

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 8:00pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:

Councilmember Curry	Councilmember LaMonica - absent
Councilmember Gloeggler	Councilmember Lane
Councilmember Koelling	Councilmember Weaver

Also present: Mayor Mike Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Chris Doer; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2017-1422 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT
(Public Hearing 2/14/17)

A motion to Introduce Ordinance **2017-1422** for first reading was made by Councilmember Gloeggler; 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

Councilmember Weaver asked for clarification as why the increase; Commissioner Koelling explained that the increase will replace officers that will retire this year and for officers that are currently in the Police academy; Councilmember Weaver asked if the Police Chief can attend the public meeting for further explanation.

INTRODUCTION OF ORDINANCE NO. 2017-1423 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128, "ZONING," OF THE BOROUGH CODE IN ORDER TO AMEND CERTAIN ZONING REGULATIONS FOR THE OFFICE-RESEARCH (OR) DISTRICTS IN THE BOROUGH TO IMPLEMENT THE RECOMMENDATIONS OF THE MASTER PLAN REEXAMINATION ADOPTED BY THE PLANNING BOARD ON JULY 19, 2016
(Public Hearing 2/14/17)

A motion to Introduce Ordinance **2017-1423** for first reading was made by Councilmember Gloeggler; 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

The attorney explained this relates to assisted living facilities and multi level parking garages; at the request of Councilmember Weaver, the borough planner and Chairman of the Planning Board will be asked to attend the public hearing of this ordinance

MINUTES:

January 10, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Curry
- all ayes

RESOLUTIONS:**46-2017 A Resolution Authorizing & Memorializing Additional Offerings Of Alternative Health Benefit Plans To The Employee Health Benefits Program**

WHEREAS, the Borough provides medical benefits to its eligible employees and dependents through its membership in the Bergen Municipal Employee Benefits Fund, hereinafter, the HIF; and

WHEREAS, under the legislative requirements set forth by P.L. 2011 c. 78 (commonly known as Chapter 78), municipalities are encouraged to offer alternate health benefit plans that provide choice to employees afforded such benefits in accordance with the cost contribution requirements set forth by the legislation; and

WHEREAS, the Borough's Health Benefits Consultant performed due diligence and obtained pricing on several alternate plan designs developed in conjunction with the HIF that provide alternative methods of benefit delivery at lower cost than the existing PBA plan of the Borough; and

WHEREAS, more specifically, the Health Benefits Consultant met with both Borough Officials and Union Representatives to review the alternate plan designs that include:

**PPO 20/35 Plan,
EPO 15/25,
EPO 20/35 Plan and a
High Deductible (HSA) Plan**

that collectively, provide cost-effective alternative plan designs for consideration by employees looking to contain/reduce their contributions, based upon their personal and family needs

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby endorses and authorizes the offering of the alternate plans for eligible employees to consider in determining the health plan best suited for their needs; and

BE IT FURTHER RESOLVED, the Borough Benefits Consultant and Borough Administration are hereby authorized to coordinate and memorialize these offerings as a part of the Borough's Employee Health Benefits Program and will request a Special Open Enrollment period within the month of February, 2017 for an effective date of May 1, 2017 or as soon as administratively practical; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Auditor and PIA Security Programs, Inc., 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ Benefits Consultant to the Borough.

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

47-2017 Authorize Payment #2/Eagle Ride Road Sanitary Sewer Extension Project/Your Way Construction, Inc.

WHEREAS, the Borough of Montvale awarded a contract on May 10, 2016 via Resolution No. 87-2016 in connection with the Eagle Ridge Sanitary Sewer Extension Project; and

Original Contract Amount	\$356,490.44
Payment #1	\$114,847.43
Payment #2	\$175,763.35
Less 2% Retainage	<u>(\$5,930.83)</u>
Balance	\$ 59,948.83

WHEREAS, the Borough Engineer based upon inspection of the sites recommends release of Payment #2 to Your Way Construction, Inc., 404 Coit Street Irvington, New Jersey 07111 in a letter dated January 18, 2017 which is attached to the original of this resolution; and

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

BE IT FURTHER RESOLVED, The Governing Body hereby authorizes Payment #2 in the amount of \$175,763.35 to Your Way Construction.

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

48-2017 Change Order/Professional Service Contract / Legal Services / Borough Attorney / Boggia & Boggia

WHEREAS, the Borough of Montvale awarded a professional service contract in January 2016 for 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 was awarded a one year contract via Resolution No. 21-2016; and

WHEREAS, a change order is necessary in the amount of \$9,000 for additional expenses for legal services provided to the Borough of Montvale

BE IT RESOLVED FUTHER RESOLVED, the Certified Municipal Finance Officer has certified the availability of funds and said certification is attached to the original of this resolution; and

BE IT RESOLVED, A Notice of this action shall be printed once in the official newspaper of the Borough.

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

49-2017 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	\$170,000.00
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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 \$10,000.00

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

General Appropriations

Operations – Within “CAPS”

Maintenance of All Vehicles:

Other Expenses	\$10,000.00
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Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes

50-2017 Authorize Submission Of An Application For Municipal Alliance Grant Fiscal Cycle July 2014-June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Council of the Borough of Montvale, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Montvale, County of Bergen, State of New Jersey hereby recognizes the following:

The Borough Council does hereby authorize submission of an application for the Borough of Montvale Municipal Alliance grant for calendar year 2018 in the amount of \$9,876.00 DEDR; \$2,469 Cash Match; \$7,407 In-Kind

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

52-2017 Authorize Payment #1/North Avenue Roadway Improvements/AJM Contractors, Inc.

WHEREAS, the Borough of Montvale awarded a contract on September 13, 2016 in connection with the North Avenue Roadway Improvements Project via Resolution No. 147-2016; and

AJM Contractors	Base Bid	\$138,371.00
300 Kuller Road	Alternate “A”	\$ 4,500.00
Clifton, New Jersey 07011	Alternate “B”	\$ 60,000.00
	TOTAL	\$202,871.00

WHEREAS, the contractor has request payment #1 in the amount of \$123,228.45; and

WHEREAS, the Borough Engineer in a letter dated January 6, 2017 attached to the original of this resolution does hereby recommend payment #1 in the amount of \$123,228.45; and

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

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

53-2017 Authorize Payment #7/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 Robbie Conley Architect, LLC approved said payment based on the contract as per the documentation transmittal dated January 16, 2017 which is attached to the original of this resolution; and

WHEREAS, Payment #7 is hereby authorized in the amount of \$156,559.10 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
Payment	\$207,230.80 Resolution 138-2016 Payment #1
Payment	\$125,696.76 Resolution 144-2016 Payment #2
Payment	\$188,081.60 Resolution 153-2016 Payment #3
Payment	\$219,199.20 Resolution 171-2016 Payment #4
Payment	\$357,836.56 Resolution 180-2016 Payment #5
Change Order #1	\$0 (26 additional days)
Change Order #2	Credit \$23,000.00 (due to reduction heated slab)
Change Order #2 (continued)	Credit #23,000.00 minus \$19,915.15 (Fire Pole)
	Credit amount total \$3,085.00
Balance, Including Retainage	\$3,350,955.08 as of 11/7/16
Balance w/credit Change Order #2	\$3,347,870.08 Reso.188-2016
Payment	\$273,771.34 Resolution 194-2016 Payment #6
Payment	\$156,559.10 Resolution 53-2017 Payment #7
Total Remaining Balance	\$2,917,539.64

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

54-2017 Amending Resolution No. 01-2017 Cash Management Plan/Designation of Official Depositories/Addition TD Bank

WHEREAS, P. L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A:5-2, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies,

NOW THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Borough of Montvale be and hereby is adopted:

A. **DESIGNATION OF OFFICIAL DEPOSITORIES:**

The following financial institutions are designated official depositories:

Bank of America
Wells Fargo
N.J. Cash Management Fund
Valley National Bank
TD Bank

2. Designated Official depositories are required to submit to the Chief Financial Officer of the Borough of Montvale a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.
3. Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B. DEPOSIT OF FUNDS

All funds shall be deposited within Forty-Eight (48) hours of receipt in accordance with State statute.

1. Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.
2. Capital and Debt service funds may be deposited into interest bearing accounts. Non-Interest bearing accounts shall be regularly monitored for the availability of funds for investment.
3. Trust funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developer's escrow deposits. Non-Interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal laws prohibit the earning of interest on such funds.
4. Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services.

C. DEFINITION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C.17:9-44) and other instruments specified below:

1. United States Treasury Bills (T-Bills)
2. Borough of Montvale Bonds or Notes
3. Commercial Bank Deposits and Certificates of Deposit (CD's)
4. Repurchase Agreements (Repo's)
5. Investments in Savings and Loan Association
6. United States Government Agency and Instrumentality Obligations
7. State of New Jersey Cash Management Fund
8. School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS

1. All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.
2. All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough Assets (Demand and Certificate of Deposit)

3. Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.
4. For pledges by depositories on Borough Funds, the following securities will be considered acceptable for pledges:
 - a. Any security backed by the U.S. Government
 - b. Any direct obligation of any taxing authority within the Borough of Montvale
 - c. Real Estate Mortgage Loans for Real Estate property located within the Montvale market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits
 - d. All pledges of collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer or Treasurer

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service. Said agreement shall be reviewed annually.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Mayor and Council of the Borough of Montvale the following investment reports:

1. MONTHLY REPORTING: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.
2. QUARTERLY REPORTING: A detailed summary analysis of all investments by fund, specifying the quarterly interest rate earned, quarterly interest earned on NOW and Savings Accounts and Year-To-Date total interest earnings.
3. The Treasurer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st of each year and at other such times as required by the auditors.
4. The Treasurer shall also periodically provide analysis of average daily balances in interest bearing checking accounts vs. Other investment vehicle potential.
5. All such reports may include a comparison of current investment income vs. forecast, prior year or market conditions.

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer and Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit and Repurchase Agreements will be solicited of at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited of designated depositories by the Chief Financial Officer or Treasurer or designated staff member.

The depository shall specify the principal amount of the investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the date of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer and/or Treasurer will not make the investment. The Chief Financial Officer and/or Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designed for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Treasurer shall review each day's activity.

L. BONDING:

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Tax Collector
Treasurer
Municipal Court Administrator
Deputy Municipal Court Administrator
Magistrate

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond in the minimum amount of \$50,000.00

M. COMPLIANCE:

The Cash Management Plan of the Borough of Montvale shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. The official charged with the custody of the monies of the Borough of Montvale shall deposit them as designated by the Cash Management Plan and shall thereafter be

O. relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

P. Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

Q. The Cash Management Plan shall be subject to the approval of the Borough Attorney.

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

55-2017 Awarding a Contract to/Flanagan Productions/GovSites as an Extraordinary Unspecifiable Service for Fillable Online Forms/Recreation Registration/Stripe Payment Method and Related Services

WHEREAS, the Borough of Montvale is desirous of engaging the services of a professional company to allow residents and visitors to submit digital forms, through Montvale's municipal website. 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 Recreation Director has reviewed and received said proposal for these services and has had the opportunity to meet with Mr. Flanagan; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions, LLC to perform the above-referenced services at the monthly fee of \$49.00; and

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 fillable Online Forms- Recreation Registration and related services, for the price and on the terms set forth in the Proposal submitted by Flanagan Productions, LLC entitled "Website Proposal – Fillable On-Line Forms – 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 \$2,000 without further authorization of the Borough Council; and

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; and

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 Curry - All ayes

56-2017 Awarding Professional Service Contract/Engineering Services/Construction Administration Services/HMGP Generator Project/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 for construction observation and project administration services for the Montvale HMGP Generator Project; 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 January 26, 2017 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: Construction Observation and Project Administration Services.
- 3) The cost not to exceed shall be \$10,500.00 funding for this project shall be provided through the grant received by FEMA, partially through the Borough of Montvale and the Montvale Public Free Library. 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

57-2017 Awarding Professional Service Contract/Engineering Services/Authorization To Bid/Professional Engineering Services/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, evaluation of bids, recommendation of award for the Montvale Municipal Complex Roof Replacement; 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 January 26, 2017 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 and other related services for the evaluation and recommendation to the Borough for award
- 3) The cost not to exceed shall be \$6,500.00 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

58-2017 A Resolution Authorizing a Temporary Extension of a Contract with New Jersey Elevator Inspection Agency Pending a New Public Procurement for Elevator Inspection Services

WHEREAS, after a public procurement process authorized by and in accordance with the *Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.*, by Agreement dated January, 2014, the Borough and Contractor agreed to a three-year contract for Municipal Elevator Inspection Agency services, which contract expired on December 31, 2016, 2013; and

WHEREAS, pursuant to the *Local Public Contract Law, N.J.S.A. 40A:11-1, et seq.*, the Borough is in the process of a public procurement for a new three-year contract for said services, with said contract expected to begin on or about April 1, 2017; and

WHEREAS, it is therefore necessary to temporarily extend the agreement with NJEIA, on the same terms and conditions as set forth in the contract, until such time as the successful bidder is able to commence work under the new contract; and

WHEREAS, the parties are therefore desirous of executing a temporary extension to the Agreement in accordance therewith.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby authorize a temporary extension to the Agreement with NJEIA, subject to the following terms and conditions:

Duration

The duration of the Agreement shall be extended by mutual agreement of the parties for a maximum of an additional three (3) months, until March 31, 2017.

Compensation

The fees to be charged shall remain the same as is set forth in the parties' original agreement.

Other Provisions

All other provisions of the Agreement shall remain the same.

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

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

59-2017 A Resolution Re-Affirming The Borough's Existing Policy For Eligible Municipal Employees To Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program For Calendar Year 2017

WHEREAS, the Borough of Montvale provides a comprehensive health benefits program comprised of medical, prescription, dental and vision coverages for eligible municipal employees, dependents and retirees; and

WHEREAS, the Governing Body desires the continuance of the program offering for the 2017 Calendar Year.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Montvale, County of Bergen, hereby re-authorizes the offering of the Borough's "Opt – Out" Program to municipal employees/Plan participants eligible for health benefits coverage through the Borough Employee Health Benefit Program, whereby the employee/plan participant can voluntarily waive participation in consideration of an annual financial incentive; and

BE IT FURTHER RESOLVED, the waiver of benefits financial incentive shall be set on an annual basis, such incentive set for the 2017 calendar year as follows:

**FOR THOSE EMPLOYEES/PLAN PARTICIPANTS PARTICIPATING IN THE OPT-OUT
AFTER MAY, 21, 2010**

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2017)
Single	25% of the Net Savings to the Borough of Montvale or \$5,000, whichever is less
Employee/Spouse	
Parent/Child	
Family	

BE IT FURTHER RESOLVED, the above schedules are consistent with the amounts set forth by the Borough and in accordance with the provisions set forth by the NJ Divisions of Local Government Services, as established by Chapter 2, P.L. 2010.

BE IT FURTHER RESOLVED, the specific terms and conditions of said waiver of coverage are contained within the "2017 Waiver of Coverage Offer and Agreement," a copy attached herewith and affirmed by this Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough Finance Officer, Health Benefits Consultant, Borough Attorney and Borough Legal Counsel.

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.

44-2017 Appointing / Permanent Montvale Police Officer / Walter Marsico

WHEREAS, Walter Marsico has successfully completed the required probationary time period; and
WHEREAS, Chief Abrams has recommended Officer Marsico for permanent Police Officer appointment.

NOW, THEREFOR BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Walter Marsico is hereby permanently appointed to the Montvale Police Department, effective January 1, 2017.

45-2017 Authorize Hiring Part Time Executive Confidential Secretary and Floater Position/ Nevene Gayed

WHEREAS, the Borough of Montvale restructured a position within the Administration; and
WHEREAS, Nevene Gayed meets the qualifications for this position and agrees to the terms and conditions of employment, and has previously completed a satisfactory background investigation; 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 a part-time Executive Confidential Secretary and Floater, effective January 16, 2017.

51-2017 Amending Resolution 207-2016 / Authorize Appointment / Sherri D'Alessandro / Acting Municipal Court Administrator

WHEREAS, a typo of the statute was made in resolution #207-2016; and

WHEREAS, pursuant to N.J.S.A. 2B:12-10 the Municipality of Upper Saddle River and the Municipality of Montvale, acting as lead agency for the Pascack Joint Municipal Court, are required to provide for a Municipal Court Administrator; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et. Seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS in accordance with N.J.S.A. 2B:12-1(c) the Municipality of Upper Saddle River and the Municipality of Montvale, acting as lead agency for the Pascack Joint Municipal Court, consent and agree to share the professional services of their respective Municipal Court Administrators on a provisional basis in the event of the absence of the Municipal Court Administrator and Deputy Court Administrator, to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS the rate of pay shall be \$30 per hour. Pay rate established by N.J.S.A. 2B:12-10(b).

NOW THEREFORE BE IT RESOLVED, this 31st day of January 2017, that the Municipality of Upper Saddle River and the Municipality of Montvale consent to the attached agreement.

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

ENGINEER'S REPORT:

Chris Doer

Report/Update

a. Wireless Edge / Move Siren

In the process of getting pricing for moving and installation

b. Road Paving

Will look at the following roads, Dogwood and Bayberry and a few more roads

Councilmember Weaver asked for consideration of putting a speed tables on various location on Memorial Drive.

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

a. Status/Tabled Resolution/PVRHS Board of Education/Videotape/Public Meetings
Councilmember Weaver stated the Board of Ed introduced a resolution, second reading is scheduled for February 6th

b. Appointment Office of Emergency Management Coordinator – OEM
The appointment of Frank DiPalma as OEM coordinator was confirmed along with a stipend increase to \$5,000 – all ayes

NEW BUSINESS:

Mayor Ghassali asked if any councilmembers can attend the school funding formula meeting at the county on February 1st from 3-7pm;

Councilmember Lane mentioned it was brought to his attention to see if Montvale has a “Green Team” committee, Mayor Ghassali will speak to the mayor’s association for further information;

Montvale Clean-Up day is scheduled for April 29th 9am-12pm

Montvale Free Evangelical Church would like to present the borough with a check donation at services on February 19th at 10:30

Mayor Ghassali would like to schedule a Town Hall meeting

COMMUNICATION CORRESPONDENCE:

a. 2017 Montvale Budget Meetings Notification
For information purpose

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 Koelling – all ayes

Jarret Schumacher

Had open discussion with a member of the state department, in regards to transitioning businesses in the borough; will try to schedule a visit to canvass the borough.

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

MOTION TO GO INTO CLOSED EXECUTIVE SESSION:

A motion to go into closed session by Councilmember Lane; seconded by Councilmember Weaver – all ayes

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2017 adopted on January 2, 2017 and posted on the bulletin board in the Municipal Building:

The Mayor and Council will go into a Closed /Executive Session for the following:
Attorney Client Privilege

1. Affordable Housing
2. Libock v. Bear-Ban

Minutes to be disclosed as per the Open Public Meetings Act and Resolution No. 14-2017 matters discussed will be disclosed to the public when such matters are finally determined and there is no reason to prohibit the public disclosure of information relating to such matters.

MOTION TO OPEN THE MEETING TO THE PUBLIC:

MOTION TO CLOSE THE MEETING TO THE PUBLIC:

ADJOURNMENT:

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

Meeting adjourned at 9:00pm

Budget Meeting to be held at 6:00 p.m. on February 14, 2017
The next Meeting of the Mayor and Council will be held February 14, 2016 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk