating in all aspects of mental health. The teachers are certified in mental health awareness and programs; there is a certification program scheduled for Feb 24 and 25 from 8:30-12:30 at the senior center; Mayors Wellness Program is set up through volunteers and they sponsor walks, weight loss programs, etc.

Councilmember Koelling

Swim Club

The swim club will submit a 5 year plan – review for next meeting

Councilmember Weaver

Environmental Commission

Architect designs were discussed for 99 Spring Valley that includes 12 townhouse units; also discussed was additional parking at 5 Paragon Drive; in addition they had a discussion in regards to their role as a commission. They do not have approval rights of any plans, they can only recommend to the planning board.

Regional School Board

Considering renovating the baseball field with turf and it would be shared with the softball team

MAYOR

Library

Circulation 11,583; 5,524 patron visits; 27 cards issued;

Report

Residents have been coming to speak with Mayor, some topics were taxes, roads, speeding; Met with DEP Commissioner to discuss some corporate properties, he is willing to come to Montvale and further discuss the issues; Met with the mayors of Hillsdale, Park Ridge and Woodcliff Lake to discuss a walkway connecting all towns, it can be funded through open space; Would like to have a town hall meeting in March; Would like to have a booth at the street fair;

The COAH committee met with the special master, Frank Banisch about COAH requirements and compliance and the borough will continue to work with him with future development projects to be in compliance with COAH.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

Update on upcoming projects

- Eagle Ridge ready to go to bid- paperwork will be submitted for next meeting
- Terkuile and Magnolia paving – early April
- Chestnut Ridge Road widening will set up a meeting with the county in the next couple of weeks
- Working on proposal for the HVAC system replacement

ATTORNEY REPORT:

Philip Boggia, Esq.

Report/Update

Briefly mentioned that to two draft ordinances listed under New Business were given to councilmembers for their review

UNFINISHED BUSINESS:

- a. Flanagan Productions: Manage Montvale's Website/Website Development

Video Production/Event Videos/Social Media – Draft Resolution 51-2016

Councilmember Curry gave a brief description of what Flanagan Productions will do with respect to website design, social media and management of the website. She would like the council to award a contract to Flanagan Productions.

51-2016 A Resolution of the Borough of Montvale Awarding a Contract to Flanagan Productions, LLC, as an Extraordinary Unspecifiable Service for Website Design, Hosting and Support and Related Services

WHEREAS, the Borough of Montvale is desirous of engaging the services of a professional company to redesign, host and support the Borough’s website and related web applications and social media in order to better service the Borough’s residents and visitors to the Borough’s website; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as “extraordinary unspecifiable services”; and

WHEREAS, the Borough has received a proposal to provide such services from John Flanagan of Flanagan Productions, LLC (the “Flanagan Proposal”), and has had the opportunity to meet with Mr. Flanagan at its public meeting of January 26, 2016, and has determined that Flanagan Productions demonstrates the expertise and proven reputation in the specialty of website design, hosting and support which is essential to this project; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions, LLC to perform the above-referenced services for an initial period of one (1) year, for the prices and on the terms set forth in the Flanagan Proposal; and

WHEREAS, because the value of this contract exceeds the Borough’s applicable pay-to-play threshold, it shall be awarded pursuant to the “alternative” provisions of *N.J.S.A. 19:44A-20.4*, et seq., and Flanagan Productions has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Flanagan Productions, LLC for website design, hosting and support, and related services, for the prices and on the terms set forth in the Proposal submitted by Flanagan Productions, LLC entitled “Proposal Form for Website Design – Hosting – Support” for the Borough of Montvale.

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Flanagan Proposal but shall not exceed \$25,000 without further authorization of the Borough Council, and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

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

NEW BUSINESS:

a. Proposed Draft Ordinance/Grease Traps
Council will review for further discussion at next meeting

b. Proposed Draft Ordinance/Montvale Economic Development & Retention Commission
Council will review for further discussion at next meeting

Tree Ordinance

Received a proposal from the planner to review the ordinance for \$3,400; a motion by Councilmember Lane; seconded by Councilmember Koelling – all ayes

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 LaMonica
- all ayes

Chief Miller

New Fire Truck will be delivered in the next few weeks, will have a "wet down" May or June

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

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

Meeting was adjourned at 9:00pm

The next Meeting of the Mayor and Council will be held February 23, 2016 at 7:30 p.m.
Budget Meeting is scheduled for February 23 at 6PM

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk