

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:33pm. 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 Arendacs
Councilmember Curry
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

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

This is meeting was broadcast by Zoom Tele-Conference and In-Person

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. ORDINANCE 2020-1482 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,179,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,250,000, including a grant in the amount of \$220,000 expected to be received from the State of New Jersey Department of Transportation Grant (the "\$220,000 State Grant") for the improvement or purpose in Section 3(a)(3) and further including the aggregate sum of \$70,750 as the several down payments for the improvements or purposes required by the Local Bond Law. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the improvement or purpose in Section 3(a)(3) since the improvement or purpose in Section 3(a)(3) is being partially funded by the \$220,000 State Grant. Additionally, the Borough previously appropriated a \$207,000 grant from State of New Jersey Department of Transportation for the purpose or improvement in Section 3(a)(2) (the "\$207,000 State Grant" and, together with the \$220,000 State Grant, the "State Grants") and, as a result, no down payment is required for the purpose in Section 3(a)(2) pursuant to N.J.S.A. 40A:2-11(c). The down payment is at least 5% of the improvements or purposes not covered by the State Grants (in the amount of \$1,415,000). The

down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the \$207,000 State Grant previously appropriated, and in anticipation of receipt of the \$220,000 State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,179,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Road Department</u>			
1) The Road Improvement Program, all as set forth a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$1,015,000	\$964,250	10 years
2) Improvements Edgren Way, including all work and materials necessary therefor and incidental thereto.	\$297,000 (Additionally to the above-amount, the Borough previously appropriated a \$207,000 State of New Jersey Department of Transportation Grant towards the purpose)	\$297,000	10 years
3) Improvements to Paragon/Phillips Drive, including all work and materials necessary therefor and incidental thereto.	\$538,000 (includes a \$220,000 grant expected to be received from the State of New Jersey Department of Transportation)	\$538,000	10 years

b) <u>Police Department</u> The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$62,000	\$58,900	5 years	
c) <u>Buildings and Grounds</u> The acquisition and installation of heat coils and a heating, ventilation and air conditioning condenser unit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$97,000	\$92,150	15 years	
d) <u>Office of Emergency Management</u> The acquisition of radios, including all related costs and expenditures incidental thereto.	\$8,000	\$7,600	10 years	
e) <u>PVDPW Department</u> The acquisition of a sewer truck, including all related costs and expenditures incidental thereto.	<u>\$233,000</u>	<u>\$221,350</u>	5 years	
Total	<u>\$2,250,000</u>	<u>\$2,179,250</u>		

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond

anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell

part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.56 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,179,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$338,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its

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undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion Introduced for second reading Ordinance No 2020-1482 by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Koelling
- All ayes

Carolee Adams

Regarding Ordinance 2020-1482 - Capital improvements/road repair, with major building to occur on Paragon Drive, concerned that expensive repaving now would waste taxpayer funds as heavy duty equipment will destroy new roadwork; Mr. Hipolt, Borough Engineer, replied by saying whenever there is a capital project or private project, they have to apply for a permit to move soil and that permit will give them guidelines to follow.

Jarret Schumacher

Ask about the interest rates on the bonds; Councilmember Lane stated rates are stable; the clerk added that this ordinance is being re-adopted because of The Bergen Record made an error in the advertisement and Bond Counsel advised to re-advertise.

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Roche - All ayes

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling - All ayes on a roll call vote

MINUTES:

July 14, 2020

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

CLOSED/EXECUTIVE MINUTES:

None

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.

133-2020 Refund Tax Overpayment / Block 1002, Lot 6.26, C0026 / 126 Green Way

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 126 Green Way, also known as Block 1002, Lot 6.26, C0026;
WHEREAS, a duplicate payment was made by the mortgage company; and

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund Janet Ramos, 169 Price Court, West New York, NJ 07093 in the amount of \$2,872.00

134-2020 Authorize Hiring/EC Secretary/E. Riccardi

WHEREAS, the Montvale Environmental Commission desires to hire a part-time secretary in the Borough of Montvale; and,

WHEREAS, Ellen Riccardi 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 Environmental Commission Secretary, effective August 3, 2020.

135-2020 Bergen Brookside/Contract/One Two Year Extension/Towing Services

WHEREAS, the Borough of Montvale has a need to designate an official police towing service for the Borough of Montvale; 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 previously award a contract to Bergen Brookside Towing Corp. ("Brookside") in April of 2018, after a public solicitation; and

WHEREAS, pursuant to the terms of the Contract and N.J.S.A. 40A:11-15, the Borough and Brookside are entitled to and desire to extend the Contract for an additional two (2) years; and

WHEREAS, the Borough has determined that Brookside has been performing its services in an effective and efficient manner; and

WHEREAS, the fees in the Contract with Brookside shall remain the same for this two-year extension; and

WHEREAS, all other terms and conditions of the Contract shall remain the same.

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

- Duration

The duration of the Contract with Brookside shall be extended by mutual agreement of the parties for two (2) additional years, or until April 30, 2022.

- 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.

- Authorization

The Mayor and Borough Clerk are hereby directed, authorized and empowered to execute all documents necessary to effectuate the provisions and purposes of this Resolution, subject to approval as to form by the Borough Attorney.

136-2020 Execution of Agreement With PVRHS District Board of Education/Special Police Officer/ SLEO Contract 2020/2021

WHEREAS, the State of New Jersey has created a new class of Special Police Officers known as Special Police Officer III (SLEOIII) specifically and solely for the purpose of school security as outlined in NJSA 40A:14-146.10, 40A:14-146.11, 40A:14-146.14, and 40A:14-146.16; and

WHEREAS, the Borough of Montvale (the "Borough") and the Pascack Valley Regional School District (the "District") Board of Education (the "Board") agree that having security personnel that are police officers and specifically trained for school security is a best practice for the safety and security of the students and staff at Pascack Hills High School; and

WHEREAS, the Borough and the Board agree that school security is of the utmost importance to create a safe learning environment for students; and

WHEREAS, the Borough and the Board desire to enter into an agreement concerning the hiring by the Borough and placement of SLEO IIIs in Pascack Hills High School; and

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WHEREAS, the Borough and the Board have negotiated an agreement concerning same that is acceptable to the Chief of Police, a copy of which is on file with the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the agreement entitled "AGREEMENT CONCERNING THE HIRING AND PLACEMENT OF SPECIAL POLICE OFFICER IIS IN

PASCACK HILLS HIGH SCHOOL BY AND BETWEEN THE BOROUGH OF MONTVALE AND PASCACK VALLEY REGIONAL SCHOOL DISTRICT" is hereby approved, and the Mayor and Borough Clerk are hereby authorized to execute same in substantially the form negotiated, subject to approval as to form by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and all other appropriate officials are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the purposes of this Resolution.

137-2020 Authorize Refunds/Various Escrow Accounts/Inactive Accounts

WHEREAS, an audit was conducted of older escrow funds posted by various individuals and entities with the Borough of Montvale for various projects; and

WHEREAS, the Borough professionals take no exception to the release of the escrows on list attached to the original of this resolution for release of escrows; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Municipal Treasurer is hereby directed to refund these escrows.

138-2020 Governor's Council on Alcoholism & Drug Abuse Fiscal Grant Cycle July 2020-June 2025

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 Borough 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:

1. The Borough Council does hereby authorize submission of a strategic plan for the Montvale Municipal Alliance grant for **fiscal year 2021** in the amount of:

DEDR	\$ 3126.15
Cash Match	\$ 781.54
In-Kind	\$ 2344.61
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

139-2020 Authorize Change Order No. 1 / Clear Span Fabric Salt Shed Structure

WHEREAS, The Borough of Montvale awarded a contract on September 10, 2019 to ClearSpan having offices at 1395 John Fitch Boulevard South Windsor, CT 06074, under the Sourcewell Cooperative Purchasing Agreement; and

WHEREAS, the original contract amount is \$48,670.62 via Resolution #182-2019; and

WHEREAS, the Borough Engineer, in a letter dated July 15, 2020, which is attached to the original of this resolution has been monitoring the project and recommends in detail Change Order #1 in the amount of \$12,780.00; and

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

Total Contract Amount	\$48,670.62	Resolution 182-2019
Change Order #1	\$12,780.00	Resolution 139-2020
Adjusted Total Amount	\$61,450.62	

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NOW THEREFORE BE IT RESOLVED, By the Governing Body of the Borough of Montvale authorize Change Order #1 in the amount of \$12,780.00

Introduced by: Councilmember Lane; seconded by Councilmember Curry - a roll call was taken - all ayes

BILLS: *Municipal Clerk read the Bill Report*

Motion to pay bills by Councilmember Lane; seconded by Councilmember Roche - all ayes

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. NJDOT/Bid Results/Determination/Base Bid/Alternate A/Alternate B/Award

Received bids, with the lowest bidder which includes the base bid, alternate A & B totaling \$427,896.28

b. LaTrenta Field Turf Update

The turf is down, the sprinklers will be repaired, roughly 45 days of work, hoping to be completed by mid-September

c. Egren Way, DOT Project

Curbing is complete, milling and paving will be done in a few weeks to be completed by mid-August

d. 2020 Road Improvement Program

Paving is complete; have monies leftover to do three more streets, Moulton, Conrad and part of Hickory Hill.

e. Salt Shed Installation

Base work is all completed; a change order is needed for additional blocks to place the structure on.

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

Councilmember Arendacs wanted to give clarification regarding 138-2020, wanted to acknowledge the Montvale PD in receiving this grant. It brings awareness to students regarding drugs and alcohol

UNFINISHED BUSINESS

Mayor Ghassali spoke regarding the Diversity Committee, the members are as follows:

Amaka Auer, Yun Ah Choi, Mariam Khan, Vidya Kulkarni, Alyssa Linardic, Riley Solomon, Elizabeth Gloeggler, Monika Wadhwa, Santa Wierzbowski; with Lisa Dent, Recreation Director and Councilmember AnnMarie Russo-Vogelsang as Liaison

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

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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 Curry – all ayes

Mike Weaver

Sent in correspondence regarding a concept regarding the use of the basketball courts to allow community groups and/or residents to reserve court times so you can offer children a basketball season, while leaving time slots for other members of the community to use the courts.

Carolee Adams

Mentioned that this council meeting is like a “coming out party” to be here in person; Mrs. Adams spoke at the BOE Zoom meeting of July 23rd, stating thanks to 4 Pascack Valley mayors for their written concerns regarding the Board's removals of PV and PH names/mascots ... and, that Superintendent Gundersen stated the Cowboy logo at PHHS would NOT be removed; Questioned the Mayor's lack of transparency quickly introducing a Diversity Resolution without prior posting to the public; Mrs. Adams mentioned once again about "age" missing from the "diversity" of the Resolution resulting in "age discrimination"; As Councilman Arendacs complimented the MPD's Alcohol and Drug Abuse Grant, Carolee referenced "Unshattered" - a creative enterprise for Hoving Home grads recovering from addictions who create "upcycled" items made from such as military/police uniforms, patriotic, bridal gowns, etc., Mrs. Adams showed some items that were made from retired uniforms from West Point; adding that how many residents in town are using time at home to discard items they cannot sell or use and which she will share on Facebook, too; lastly, Mrs. Adams mentioned that there is a "Cowboy Channel" #246 on FIOS.

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

Councilmember Curry asked for clarification regarding the Diversity resolution being on the website; she agreed with Carolee Adams regarding “Unshattered” it is a fine organization;

ADJOURNMENT:

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

Meeting adjourned at 8:10pm

The next Regular Meeting of the Mayor and Council will be held August 11, 2020.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk