

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:33 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent 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, Joe Voytus; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Curry

Councilmember LaMonica

Councilmember Gloeggler

Councilmember Lane

Councilmember Koelling

Councilmember Weaver

SWEARING IN: Montvale Probationary Police Officers:

- 1) Russell DiLauri
- 2) Ryan Dubelbeiss

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry – 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:**December 27, 2016**

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Koelling – all ayes with exception Councilmember LaMonica abstained

Sine Die January 2, 2017

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

Re-Organization Meeting January 2, 2017

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

MINUTES CLOSED/EXECUTIVE SESSION:

December 27, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry
– all ayes with exception Councilmember LaMonica abstained

RESOLUTIONS:**34-2017 Resolution Confirming Qualified Purchasing Agent And Raising The Bid Threshold/Quotation Threshold**

WHEREAS, the changes to the Local Public Contracts law gave local Contracting units the ability to increase their bid threshold up to \$40,000 and the quotation threshold to \$6,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if the Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.A. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent for the Borough of Montvale; and

WHEREAS, Christine Kalafut, Sr. Accountant, was appointed the Qualified Purchasing Agent on January 31, 2015 and has maintained the necessary certification through the State of New Jersey as the Qualified Purchasing Agent for the Borough of Montvale; and

WHEREAS, the appointment of an individual as a Qualified Purchasing Agent allowed the Borough to raise the bid threshold to \$40,000 and quotation threshold to \$6,000; and

BE IT FURTHER RESOLVED, the Borough does hereby raise the bid threshold to \$40,000 and quotation threshold to \$6,000; and

NOW THEREFORE BE IT RESOLVED, the Municipal Clerk is authorized and directed to forward a certified copy of this resolution to the Division of Local Government Services.

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

35-2017 Amending Resolution No. 205-2016/Professional Service Contract / Engineering Services and Professional Survey / Upper Saddle River Road Reconstruction / Maser Consulting, LLC

WHEREAS, the Borough of Montvale adopted Resolution No. 205-2016 to engage the professional services of an Engineer to provide professional survey and engineering services related to the reconstruction of Upper Saddle River Road; 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 December 21, 2016 to provide these services which is attached to the original of this resolution, and

WHEREAS, the Certified Municipal Finance Officer will certify funds are available subject to the Developer posting 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 engineering services is attached to this resolution which is made part of this resolution and will be awarded to Maser Consulting and financially certified when the developer posted said funding.
- 2) That the following be provided: Professional Survey and Engineering Services

- 3) The cost not to exceed shall be \$39,500.00. 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.

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

36-2017 Emergency Temporary Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2017 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 2017 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$160,000.00

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 \$160,000.00

2. That said emergency temporary appropriation (will be) provided in the 2017 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND

Capital Improvements Excluded from "CAPS"

Acquisition of Vehicles and Equipment:

Uniform Construction Code \$30,000.00

Various Improvements:

Uniform Construction Code 130,000.00

\$160,000.00

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

39-2017 A Resolution Awarding a Contract to Manor II Electric, Inc. for the Montvale Borough Hall Emergency Generator Project

WHEREAS, the Borough of Montvale did publicly solicit bids for the Montvale Borough Hall Emergency Generator Project pursuant to the *Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the solicitation requested bid prices for a Base Bid only; and

WHEREAS, in response to said solicitation, six (6) bids were received; and

WHEREAS, the lowest bid was submitted by Manor II Electric, Inc. ("Manor") in the amount of \$114,000.00; and

WHEREAS, Manor's bid price is within the Engineer's Estimate for this project; and

WHEREAS, the Borough Attorney has reviewed Manor's bid for compliance with the bid specifications, and it appears that Manor has submitted all required documentation and is therefore the lowest responsible and responsive bidder; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that a contract for the above-referenced project shall be awarded as follows:

Bidder

Manor II Electric, Inc.
112 Johnson Street
Newark, New Jersey 07105

In the amount of:

TOTAL: \$114,000.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney.

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

40-2017 Authorization To Bid Montvale Intersection Improvements/County of Bergen Road Improvement Project

WHEREAS, Maser Consulting has completed the bid package for the County of Bergen road improvements as required as part of the DePiero's Farm (Wegmans) project; and

WHEREAS, the Borough Engineer is hereby authorized to advertise for bids as described in the attached detailed proposal dated December 22, 2016 attached to the original of this resolution.

NOW THEREFORE BE IT RESOLVED, The Mayor and Council of the Borough of Montvale authorize bidding for Montvale Intersection Improvements.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes
Councilmember Curry asked what county roads; this is for the county intersections related to the Wegmans project.

41-2017 Awarding Professional Service Contract / Inspection Services / Storm Sewer Outfall Inspections / Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide inspection of approximately 124 stormwater outfalls within the Borough; 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 December 21, 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 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: Inspection Services
- 3) The cost not to exceed shall be \$19,500.00. 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 Curry - All ayes

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.

20-2017 Awarding Professional Service Contract/Records Management Services/Narita Maraj, LLC

WHEREAS, the Borough of Montvale is in need to hire a Records Management Service as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, it is the desire of the Mayor and Borough Council to award a professional service contract to Narita Maraj, LLC, 79 Washington Avenue, Apt 3R, Kearny, NJ 07032, for the management of the Borough of Montvale's Records; and

WHEREAS, The State of New Jersey mandates a local records management program for all municipalities; and

WHEREAS, The Records Management Services and the Open Public Records Act (OPRA) has mandated the process of records management required by the State of New Jersey and the Records Management Services (R.M.S.); and

WHEREAS, the contract is hereby awarded in an amount not to exceed \$15,000.00; and

WHEREAS, any expenditures exceeding \$15,000.00 must be approved by Mayor and Council by resolution; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contract for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale as follows:

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law the services are to be performed are specific in nature, required by law to maintain, legal disposal and appropriate preservation of public records .

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

3. A Notice of this action shall be printed once in the official newspaper of the Borough.

21-2017 Award Professional Service Contract / Borough Attorney / Boggia & Boggia

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Boggia & Boggia, 71 Mt. Vernon Street, Ridgefield Park, NJ 07660 were appointed at the Re-organization Meeting of the Governing Body on January 2, 2017; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Philip Boggia, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Philip Boggia, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Boggia & Boggia.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

22-2017 Award Professional Service Contract / Borough Auditor / Lerch, Vinci & Higgins

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 2, 2017; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Lerch, Vinci & Higgins
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough of Montvale.

23-2017 Award Professional Service Contract / Engineering Services / Maser Consulting P.A. Andrew R. Hipolit, P.E., PP., C.M.E.

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting P.A., 200 Valley Road, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 2, 2017; and

WHEREAS, Andrew R. Hipolit, shall be designated as Principal In Charge for all services provided to the Borough of Montvale, and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Maser Consulting. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will

prohibit Maser Consulting from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Maser Consulting.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

24-2017 Award Professional Service Contract / Borough Planner / Maser Consulting, P.A. / Darlene Green

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting, P.A. was appointed at the Re-Organization Meeting of the Governing Body on January 2, 2017; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Darlene Green, P.P., AICP/Associate/Senior Project Planner of Maser Consulting, P.A., Perryville III Corporate Park, 53 Frontage Road, Suite 120, Clinton, NJ 08809 for planning services for the Borough for this period; and

WHEREAS, the anticipated term of this contract is for 1 year; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds; and,

WHEREAS, Maser Consulting, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Maser Consulting, P.A. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale as follows:

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

3. A Notice of this action shall be printed once in the official newspaper of the Borough

25-2017 Awarding Service Contract / Agreement Tri-State Technical Services / Computers & Peripherals

WHEREAS, the Borough of Montvale requires professional computer services and an extended service agreement for the computers and peripherals for the period January 1, 2017 through December 31, 2017; 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.

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

That a contract for professional computer services for an Service Agreement for Computers and Peripherals proposal which is attached and made part of this resolution be awarded to Tri-State Technical Computer Services, Inc., of 442 Lafayette Avenue, Hawthorne, New Jersey 07506 in the amount of \$8,300.00 for the period January 1, 2017 through December 31, 2017, as described in the Service Agreement;

WHEREAS, the Certified Municipal Finance Officer has provided funds to be available subject to the adoption of the year 2017 Municipal Budget; and

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

26-2017 Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2017/Professional Insurance Associates, (P.I.A), Inc.

WHEREAS, the Borough Of Montvale (hereinafter, the Municipality) is a member of the **Bergen County Municipal Joint Insurance Fund (BCMJIF)** and the **Municipal Excess Liability Joint Insurance Fund (MEL)** collectively referred to as, the Funds, for property and casualty coverage's, which include property, general liability, crime, environmental, employee benefits liability, excess liability and workers compensation; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a RISK MANAGEMENT CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Insurance Program and Loss Control efforts; and

WHEREAS, the Board of Fund Commissioners for the BCMJIF established a fee for such services equal to six percent (6%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc.** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Risk Management Consultant's Agreement attached and to advertised in the official newspaper in accordance with NJSA 40A:11-5 (1) (a) (i).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, Carlstadt, New Jersey 07072.

27-2017 Authorize Release of Escrow/ Block 302/Lots 13.01 &13.02/Metropolitan Homes Development

WHEREAS, Metropolitan Homes Development, 100 Olde Woods Lane and 102 Olde Woods Lane, Montvale, NJ 07645 has requested release in escrow for Block 302 Lot 13.02; 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 \$4,519.07 is hereby released to Metropolitan Homes Development; and

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

28-2017 Award Professional Service Contract/Prosecutor/Alternate Prosecutor/Public Defender/Alternate Public Defender/Pascack Joint Municipal Court

WHEREAS, the Pascack Joint Municipal Court has a need to contract for the services of various professionals to serve as the municipal prosecutor or alternate prosecutor, pursuant to N.J.S.A. 2B:25-1, et seq., and to serve as the municipal public defender or alternate public defender, pursuant to N.J.S.A. 2B:24-1, et seq.; and

WHEREAS, these services are being solicited under the non-fair and open procedures of N.J.S.A. 19:44A-20.4 and -20.5; and

WHEREAS, the Attorney General of the State of New Jersey has advised municipalities that without formal appointment of an alternate municipal prosecutors, the municipality and/or the prosecutor may lose immunity conferred by the New Jersey Municipal Tort Claims Act; and

WHEREAS, there are occasions when the appointed municipal public defender may have a conflict of interest, thus creating a need for an alternate public defender; and

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the following individuals to the positions set forth below:

Prosecutor: Christopher C. Botta, Esq.

Alternate Prosecutor: Richard Rosa, Esq.

Public Defender: Gerald R. Salerno, Esq.

Alternate Public Defender: Salvatore Sclafani, Esq.

WHEREAS, the salary of the Prosecutor shall be \$26,500, and the salary of the Public Defender shall be \$7,250.00; and

WHEREAS, said salaries shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

WHEREAS, any compensation to be paid to the Alternate Prosecutor and/or Alternate Public Defender shall be paid by the Prosecutor or Public Defender, as appropriate; and

WHEREAS, the term of these contracts shall commence on January 1, 2017, and shall continue for the remainder of the calendar year 2017; and

WHEREAS, the Certified Municipal Finance Officer has the availability of funds; and,

WHEREAS, all of the aforementioned professionals have completed and submitted a Business Entity Disclosure Certification which certifies that he/she has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit professionals from making any reportable contributions through the term of their contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale as follows:

1. These Contracts are awarded without competitive bidding as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.
2. The Business Disclosure Entity Certification and the Contracts, including the terms of compensation for each professional, shall be placed on file with this resolution.
3. A Notice of this action shall be printed once in the official newspaper of the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale confirm these appointments

29-2017 Authorize Contract NorthWest Bergen Regional Health Commission

WHEREAS, the Board of Health of the Borough of Montvale has received and reviewed the proposal from NorthWest Bergen Regional Health Commission; and

WHEREAS, said attached proposal for a two year (2) contract has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this two year Health Services contract with Northwest Regional Board of Health Commission based upon services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2017 and 2018 Budgets for these contracts in the Borough of Montvale's Board of Health Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contracts for Health Services for 2017 and Year 2018 be and is hereby awarded to NorthWest Bergen Regional Health Commission, 20 West Prospect Street, Waldwick, NJ 07463, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2017, copy of which is attached to this resolution for the base amount of \$55,923.71 annually for 2017 and 2018 as outlined in the attached proposal.

30-2017 Authorize Contract Animal Control Services/Tyco

WHEREAS, the Board of Health of the Borough of Montvale has received a proposal from Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ.

WHEREAS, said proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this contract with Tyco Animal Control Service based upon prior services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2017 Budget for this contract, Other Expense Portion of the Animal Control Services Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Animal Control Services for 2017 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2017, copy of which is attached to this resolution for the base amount of \$9,900.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal.

31-2017 Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale/Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, which is hereto attached to the original of this resolution; and

WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation

consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor Michael Ghassali and Borough Clerk/Administrator Maureen Iarossi-Alwan be and are hereby authorized to execute the Contract on behalf of the Borough.

32-2017 Appointing / Probationary Montvale Police Officer/Russell DiLauri

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Russell DiLauri be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

BE IT RESOLVED, the effective date of employment is January 10, 2017.

BE IT FURTHER RESOLVED, Officer DiLauri will be placed on paid administrative leave for the duration of his time assigned for recruit training.

33-2017 Appointing / Probationary Montvale Police Officer/Ryan Dubelbeiss

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Ryan Dubelbeiss be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

BE IT RESOLVED, the effective date of employment is January 10, 2017.

37-2017 Mutual Aid Plan & Rapid Deployment Force Interlocal Service Agreement

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., manmade causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chiefs Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and,

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Montvale to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the plan submitted by the Bergen County Police Chiefs Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Police Department of the Borough of Montvale, under the direction of the Chief of Police, cooperate with the Bergen County Police Chiefs Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; a

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, the County Chief of Police, and all Bergen County Municipalities.

38-2017 Authorize Hiring /Fire Prevention Inspector / David Kelly

WHEREAS, the Uniform Fire Safety Act, (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of fire safety standards throughout the State of New Jersey; and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose; and

WHEREAS, the Borough of Montvale has opted to have the Uniform Fire Safety Act enforced locally; and

WHEREAS, the Fire Official shall carry out the duties in accordance with the Uniform Fire Safety Act and the NJ Administrative Code.

42-2017 A Resolution of the Borough of Montvale Renewing the 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 continuing 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 for the year 2017 to provide such services from John Flanagan of Flanagan Productions, LLC (the "Flanagan Proposal"), said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions, LLC to perform the above-referenced services 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; and

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 Municipal Clerk.

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

43-2017 A Resolution To Appoint A Health Benefits Consultant Relative To The Borough's Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2017

WHEREAS, the **BOROUGH OF MONTVALE** (hereinafter, the Municipality) is a member of the **Bergen Municipal Employee Benefits Fund (BMED)** and the **Municipal Reinsurance Health Insurance Fund (MRHIF)** collectively referred to as, the Funds, for the Borough's Employee Health Benefits Program, which includes medical, prescription and dental coverage's; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a **HEALTH BENEFITS CONSULTANT** to perform the various functions and professional services integral to the effective operation of the Municipality's Employee Health Benefits Program; and

WHEREAS, the Board of Fund Commissioners for the BMED established a fee for such services based upon the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Health Benefits Consulting duties and the fact the service will be performed by personnel authorized by law to practice a recognized profession that is regulated by law, renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **PIA Security Programs Inc.** as its Health Benefits Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that in accordance the **HEALTH BENEFITS CONSULTANT** shall receive as compensation as outlined as indicated the attached agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the Health Benefits Consultant's Agreement attached to the original of this resolution and to cause a notice of this decision to be published in accordance with NJSA 40A:11-5 (1) (a) (i).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to PIA Security Programs, Inc., 429 Hackensack Street, Carlstadt, New Jersey 07072.

Introduced by: Councilmember Lane; seconded by Councilmember LaMonica - 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 - December

COMMITTEE REPORTS:

Council President Curry

Board of Health

Re-elected Joyce Cohen as President and Monica Danna as Vice President; Health Officer is Angela Musella; rabies clinic was held on January 7; Tyco animal control will be conducting a pet canvassing initiative door to door this Spring

Construction

Approximately \$1,276,000 was collected in fees for the year 2016; looking for an additional Plumbing Inspector; renovations in the department will begin shortly;

Recreation

All winter programs are up and running and registration is ongoing; Special Events committee had their first meeting and are already planning for the egg hunt and coloring in April;

Website

February newsletter is in production; Montvale facebook page is for all information pertaining to Montvale

Councilmember Gloeggler

Local BOE

Attended the re-organization meeting, two new board members were sworn in;

Councilmember Lane

Fire Department

289 calls; 2 Chief calls; 3 extra credits;

Firehouse Update

A covering was put in place until the roof structure is installed so they can work through any weather issues;

Finance

Budget meetings will be held on January 31, February 14 and February 28 at 6pm at borough hall and encourages residents to attend

Councilmember LaMonica

Wished everyone a Happy New Year; town holiday party in December was well attended by board members, volunteers and staff;

Chamber of Commerce

First event of the year will be held on January 24th at the Courtyard by Marriot from 5-7pm guest speakers will include Wegmans, Sharp Electronics and Memorial Sloan Kettering.

Seniors

Held their holiday dinner at Seasons; they have a full calendar for the upcoming year;

COAH

Had a long but informative meeting with the borough's court appointed master; he is very knowledgeable and has the best interest of the community;

Police Commissioner Koelling

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 37 calls; 509 miles; 33 hours; 33 crew hours

Councilmember Weaver

Regional High School Board

Held their re-organization meeting, sworn in two new board members.

Planning Board

Board of Ed will occupying office space at 28 West Grand during the renovations; KPMG came before the board in regards to signage, discussions will continue.

MAYOR

Library

Circulation 9,118; 4,685 patron visits;

Report

Monthly meeting with 9 mayors of the Pascack Valley area is scheduled for January; some issues with snow removal have been addressed; attended a couple of Eagle Scout ceremonies; swimming pool demolition will start shortly; some residents suggested a dog park and volleyball court at the pool site.

Met with 5 residents whose property will be affected by the road improvements for the Wegmans project.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

Oral arguments are scheduled for the end of the month on the DePiero's/Wegmans case, hopefully a decision will be made

UNFINISHED BUSINESS:

a. Status/Tabled Resolution/PVRHS Board of Education/Videotape/Public Meetings
Met with superintendent, the policy committee will be submitting their recommendation to the board; next school board meeting is scheduled for January 23.

NEW BUSINESS:

None

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

Jarret Schumacher

Update on parking on Akers Ave, Mayor responded that the school website was change, the police will be patrolling the area more; wanted to know about the "blue lines" that were painted between the yellow lines, right now the Mayor stated there are no plans to remove it

Belle Degenarrs

Wanted to know what the numbers for COAH; she encouraged the council to share with the public once numbers are released; the mayor assured that there will be public discussion scheduled once the numbers are released.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

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

Meeting was adjourned at 8:27pm

The next Meeting of the Mayor and Council will be held January 31, 2017 at 7:30 p.m.
Budget Meeting is scheduled for January 31st at 6PM

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk