

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:38PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

**OPEN PUBLIC MEETING STATEMENT**

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

Also Present: Mayor Mike Ghassali; Borough Attorney, Phil Boggia; Borough Engineer, Andy 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

**GET TO KNOW OUR MONTVALE CORPORATES PRESENTATION SERIES:**

Mike Searles, Benjamin Moore CEO presenting the company's history and services to Montvale  
A Proclamation was given to Mr. Searles which is included with the original minutes.

**ORDINANCES:**

**INTRODUCTION ORDINANCE NO. 2016-1418** AN ORDINANCE TO AMENDING AND SUPPLEMENTING CHAPTER 121 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND "SCHEDULE VIII – STOP INTERSECTIONS" AND TO SPECIFY THE LOCATION OF STOP SIGNS AT VARIOUS INTERSECTIONS

(Public Hearing 8/30/16)

A motion to Introduce Ordinance **2016-1418** 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 Curry - 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 Curry  
- All ayes

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

July 26, 2016

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

**MINUTES CLOSED/EXECUTIVE SESSION:**

July 26, 2016

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

**RESOLUTIONS:****133-2016 A Resolution Awarding a Professional Services Contract to Robert R. Guida, J.S.C. (Ret.) to Serve as a Special Hearing Officer in a Personnel Disciplinary Matter**

**WHEREAS**, the Borough of Montvale has a need to retain the services of an attorney to serve as a Special Hearing Officer in connection with a Personnel Disciplinary Matter; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-1 *et seq.*, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

**WHEREAS**, the Borough has received a proposal from Robert R. Guida, J.S.C. (Ret.), an attorney of the State of New Jersey and a retired Superior Court Judge who has special expertise in presiding over disciplinary hearings; and

**WHEREAS**, said proposal includes an hourly rate of \$350/hour; and

**WHEREAS**, the Governing Body is satisfied that Robert R. Guida, J.S.C. (Ret.) possesses the requisite experience pertaining to such matters; and

**WHEREAS**, the Governing Body is desirous of awarding a contract to Robert R. Guida, J.S.C. (Ret.), to serve as a Special Hearing Officer for the above-stated rate; and

**WHEREAS**, prior to the execution of a contract, Robert R. Guida, J.S.C. (Ret.) will complete and submit a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee for a candidate for or holder of the office Mayor or Councilmember of the Borough Council of the Borough of Montvale in the previous year, and that the contract will prohibit Robert R. Guida, J.S.C. (Ret.) from making any reportable contributions through the term of the contract; 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 professional services contract is hereby awarded to Robert R. Guida, J.S.C. (Ret.) to serve as Special Hearing Officer in connection with the pending Personnel Disciplinary matter, pursuant to the terms and conditions set forth herein.

**BE IT FURTHER RESOLVED** that this contract is awarded without competitive bids as a "professional services" contract in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the *Local Public Contracts Law* because the subject matter of the contract is for professional services by a firm or professional authorized to practice within the State of New Jersey.

**BE IT FURTHER RESOLVED** that this Contract is being awarded pursuant to the alternative process of the *New Jersey Local Unit Pay to Play Law*, *N.J.S.A.* 19:44A-20.5, and in compliance therewith, and the *Business Entity Disclosure Certification* and all other required forms will be placed on file with this Resolution.

**BE IT FURTHER RESOLVED** that all appropriate Borough officials are hereby authorized to take all steps necessary to execute a contract for the above-referenced professional services, consistent with this Resolution.

**BE IT FURTHER RESOLVED** that although the value of this contract is not expected to exceed the applicable bid threshold, notice of the award of the above contract will be published in *The Record* within ten (10) days of the adoption of this Resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes  
Councilmember Weaver asked for clarification regarding the clause "not to exceed" ; Mr. Boggia explained that the proposal is by an hourly rate and it will be monitored by his office.

**134-2016 Awarding Professional Service Contract/Engineering Services/2016 HMGP/Generator Project/ Borough of Montvale/ Maser Consulting, LLC**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional engineering services, design, preparation of bid documents, coordinate with vendor and FEMA for the Borough of Montvale location of 12 Mercedes Drive for the purchase and installation of an emergency generator to provide power to the entire Municipal Building, with the exception of the Police Department, air conditioning and Library; and

**WHEREAS**, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

**WHEREAS**, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated July 22, 2016 to provide these services which is attached to the original of this resolution, and

**WHEREAS**, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Montvale as follows:

- 1) That the proposal for the scope of professional engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: design and preparation of bid documents, project meetings and project team coordination with vendor and FEMA
- 3) The cost not to exceed shall be \$10,500.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645.

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

**135-2016 Authorize Performance Surety Bond Reduction #1 and Cash Bond Reduction K Hovnanian The Reserve At Montvale/ Block 302 Lot 1**

**WHEREAS**, K Hovnanian at Montvale II, LLC, 110 Fieldcrest Ave., Edison, NJ 08837 has requested a reduction in both Bond #1103208 Lexon Insurance Company and cash bonds for their performance guarantees ; and

**WHEREAS**, a completed inspection of the site has been conducted by Maser Consulting P.A., which takes no exception to the reduction in their performance bonds. A letter dated July 21, 2016 from Borough Engineer, Andrew Hipolit which has been made a part of this resolution; and

**WHEREAS**, as recommended by the Borough Engineer the performance bond shall be reduced to \$644,857.52 to a surety bond and the Cash portion of the bond reduced to \$71,650.84 shall be maintained to assure all uncompleted improvements are completed.; and

**WHEREAS**, total remaining balance \$716,508.38; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the Municipal Clerk is hereby authorized to issue the reduction in the performance bonds as stated above for K Hovnanian at Montvale II, LLC 110 Fieldcrest Ave., Edison, NJ 08837.

**BE IT FURTHER RESOLVED**, K Hovnanian at Montvale II, LLC shall provide the Borough of Montvale with a new surety bond in the amount \$644,857.52 and the Borough Treasurer shall receive a copy of the resolution for the processing.

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

**136-2016 Authorize Release of Escrow/ Block 2701/Lot 4/AEP Industries**

**WHEREAS**, AEP Industries, 95 Chestnut Ridge Road, Montvale, NJ 07645 has requested release in escrow for Block 2701 Lot 4; 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 the amount of \$1,855.89 is hereby released to AEP Industries; and

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

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

**137-2016 Authorize Release Of Performance Guarantee/Four Seasons At Ridgmont/Block Block 3301 Lots 2,3 4 Block 3102 Lot 1**

**WHEREAS**, K. Hovnanian at Four Seasons At Ridgmont, LLC, 110 Fieldcrest Ave., Edison, NJ 08837 has requested a final release of their Performance Bond for Four Seasons At Ridgmont ; and

**WHEREAS**, a completed inspection of the site has been conducted by Maser Consulting P.A., which takes no exception to the release of the performance bond to \$20,000.00 for this project subject to the submittal of a Maintenance Bond in the amount of \$411,651.08 to be held by the Borough for a period of two (2) years. A detailed letter dated August 2, 2016 from Borough Engineer, Andrew Hipolit has been made a part of this resolution; and

**WHEREAS**, as recommended by the Borough Engineer the performance bond shall be reduced to \$20,000.00 for landscaping issue which shall be resolved by K. Hovnanian to assure all uncompleted improvements are completed and a maintenance bond shall be posted in the amount of \$411,651.08; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the Municipal Clerk is hereby authorized to issue the release in the performance bond as stated above for Four Seasons At Ridgmont, 110 Fieldcrest Ave., Edison, NJ 08837.

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

**138-2016 RE: Authorize Payment #1/New Montvale Firehouse/Unimak LLC**

**WHEREAS**, the Borough of Montvale awarded a contract on April 26, 2016 in connection with the New Montvale Firehouse Project; and

**WHEREAS**, the original contract amount is \$4,449,000.00 via Resolution #82-2016; and

**WHEREAS**, the Borough Engineer in an e-mail dated July 23, 2016 and Robbie Conley Architect, LLC approved said payment based on the contract as per the letter dated July 25, 2016 which both are attached to the original of this resolution; and

**WHEREAS**, payment #1 is hereby authorized to be issued to Unimak, LLC, 82 Midland Avenue, Saddle Brook, NJ 076633 Franklin Avenue, Suite 170 Nutley, NJ 07110-1209; and

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

|                       |                                    |
|-----------------------|------------------------------------|
| Total Contract Amount | \$4,449,000.00 Resolution #82-2016 |
| Total Amount Due      | \$207,230.80 Resolution 138-2016   |
| Total Remaining:      | 4,241,769.20                       |

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

**BILLS:**

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

**REPORT OF REVENUE:** Municipal Clerk read the Report of Revenue – July

**COMMITTEE REPORTS:**

**Councilmember Weaver**

**Environmental Commission**

After some discussions with the committee, some questions arose regarding monies for landscaping of borough owned properties as far as landscaping; the center of town has some overgrown weeds and some dead plantings; Our Buildings and Grounds official will be notified to investigate the islands in the center of town; Another question by the committee is who is responsible for the trees between Woodland and Akers approximately 13 trees that seem to be deformed from the utility company; the engineer stated Orange/Rockland should be notified first then the county; any branches above the wires have to be removed by the utility company only.

**Regional Board of Ed**

Have been contacted by some Montvale parents that are concerned with the guidelines of the mileage of 2.5 miles distance from school for bus transportation and that they are just slightly under it; Mayor Ghassali and Mr. Weaver will meet with them to further discuss

**Planning Board**

New businesses 105 Spring Valley Road and 85 Chestnut Ridge Road; public hearing for the Super Value is scheduled for Sept 6<sup>th</sup>

**Councilmember Koelling**

**Swim Club**

Woodcliff Lake is offering a special deal for Montvale residents for the rest of the summer

**Councilmember LaMonica**

**Chamber of Commerce**

New website is under way; Street Fair has been re-scheduled for Oct 23rd

**Councilmember Curry**

**Construction**

Plan review for Wegmans is moving forward and work on Memorial Sloan is moving forward as well. The department will be hiring temporary part-time officials in anticipation of the work load with Wegmans and other upcoming projects; The fees collected will pay for the extra positions.

**Building and Grounds**

The County cut the grant funding for the playground equipment for Huff Park; the borough will receive \$21,000 grant which is a matching grant; the engineer stated that you can purchase the equipment under State contract; a motion to authorize the engineer to get quotes by Councilmember Curry; seconded by Councilmember Lane – all ayes

**Recreation**

The position of Rec Director has been posted on the NJLOM website; thanked Jim Freeman for all his years of service; Summer Camp was a success

**Board of Health**

Flu clinic is scheduled for September 17 at the community center from 9-11am

**Newsletter**

If you would like a hard copy of the newsletter in the mail, please contact borough hall

**Councilmember Talarico**

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 51 calls; 773 miles; 47 hours; 48.5 crew hours

Councilmember Talarico made a statement that he is withdrawing his name and petition for the upcoming election for councilmember

**Council President Lane**

Fire Department

The demolition is moving forward; the department is performing well in their temporary garage at DPW; The wet down of the new firetruck is scheduled for September;

**MAYOR**

Library

Circulation 12,937; 6,353 patron visits; Looking for donations of books, cds, and dvds by August 20<sup>th</sup> for their upcoming book sale in September

Report

Received number of calls regarding the swim club and will have a report at next meeting; Flight Center USA and Sharp Electronics will be having their Grand Openings in September; met with the MAL president regarding field maintenance, more discussions will follow.

**ENGINEER'S REPORT:**

Andy Hipolit

Report/Update

Eagle Ridge sewer project will start next Monday, August 15<sup>th</sup> - should take a few weeks

HVAC/ Roof bids will be open on August 23

North Ave milling and paving will be advertise next week to receive bids

**ATTORNEY REPORT:**

Phil Boggia, Esq.

Report/Update

No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- a. Montvale PBA Local 303/Fourth Annual 5K/October 22, 2016/Request Road Closures/Delayed Opening Recycling Center 11:00 am

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

Councilmember Lane wanted to thanked Councilmember Talarico for working along side him for nine years and added that he has never met a more honest and straight forward councilmember or individual in his professional and personal life. Tremendous asset to the community.

**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 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 THE PUBLIC:**

**ADJOURNMENT:**

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

Meeting was adjourned at 8:25pm

The next Meeting of the Mayor and Council will be held August 30, 2016 at 7:30 p.m.

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