

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:31PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor's for the Day, Colin and Sean Barry 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; Borough Engineer, Andy Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

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

MAYOR'S FOR THE DAY:

Colin Barry
Sean Barry

PROCLAMATION: Honorary Borough of Montvale "Chief for a Day" – Ian Goldfarb

PROCLAMATION: Honoring Arun Verma – Asian Pacific American Heritage

PROCLAMATION: Honoring Pascack Hills Baseball Team

SWEARING IN PROBATIONARY POLICE OFFICER:

Joseph C. Werba III

ORDINANCES:

INTRODUCTION OF ORDINANCE NO 2017-1428 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 128 OF THE BOROUGH CODE TO ESTABLISH THE MIXED-USE PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO
(Public Hearing June 27th, 2017)

A motion to Introduce Ordinance **2017-1428** for first reading was made by Councilmember Gloeggler; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Koelling - A roll call was taken – all ayes
The attorney clarified that there were changes to the draft and council introduced the ordinance which included the new changes.

Mr. Hipolit, engineer explained that the grant applies to the replacement of turf for the clay infield at LaTrenta; Councilmember Weaver asked if the grant can be used for another project; he also mentioned if this grant can be used for the installation of dugouts at Memorial Field;

PUBLIC HEARING BERGEN COUNTY OPEN SPACE TRUST FUND GRANT PROGRAM:

A motion to open the meeting to the public by Councilmember Koelling; seconded by Councilmember Curry – all ayes

NO PUBLIC COMMENT

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

Resolution #127-2017 Municipal Endorsing Resolution Trust Fund Application

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Montvale desires to further the public interest by obtaining a matching grant of \$116,404.12 from the County Trust Fund to fund the following project: La Trenta Field Complex Clay Infield Removal/Synthetic Turf Replacement; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 13, 2017; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Montvale Mayor & Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of **June 30, 2017**, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Montvale Mayor & Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Montvale Mayor & Council is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Montvale Mayor & Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember Arendacs – all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

May 30, 2017

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

Councilmember Curry asked for minutes to be amended regarding the discussion of the digital sign. It should read that the digital sign will be replacing the current message board by Memorial Drive -- A motion to accept minutes being amended by Councilmember Lane; seconded by Councilmember Curry – all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

May 30, 2107

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

RESOLUTIONS:

128-2017 Authorize Tax Court Settlement / Block 1001; Lot 1 / 135 Chestnut Ridge Road / Mack Cali Properties

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Mack Cali Properties Co. (hereinafter the “Tax Appeal”), under Docket Numbers 003931-2013; 005586-014 005364-2015 and 006231-2016, and;

WHEREAS, the aforesaid tax appeal involves a commercial property located at 135 Chestnut Ridge Road, which is otherwise referred to as Block 1001 Lot 1 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”

- A. The terms of the aforesaid tax appeal settlement shall consist as follows:
 - 2013 Appeal: Withdrawn
 - 2014 Appeal: \$7,550,000
 - 2015 Appeal: \$7,550,000
 - 2016 Appeal: \$7,550,000
- B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement.

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

129-2017 Authorize Payment No. 12/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 31, 2017 which is attached to the original of this resolution; and

WHEREAS, Payment #12 is hereby authorized in the amount of \$146,617.80 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
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
Payment #12	\$146,617.80 Resolution 129-2017
Change Order #3	\$44,085.25 (6" Water Service)
Change Order #4	\$31,792.00 (Cupola)
Total Remaining Balance	\$2,222,661.57

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

130-2017 CD Cooperative Agreement/Appointing Two Representatives to Community Development Committee/One Appointment by Mayor/One Appointment by Council

WHEREAS, the Borough of Montvale has entered into a Three-Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Service Act , NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community and one appointment by the Chief Executive Officer shall be appointed to be part of the Community Development Regional Committee for the term of one year July 1, 2017 through June 30, 2018.

NOW THEREFORE BE IT RESOLVED, that the Governing Body/Chief Executive Officer of the Borough of Montvale appoints representatives as its representative to participate on the Community Development Committee:

COUNCIL APPOINTMENT

Maureen Iarossi-Alwan
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700 ext. 219

MAYOR APPOINTMENT

Councilmember Doug Arendacs
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

BE IT FURTHER RESOLVED, that the following be appointed alternate representatives:

COUNCIL ALTERNATE APPOINTMENT

Councilmember Dieter Koelling
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

MAYOR / ALTERNATE APPT

Councilmember Timothy Lane
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

Home addresses and home phone numbers will be provided under separate cover.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes
Councilmember Curry ask for clarification as to what this resolution reflects grant monies for; it for senior activities.

131-2017 Renewal Liquor License Establishments 2017/2018

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that renewal Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club License be granted to the following, said Licenses to be effective July 1, 2017 and to terminate June 30, 2018.

BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificates for each establishment for this renewal period.

0236-33-004-008 Paluter, Inc., t/a Aldo & Gianni Restaurant, for premises at 108 Chestnut Ridge Road, Montvale, New Jersey.

0236-33-005-008 The Waterfall, Inc., t/a Hearth & Tap for the premises at 125 Kinderkamack Road, Montvale, New Jersey.

0236-33-006-003 Montvale Recreation, Inc., t/a Montvale Recreation Inc. for premises at 14 West Grand Avenue, Montvale, New Jersey.

0236-33-007-004 TPC, Inc., t/a Davey's Locker, for premises at 5 Park Street, Montvale, New Jersey.

0236-31-009-001 Montvale Engine Co. #1, Inc., t/a Montvale Fire Department, for premises at 35 West Grand Avenue, Montvale, New Jersey.

0023-44-001-006 Mo & Sy Corp. t/a Montvale Wine & Spirits, Inc. for premises at 18 South Kinderkamack Road, Montvale, New Jersey

0236-44-002-010 K & S Wine & Liquor t/a K & S for premises at 20 Chestnut Ridge Road, Montvale, New Jersey

0236-36-012-003 South City Prime Montvale, LLC t/a Fire & Oak for premises at 100 Chestnut Ridge Road, Montale, New Jersey

BE IT RESOLVED, that the Municipal Clerk be and is hereby directed to issue said licenses.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes
Councilmember Weaver asked what is the criteria of how many licenses can the borough have. The clerk explained that the criteria is based on total population of the town and it is determined by the State. It hasn't changed in 20 years. Most of the licenses have been grandfathered in. The only exception would be Hotel/Motel license.

132-2017 Authorize Release of Escrow/ Block 3101/Lot 1, 2 & 3

WHEREAS, The Fresh Market, Inc. Chestnut Ridge Road, NY 07645, Block 3101, Lots 1, 2 & 3 has requested release in escrow; and

WHEREAS, Engineer in a letter dated December 16, 2016 attached to the original of this resolution takes no exception to the release and other Borough professionals also take no exception to the release of escrow; and

NOW THERFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale the amount of \$35,825.51 is hereby released to The Fresh Market, Inc. 706 Green Valley Rd., Suite 300, Greensboro, NC 27408.

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

134-2017 Authorize Release of Performance Surety Bond/Release of Escrow/Block 1501/Lot 21/78 North Kinderkamack Road

WHEREAS, Equity Estates, LLC/Ferrara/Giambona North Kinderkamack Road is requesting a release in their Performance Bond #S0016088 First Indemnity Of America in the amount of \$170,816.04, and escrow/bond in the amounts of \$32,157.98; and

WHEREAS, an inspection of the site has been conducted by Borough Engineer, which recommends said release of the above referenced in letter dated May 17, 2017 and email January 2017 and May 2017 which is attached to the original of this resolution; and

WHEREAS, by the Borough of Montvale is in receipt of a two year Maintenance Bond #S0016088M in the amount of \$23,724.45; and

NOW THEREFORE BE IT FUTHER RESOLVED, The Borough Treasurer shall receive a copy for processing and payment shall be picked in person by Surandar R. Pareddy, 393 Martinsville Road, Basking Ridge, NJ 07920.

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

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

COMMITTEE REPORTS:

Council President Curry

Chamber of Commerce

Attended the Street Fair, thanks to the Chamber for all they do for the town including contributing toward a digital sign which will be replacing the Memorial Drive message board.

Seniors

Looking forward to attending senior luncheon on June 15

Construction

Hired an additional building inspector; all the repairs for 43 West Grand are complete;

Reminder of Day in the Park and official opening of Huff Park at 10;30 June 17

Councilmember Gloeggler

Local BOE

Music teacher at Memorial school arranged for over 100 students to attend the Happy Hollow Music Festival and sang songs with Tom Chapmen; Recognized students throughout the year; board honored some retirees; June 21 8th grade graduation; June 22 4th grade clap out

Councilmember Lane

Fire Department

24 calls; participated in the Memorial Day Parade

Firehouse Update

Still on target for early fall completion date

Councilmember Arendacs

Recreation

Day in the Park June 17; 213 registered campers; classes are ongoing; June 23rd last day to register for summer camp; July 21st is movie night under the stars at Memorial Drive; repairs to the basketball courts will begin in August;

DPW

Thanks for continuous recycling efforts; will be meeting with DPW Superintendent to go over their operations; the Superintendent will be attending the July 11 council meeting for an update;

Police Commissioner Koelling

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 67 calls; 1,031 miles;

Thanked all first responder volunteers and also the Police officers that attend all town events;

Councilmember Weaver

Planning Board

A few use permits have been issued to Chipotle and Habit Burger at the Shoppes at DePiero's; Master Plan resolution was passed regarding the Mercedes property.

Regional BOE

Issued numerous scholarships; June 9 is the prom; June 15 is graduation;

Economic Committee

Networking breakfast event is scheduled for June 15;

Mayor

Library

Circulation 9,443; 5,356 patron visits; 24 cards issued; Encourage residents to sign up for summer reading programs;

Grand Opening Lifeline Urgent Care at the old 7-11 building; Memorial Day Parade; Mentioned an article in the Daily News about Bergen County how Westwood is considered the "hub" and Montvale is considered the "gem"; the article is on the website as well as paper copies at borough hall.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Report Receipt of Bids/2017 Road Improvement Program

Streets to be paved are as follows: Dogwood Lane, Bayberry, Bramble Way, a portion of Eagle Ridge to Hope Street; Heartstone Way; guide rail by Woodland; Old Chestnut Ridge Road; possible curbing by Bayberry- weather permitting the roads should be completed by end of August;

1) Proposed Draft Resolution of Award Resolution No. 133-2017

133-2017 A Resolution Awarding a Contract to DLS Contracting for the Montvale 2017 Roadway Improvements Project

WHEREAS, the Borough of Montvale has a need for services in connection with the Montvale 2017 Roadway Improvements Project; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1*, et seq., the Borough of Montvale did publicly solicit bids for said project under the title "2017 Roadway Improvements" with bids due on June 6, 2017; and

WHEREAS, said solicitation requested bids for a Base Bid plus Alternates "A" and "B"; and

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

WHEREAS, the Mayor and Council, in consultation with the Borough Engineer, have determined that sufficient funds are available to perform the work included in Base Bid plus Alternates "A" and "B"; and

WHEREAS, the lowest bid for the Base Bid plus Alternates "A" and "B" was submitted by DLS Contracting, in the total amount of \$620,068.50; and

WHEREAS, said bid was within the funds allocated for this project and within the Engineer’s estimate for this work; and

WHEREAS, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; 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

DLS Contracting
271 Highway 46 West, Suite D-205
Fairfield, New Jersey 07004

In the amount of:

Base Bid	\$422,841.25
Alternate “A”	\$ 35,447.50
Alternate “B”	\$161,779.75

TOTAL

\$620,068.50

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

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

b. Update Turf Replacement /Fieldstone Field/Keystone Cooperative

Recommendations to award two contracts, one for the removal and disposal and one for the actual purchase of the turf through the coop program; the project would begin in November;

Mayor Ghassali asked what is the process to make a street a dead end street; the engineer will do some research in regards to the requirements.

Councilmember Weaver asked for an update repairing the walkway from the high school to Fieldstone; waiting for a proposal;

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Councilmember Weaver asked about the backstops by Memorial Field in regards to safety concerns; after a brief discussion, it was decided to schedule a meeting with the school, MAL and councilmembers to discuss solutions

COMMUNICATION CORRESPONDENCE:

Mayor Ghassali received a letter from State stating the red and blue lines should be removed

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 Curry
- all ayes

Pershia, Akers Ave

Wanted an update on the parking on Akers Ave; Mayor responded by saying the Police Chief will have some recommendations; encouraged enforcement; put proper directions on school website; post a person to direct traffic to the high school parking lot;

Jaret Schumacher

Clarification regarding the introduction of the ordinance; he ask if the current changes will be posted to the website

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Koelling - 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 9:12pm

ADJOURNMENT:

The next Meeting of the Mayor and Council will be held June 27, 2017 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk