

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:36 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Police Chief Miller 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 Curry - arrived 8:31	Councilmember LaMonica
Councilmember Gloeggler	Councilmember Lane
Councilmember Koelling	Councilmember Weaver

Proclamation

Tessa Guang Jin Huang has qualified and competed in USA Climbing: Bouldering Youth National Championship held in Salt Lake City, UT on February 10-12, 2017, where she ranked #38 in the nation.

MAYOR FOR A DAY: Colin Barry & Sean Barry – postponed to May

UPDATE PRIOR BUDGET DISCUSSION: Kenneth Sesholtz, Chief Financial Officer

- a. Library Board Revised Budget 2017
- b. Road Improvement Program 2017 Funding plus guardrail
- c. Old Chestnut Ridge Road/2013 to 2017 Road Improvement Analysis/Varied Cost

After a brief discussion on the above items it was decided to take \$500,000 out of surplus for roads and bond for the pump station, turf field and partial paving of roads. Also to increase the percentage of the tax rate to 2% - all agreed by councilmembers

- d. Replacement Of Sidewalk/Path/Spring Valley Road/Grant Funding

The engineer recommend to reject the Federal Grant and use the monies leftover from the Wegmans road widening project;

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

Robert Geerlof, 23 Spring Valley Road

Spoke in regards to the path to and from Fieldstone school – needs to be re-done possibly out of concrete

Dina Vigilante, 1 Old Chestnut Ridge Road

Wanted to know if her street will be paved this year

Carolee Adams

Wanted to know if the resolution 78-2017 is an added resolution to the agenda; mentioned a companion bill S3080 and S3081 that is sponsored by Senator Cardinale; should consider how Federal funding will affect local municipalities; happy to see the donation received from the Montvale Evangelical Free Church will be donated to the Tri-Boro ambulance.

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

February 28, 2017

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Gloeggler – all ayes with the exception of Councilmembers Lane and LaMonica abstaining

RESOLUTIONS:

71-2017 Adopting & Authorizing the Execution of a Collectively-Negotiated Agreement with Montvale PBA Local 303/Tabled Resolution 67-2017/2-28-17

WHEREAS, the Borough of Montvale had previously entered into a series of collectively-negotiated agreements with Montvale PBA Local 303 (the “PBA”) covering the terms and conditions of employment of the members of the PBA; and

WHEREAS, the most recent agreement covered a period ending December 31, 2016; and

WHEREAS, the parties have engaged in collective negotiations for the purpose of agreeing upon a new agreement; and

WHEREAS, the parties have reached a mutual agreement on the terms of a new agreement, a copy of which is attached hereto (the “PBA Agreement”); and

WHEREAS, it has been represented to the Borough that the PBA has voted to ratify the terms set forth in the PBA Agreement.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Montvale that the terms of the PBA Agreement attached hereto are hereby approved; and

BE IT FURTHER RESOLVED, that the PBA Agreement shall be deemed effective from January 1, 2017, through December 31, 2020, or until a successor agreement is agreed upon; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the PBA Agreement in substantially the form attached hereto.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - a roll call vote was taken - All ayes

72-2017 Revising The Borough of Montvale Field Scheduling & Fees For Field Use Effective 2017

WHEREAS, Borough Owned Recreational Fields shall be scheduled by the Borough of Montvale Field Coordinator; and

WHEREAS, Montvale Athletic League (“MAL”) shall have first priority field scheduling use and shall be provide a schedule to the Field Coordinator no later than March 1st.

WHEREAS, MAL and churches are exempt from payment of fees relating to field use.

FIELD USE: 2017

Field Use- Chestnut Ridge complex	\$ 200	Resident team
	\$ 400	Non-Resident team
Field Use-Memorial and FMS fields	\$ 200	Resident team
	\$ 500	Non-Resident team
	**Add 15% if lights are requested	

Resident Corporation One Day Field Use \$ 200 (1 scheduled day plus 2 rain dates)
 Non-Resident One Day Field Use \$ 400 (1 scheduled day plus 2 rain dates)
 Resident Corporation: Any company that owns or leases commercial within the borough.

Non-Resident Corporation: Any company that does not own or lease commercial space within the borough.

Residential Team: Any athletic team comprised of at least 75% of its roster with Montvale residents.

Non-Residential Team: Any team not having at least 75% of its roster filled with Montvale residents.

Time Slot: An uninterrupted 2 hour time period, or any part thereof, that a field is being used by an approved team.

Corporate Fees: Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

Season: Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

No credit for unused Field Time Slots

All organizational (i.e. club team) play will be considered a non-resident teams.

Payment is required prior to use on all fields or no field use will be granted.

WHEREAS, Arsenal Soccer Club Team shall pay the Borough of Montvale the amount of \$2,500 for the Spring 2017 ending June 1st, 2017 payment shall be made 10 days prior to the commencement that specific season; and

WHEREAS, it is the Borough of Montvale’s intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes
Councilmember Weaver ask to consider increasing the fees once the new turf is installed.

73-2017 A Resolution Awarding a Contract to New Jersey Elevator Inspection Agency for Designation as the Borough Elevator Subcode Official

WHEREAS, the Borough of Montvale has a need to engage the services of an elevator subcode official; 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 this contract under the title "Bid for Elevator Subcode Official," for a period of three years, plus authorized extensions, with bids due on March 1, 2017; and

WHEREAS, in response to said solicitation, the lowest bid received was from New Jersey Elevator Inspection Agency, with a price of 59% of DCA fees charges for inspections, plus the Borough’s 20% Administrative Fee; however, any and all payments to New Jersey Elevator Inspection Agency shall be in accordance with the schedule of prices set forth in the bid for each specific inspection item; and

WHEREAS, after review of the bids received, it was determined that New Jersey Elevator Inspection Agency’s bid was 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 the above-referenced three-year contract, subject to a maximum of two years of extensions pursuant to N.J.S.A. 40A:11-15, is hereby awarded as follows:

Contractor

New Jersey Elevator Inspection Agency
30 Amherst Place
Livingston, New Jersey 07039

Pricing

In accordance with Bid Proposal Form
59% of DCA Fees + 20% Administrative Fee

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with New Jersey Elevator Inspection Agency consistent with this Resolution, subject to approval by the Borough Attorney.

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

74-2017 Borough of Montvale Fire Department LOSAP Eligible’ s

WHEREAS, The Borough of Montvale, has adopted a LOSAP program for the members of the Montvale Fire Department; and

WHEREAS, to be eligible for the annual \$1,350.00 stipend for 2016, totaling \$29,700 for the Department, the Montvale Fire Department must meet certain criteria; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Borough Treasurer initiate LOSAP payments in the name of those Fire Department members deemed eligible to receive them.

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

75-2017 Awarding Professional Service Contract / Engineering Services / Woodland Road Guardrail / Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to prepare and issue request for quotations for the Woodland Road Guardrail project 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 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: Prepare Request For Quotations/Engineering Services
- 3) The cost not to exceed shall be \$26,000.00. 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 ; seconded by Councilmember - All ayes

THIS RESOLUTION WAS TABLED

76-2017 Authorize Release of Escrow/ Release of Cash Bond/Block 3101/Lots 1,2 &3/The Fresh Market

WHEREAS, 30 Chestnut Ridge Road, The Fresh Market, Block 3101 Lot 1, 2 & 3 , Montvale, NJ 07645 has requested release in escrow and cash bond; and

WHEREAS, the Borough Engineer in a letter dated February 16, 2017 attached to the original of this resolution takes no exception to the release and other Borough professionals also take no exception; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale the amount of \$35,551.51 is hereby released to The Fresh Market, Inc. 706 Green Valley Road, Suite 300, Greensboro, NC 27408 ATTN: Lisa Lopez; and

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

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

77-2017 Authorize Release of Escrow/ Release of Cash Bond/7 Mercedes Drive/Block 2801/Lot 1

WHEREAS, 7 Mercedes Drive, Block 280/ Lot 1, Montvale, NJ 07645 has requested release in escrow and cash bond; and

WHEREAS, the Borough Engineer in a letter dated February 20, 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 \$90,470.38 is hereby released to 7 Mercedes Drive, 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 Koelling - All ayes

78-2017 Resolution Urging The Legislature To Reduce Local Affordable Housing Burdens And Provide Defined Rules And Relief In Providing Thereof

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates and without an affirmative defense municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised exponentially to pay the costs associated with court mandates and, therefore, population, further overburdening taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, expected state population growth of .3 percent does not provide sufficient demand to justify court-mandated 30 percent housing supply increase; further congesting our state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic; and

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable and increasing by roughly \$700 million annually; and

WHEREAS, the state of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the "Affordable Housing Obligation Study Commission" to assist in finding solutions to the affordable housing crisis foisted upon municipalities; and

WHEREAS, the Senate is urged to pass Senate Bill S3080 and S3081, which are companion bills to the aforementioned Assembly Bills; and

WHEREAS, it is the responsibility of the state and the legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life; now therefore be it

RESOLVED, that the Borough of Montvale urges the state and the legislature to aid municipalities over-burdened by court-mandated affordable housing; and be it further

RESOLVED, that we enthusiastically must reach a solution to affordable housing in New Jersey; and be it finally

RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Commissioner Charles A. Richman, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Sheila Oliver, New Jersey Assembly Republican Leader Jon Bramnick, our State Senator Gerald Cardinale, our Assemblywomen Holly Schepisi and Assemblymen Robert Auth, and to the New Jersey League of Municipalities.

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

COMMITTEE REPORTS:

Councilmember Gloeggler

TVAccess

Recruiting volunteers and hope to have prices on replacing some old equipment

Went to a mayor's meeting which had a representative from Meals on Wheels, they talked about reaching out to each community to see if there services are needed. Went to a meeting held by Congressman Josh Gottheimer, he has representative working strictly to see about getting grants and Federal funding brought back to New Jersey.

Council President Curry

Board of Health

Wegmans reviewed the different departments with the Board of Health; all the food handlers at Wegmans are certified in food safety; they plan on opening in September; will be having a meet and greet with community leaders on May 17; borough employees completed the CPR class that was provided by HARP

Recreation

Yoga classes begin April 3; tennis lessons begin in May; tennis badges are available through the borough website; summer camp registration begins April 4; can register on website; egg coloring event in April 1st for kindergarten through 4th grade from 10am -12pm at Memorial School; Day in the Park is June 17; a new program will be offered for children with special needs, for more information go to website.

Councilmember Lane

Fire Department

15 calls;

Firehouse Update

Roof is almost complete, doors and windows to be added in the next coming weeks

Finance

Moving forward with the budget

Councilmember LaMonica

Recognize the fire department for digging out fire hydrants after the storm, commend them; also the DPW for a job well done.

Chamber of Commerce

Street Fair will be held on June 11; Wegmans donated monies which will be used for scholarships; Taste of Pascack Valley will be held at the Courtyard by Marriott;

Seniors

Had their Spring luncheon, very active group;

Mayors wellness program will be starting up again with walks

Police Commissioner Koelling

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 40 calls; 616 miles; 40.5 hours;

OEM

Montvale hosted for the first time - Radio Amateur Civil Emergency Services (R.A.C.E.S.) for conducting a net check in twice a month

Councilmember Weaver

Regional High School Board

Congratulations to all the students who participated in the Science Fair; the athletic director is reaching out for help with possibly the MAL and recreation to survey if there is interest in the lower grades for Lacrosse

Economic Retention

Talented volunteers – continued to complete data base; working with Bergen County Economic Committee for upcoming seminars; planning another networking event in mid May

Planning Board

Public hearing on the master plan will be heard on March 21;

In regards to the snow removal, in the future just to make sure the pathways to the school are cleared; Mentioned he saw the Fire Chief clearing his driveway throughout the storm and suggested to have the town plow out fire chief's driveway and other emergency personnel.

MAYOR

Library

Circulation 9,455; 4,922 patron visits; Dining for Dollars at Davey's Irish Pub will be held April 3, 4 and April 6, 15% of bill will be donated to the Friends of the Montvale Library

Report

In regards to snow removal, an issue arose, Mayor Ghassali could not get in touch with the DPW; in speaking with RiverVale, after the storm, a contact number will be given to Mayor Ghassali; as a reminder to all residents, per borough ordinance, sidewalks must be clear within 12 hours after the storm; residents were calling stating that they didn't see plows around town, there were 22 plow trucks throughout the town; a resident, Carolee Adams, suggested an idea called "snow angels"; this is a group of volunteers, possibly students, that go around town to residents that cannot shovel their property; looking for someone to coordinate this group; went to a meeting with local businesses including KPMG and Wegmans, it was mentioned about NJ Transit train schedule, the train arrives 9:30am, this is not working for the employees; went to a meeting at the Bergen County Prosecutor's office in regards to the heroin overdose epidemic, in 2016 Montvale had 4 overdoses and each were saved by Narcan. The 9/11 ceremony committee is moving forward with plans for the steel beam they received from the World Trade Center.

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 – February

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Decibel Sound Reading/Prior To Relocation Siren/Cost

The siren can be moved to the cell tower for a cost of \$25,000; it was mentioned by Chief Miller that Rockland Electric has moved there power plant site so it's possible in the future they would abandoned the site, so the borough would have to eventually move the siren. Councilmembers all agreed to move the siren.

b. Re-review of Road Improvement Program Roadway Proposed Base Bid/Authorization To Proceed

Councilmembers gave authorization to proceed with preparing the bids

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

Received dismissal from the courts in regards to the Wegmans project

UNFINISHED BUSINESS:

a. Re-Discussion/Montvale Evangelical Free Church/Donation/Tri-Borough Ambulance

1) Letter From H. McGee/President Tri-Borough Ambulance/Donation Usage

A motion by Councilmember LaMonica; seconded by Councilmember Lane to give the donation to Tri-Boro - all ayes

- b. Former Approved Resolution No. 169-2016 Requesting The County of Bergen Repair/Replace Magnolia Avenue Bridge

The engineer recommended to re-submit the resolution again

NEW BUSINESS:

- a. United Way/11 East Grand Avenue/Old Library/School #2/Request Waiver of Permit Fees
 - 1) Proposed Draft Resolution

Councilmembers agreed to waive fees

COMMUNICATION CORRESPONDENCE:

- a. Field Use Revenues/2015/2016/Current 2017

This is for informational purposes; will re-visit at a later date

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

Chief Miller

Thanked all fire volunteers for prepping the trucks before the storm; did have 2 calls during the storm; thanked DPW for plowing out fire department; also thanked Councilmember Weaver for suggesting that someone should plow out the emergency responders;

Carolee Adams

Encouraged councilmembers to speak to their elected officials regarding COAH and Federal funding; reminder to have residents clear fire hydrants; thankful for having the 9/11 ceremony;

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

MEETING CLOSED TO THE PUBLIC:

MOTION TO GO INTO CLOSED EXECUTIVE SESSION:

Motion to go into Closed Session by Councilmember Lane; seconded by Councilmember Koelling
- 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. DPW Litigation

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.

ADJOURNMENT

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

Meeting was adjourned at 9:37pm

ADJOURNMENT The next Meeting of the Mayor and Council will be held March 28, 2017 at 7:30 p.m.

March 28th 2017 BUDGET INTRODUCTION/BUDGET PRESENTATION

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk