

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:53pm. Adequate notification was published in the official newspaper of the Borough of Montvale.

**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 Arendacs	Councilmember Koelling
Councilmember Curry	Councilmember Lane
Councilmember Gloeggler	Councilmember Weaver

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

**ORDINANCES:**

**PUBLIC HEARING ORDINANCE NO. 2017-1427** 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 TO ADD THE POSITION OF CLASS ONE AND CLASS THREE SPECIAL LAW ENFORCEMENT OFFICER

Ordinance No. **2017-1427** was introduced for second reading by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only; Motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember Gloeggler - all ayes

**NO PUBLIC COMMENT**

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

Motion to adopt on Second and Final Reading in Ridgewood News by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only ----- A roll call vote was taken --- all ayes

**MINUTES:**

May 9, 2017

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

**RESOLUTIONS:**

**116-2017 Authorize Hiring / Part Time Temporary Building Inspector / Construction Department / Christopher Gruber**

**WHEREAS**, the Construction Department desires to hire a temporary part-time employee in the Borough of Montvale in the capacity of Building Inspector; and,

**WHEREAS**, Christopher Gruber has met the qualifications for this position, agrees to the terms and conditions of employment, and has 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 Part-time Temporary Building Inspector, effective May 22<sup>nd</sup> , 2017

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

**117-2017 Authorize Tax Court Settlement / Block 3002; Lot 3 / HUB Properties Trust / 5 Paragon Drive**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by HUB Properties Trust (hereinafter the "Tax Appeal"), under Docket Numbers 008816-2014; 004823-2015 and 002480-2016, and;

**WHEREAS**, the aforesaid tax appeal involves a commercial property located at 5 Paragon Drive, which is otherwise referred to as Block 3002 Lot 3 on the tax assessment map of the Borough (hereinafter the "subject property"), and;

**WHEREAS**, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel, the Borough Appraiser and the Borough Tax Assessor, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the attached Schedule "A" included herein, and;

**WHEREAS**, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, in accordance with the terms set forth in the attached Schedule "A", and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

**SCHEDULE "A"**

The terms of the aforesaid tax appeal settlement shall consist as follows:

2014 Appeal: \$16,376,643

2015 Appeal: \$14,665,453

2016 Appeal: \$13,994,446

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

**118-2017 A Resolution Authorizing Inclusion In The Bergen County Community Development Program For Cooperative Agreement Renewal FY 2018 – 2020**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

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

**WHEREAS**, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

**WHEREAS**, it is in the best interest of the Municipality of The Borough of Montvale and its residents to participate in said Programs.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Municipality of The Borough of Montvale hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership

Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

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

**119-2017 A Resolution Authorizing Execution Of An Agreement With The County Of Bergen To Supersede The Cooperative Agreement Dated July 1, 2000 And Amendments Thereto Establishing The Bergen County Community Development Program For Cooperative Agreement Renewal FY 2018 – 2020**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

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

**WHEREAS**, an Agreement has been proposed under which the Municipality of The Borough of Montvale and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Municipality of The Borough of Montvale that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law.

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

**120-2017 A Resolution Authorizing a Shared Services Agreement with the County of Bergen for the Sharing of Certain Vehicles and Equipment with the Borough of Montvale**

**WHEREAS**, the County of Bergen owns certain vehicles and equipment (the "Equipment") that it could make available to the local units within Bergen County including the Borough of Montvale, subject to the operational needs of the County; and

**WHEREAS**, some of the Equipment was acquired by the County's Office of Emergency Management pursuant to State and Federal grants for the express purpose of making same available to municipalities within Bergen County, and is controlled by the County's Office of Emergency Management ("OEM"); and

**WHEREAS**, other Equipment is controlled by other departments of the County, such as Public Works and Parks; and

**WHEREAS**, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the local units do not possess the required equipment; and

**WHEREAS**, there is often insufficient time to execute formal agreements to enable the sharing of equipment under such circumstances; and

**WHEREAS**, by entering into written agreements governing the terms for sharing of County owned Equipment in advance of the actual need, the County will be able to facilitate the prompt availability of such Equipment as such time as the local units have a need to utilize same; and

**WHEREAS**, the Borough is authorized to enter into shared services agreements in accordance with the Uniform Shared Services and Consolidation Act, *NJS.A. 40A:65-1*, et seq.; and

**WHEREAS**, the County Counsel has prepared a form of Shared Services Agreement "FOR THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT" ("Shared Services Agreement"), a copy of which is attached to this Resolution; and

**WHEREAS**, the Shared Services Agreement sets forth the terms under which the County will, subject to availability and the County's operational needs, loan Equipment to the Borough for short term use; and

**WHEREAS**, the Borough Attorney has reviewed the Shared Services Agreement and has no substantial objections to the form thereof, other than as set forth in the amended version provided to the Mayor and Council; and

**WHEREAS**, the Mayor and Council is desirous of entering into this Shared Services Agreement as amended.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Counsel of the Borough of Montvale as follows:

1. The Recitals set forth above are incorporated as if set forth herein at length.
2. The Mayor and Council will enter into the Shared Services Agreement.
3. The Mayor, Borough Clerk, and all other appropriate officials are hereby authorized and empowered to execute the Shared Services Agreement in substantially the form provided and all other documents necessary to effectuate the purpose of this Resolution, subject to approval as to form by the Borough Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Gloeggler - All ayes  
Councilmember Koelling asked for clarification on which vehicles; the borough attorney answered that it's for OEM vehicles;

**121-2017 Authorize Tennis Lesson Refunds / Class Cancellation**

**WHEREAS**, a refund is hereby authorize to the following participants due to low participation, therefore the class will be cancelled; and

**WHEREAS**, Bernadette Munro online payment in the amount \$83.40; Suha Niyas online payment in the amount of \$83.56; and

**WHEREAS**, an in person refund in the amount of \$80.00 payable to James Dobrow, 5 Serrell Drive, Montvale, NJ 07645

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

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

**122-2017 Authorize Payment #2/Montvale Borough Hall Emergency Generator Project/Manor II Electric, Inc.**

**WHEREAS**, the Borough of Montvale awarded a contract on January 10, 2017 via Resolution in connection with the Montvale Borough Hall Generator Installation; and

**WHEREAS**, the original contract amount is \$114,000.00 via Resolution #39-2017; and

**WHEREAS**, the Borough Engineer in letter dated May 23, 2017 takes no exception to payment #2 in the amount of \$77,826.99 which is attached to the original of this resolution; and

**WHEREAS**, payment #2 is hereby authorized to be issued to Manor II Electric, 112 Johnson Street, Newark, New Jersey 07105; and

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

Total Contract Amount	\$114,000.00	Resolution # 39-2017
Payment #1	\$ 26,495.28	Resolution #82-2017
Payment #2	\$ 77,826.99	Resolution #122-2017
Less 2% Retainage	(\$2,129.03)	
Total Remaining:	\$7,548.70	

**NOW THEREFORE BE IT RESOVED**, by the Governing Body of the Borough of Montvale payment #2 in the amount of \$77,826.99 be and is hereby issued.

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

**123-2017 Award Lease/Purchase/ Police Interceptor Utility Vehicles 2017/State Contract/ Ford Motor Credit Company/State Contract #88728**

**WHEREAS**, the Mayor and Council approved to replace the Police Chief’s existing vehicle; and

**WHEREAS**, the Borough of Montvale authorized the execution of a Master Lease Purchase Agreement with Ford Motor Credit Company and scheduled 3 annual payments for a total price \$30,909.00; and

**WHEREAS**, the vehicle will be paid in 3 Annual installments, in the amount of \$10,908.84 as per the attached financing agreement; and

**WHEREAS**, payment shall be made to Ford Motor Credit Company, Municipal Finance, P.O. Box 1739 –MD 7500, Dearborn, MI 48121-1739

**NOW, THEREFORE, BE IT RESOLVED**, the Chief Financial Officer has certified that funds are available and certification is attached to the original of this resolution.

**NOW THEREFORE, BE IT FURTHER RESOLVED**, the Mayor and Council authorize the Borough Administrator to execute this lease agreement a state contract with the above named vendor to purchase the specified vehicle.

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

**124-2017 Authorize Payment No. 11/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 May 17, 2017 which is attached to the original of this resolution; and

**WHEREAS**, Payment #10 is hereby authorized in the amount of \$130,624.90 to be issued to Unimak, LLC, 82 Midland Avenue, Saddle Brook, NJ 07663 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
Payment	\$204,912.37 Resolution 61-2017
Payment	\$56,208.60 Resolution 84-2017
Payment	\$156,514.40 Resolution 106-2017
Payment	\$130,624.90 Resolution 124-2017
Total Remaining Balance	\$2,369,279.37

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

**125-2017 Award Professional Service Contract /Environmental Services/NJDEP Air Quality Permitting/HMGP Generator Project/Maser Consulting, LLC**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Environmental Engineer to provide professional services to comply with all NJDEP regulations before reimbursement will be released for the HMGP Generator located at the Municipal Complex, 12 Mercedes Drive, Montvale, NJ ; 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 April 6, 2017 to provide the engineering services for services which are detailed and 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 environmental 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: NJDEP Air Quality General Permit Application
- 3) The cost not to exceed shall be \$5,000.00. 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

**126-2017 Authorize Release of Escrow/ Release of Cash Bond/Block 402/Lot 2/99 Spring Valley Road/Baldanza**

**WHEREAS**, 99 Spring Valley Road, Block 402/ Lot 2, Montvale, NJ 07645 has requested release in escrow and cash bond; and

**WHEREAS**, the Borough Engineer in an email dated April 13, 2017 attached to the original of this resolution takes no exception to the release; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale the amount of \$11,912.82 is hereby released to Baldanza Construction, 6 Lexington Lane, Montvale, NJ ; and

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

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

**BILLS: Municipal Clerk read the Bill Report**

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

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Report Receipt of Bids/Fieldstone Turf Replacement/Update

Bids were received and total cost was approximately \$939,000; under estimated the cost of the disposal of the turf; need additional monies which can be taken from the Open Space fund approximately \$200,000; will have new amounts for next meeting;

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

Mr. Voytus stated he would like to invite the tax assessor, tax attorney and appraiser to the next closed session to further discuss KPMG tax appeal; also to add to next closed session an update on the DPW litigation case.

**UNFINISHED BUSINESS:**

Mayor Ghassali has rescheduled "Mayor for the Day" to June 13; He also read a proclamation declaring May 22 – June 4 Click It or Ticket; Mayor also appointed Councilmember Arendacs to the following committees: Historic Preservation, Corporations, DPW, Signage Committee, Youth Guidance and an Alternate COAH and Councilmember Curry to Chamber of Commerce and Seniors

**NEW BUSINESS:**

a. Report/Akers Avenue Parking/Investigation/Councilmember Koelling

Police Chief Abrams mentioned that the area is patrolled by the police; signs are clearly mark with no parking; possible solution might be to carve out a possible parking by the hill which would add additional parking spots; another suggestion was to issue stickers to residents only; after a lengthy discussion, Chief Abrams will re-visit the area and submit his recommendation to councilmembers.

b. Environmental Commission/Recommendation/Pamphlet Value Of Trees/Distributed With Tree Removal Review Form

Councilmembers approved the pamphlet, 500 copies will be available at borough hall; the pamphlet will also be available on the website.

c. Authorize Listing Montvale Summer Camp Asst. Directors/Counsellors/Art Instructor/Asst. Counsellors/Counsellor In Training

A motion to approve the list by Councilmember Curry; seconded by Councilmember Lane – all ayes

d. Recommendation Hiring/Professional Service Contract/Media Consultants, LLC/Dan Ceccionie/Station Manager/Preparation Of Specifications Equipment/Montvale Cable Access TV

Councilmembers were given information regarding replacement of equipment and training; It was decided to invite these individuals to next work session meeting for further information

e. Appointment to the Environmental Commission - Melinda T. Kelly  
Mayor Ghassali appointed Melinda Kelly to the Environmental Commission

f. Digital Sign / Chamber of Commerce  
Councilmember Curry mentioned that the Chamber of Commerce would like to purchase a digital sign to replace the message board currently in the center of town; more details to follow

Mayor Ghassali mentioned that the Economic Committee will be having a networking event on June 15 and asked for the borough to fund their breakfast; a motion to use \$1,000 from the Planning Board budget by Councilmember Lane; seconded by Councilmember Koelling – all ayes

**COMMUNICATION CORRESPONDENCE:**

a. Fire Siren West Grand Avenue/Status/Orange & Rockland  
The Clerk clarified that Rockland Electric is not selling the property that the siren is currently on; After a brief discussion, it was decided not to move the siren at this time, cost of \$28,000 to be added to the 2018 budget as a capital item and vote on it then.

**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 Curry; seconded by Councilmember Lane – all ayes

Chief Miller

An update for the firehouse, there was monies put aside in the range of \$400,000 for optional items; a total of approximately \$31,000 will be used for changing the water system upgrade and the Copula tower;

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

**ADJOURNMENT:**

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

Meeting adjourned at 9:26pm

The next Meeting of the Mayor and Council will be held June 13, 2017 at 7:30 p.m.

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