

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:38PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Clint 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 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 Lane
Councilmember Cudequest	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Cudequest - all ayes

No public comment

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

None

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.

127-2022 Approving Tax Appeal Settlement / Ridgecrest Realty / Block 3201-Lot4 / 21 Philips Parkway

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Ridgecrest Realty (hereinafter the "Tax Appeal"), under Docket Numbers 002972-2020, 005538-2021 and 002093-2022; and,
WHEREAS, the aforesaid tax appeal involves a commercial property located at 21 Philips Parkway, and is otherwise referred to as Block 3201 Lot 4 on the tax assessment map of the Borough (hereinafter the "Subject Property"); and,
WHEREAS, the said Governing Body has been advised of the merits of the aforementioned Tax Appeal settlement by legal counsel and the Borough Tax Assessor; and,
WHEREAS, per the proposed Tax Appeal settlement, the Subject Properties' 2020 tax assessment will be reduced from \$2,731,100 to \$2,631,100; and,
WHEREAS, the assessment shall remain at \$2,731,100 in the 2021 and 2022 tax years; and,
WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") are expressly waived; 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 aforesaid Tax Appeal settlement is hereby approved; and,
BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Tax Appeal Attorney and/or any other appropriate Borough officials are hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

128-2022 Approving Tax Appeal Settlement / Anthony & Anne Marie Santarelli / Block 1803-Lot 3 / 36 Partridge Run

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Anthony. & Anne Marie Santarelli (hereinafter the "Tax Appeal"), under Docket Numbers 007627-2020, 006061-2021 and 004829-2022; and,
WHEREAS, the aforesaid tax appeal involves a residential property located at 36 Partridge Run, and is otherwise referred to as Block 1803 Lot 3 on the tax assessment map of the Borough (hereinafter the "Subject Property"); and,
WHEREAS, the said Governing Body has been advised of the merits of the aforementioned Tax Appeal settlement by legal counsel and the Borough Tax Assessor; and,
WHEREAS, per the proposed Tax Appeal settlement, the Subject Properties' tax assessment will be reduced from \$1,061,400 to \$961,400 for the 2022 tax year; and,
WHEREAS, the Plaintiff will withdraw its 2020 and 2021 tax appeals as a material part of the settlement; and
WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms set forth 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 aforesaid Tax Appeal settlement is hereby approved; and,
BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Tax Appeal Attorney and/or any other appropriate Borough officials are hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

129-2022 Resolution Awarding Purchase Under New Jersey State Contract / Montvale Fire Department Firefighter Protective Clothing & Equipment / Witmer Public Safety Group, Inc.

WHEREAS, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

NOW THEREFORE, BE IT RESOLVED by the Borough of Montvale that the following purchase under New Jersey State Contract are hereby authorized:

PURCHASE OF Firefighter Protective Clothing & Equipment **STATE CONTRACT NJ-20-FLEET-01124**
Total \$ 38,368.76

Witmer Public Safety Group, Inc.
101 Independence Way
Coatesville, PA 19320

WHEREAS, attached is a detailed description of the purchase of Firefighter Protective Clothing & Equipment Quote QU018638 dated May 11, 2022 which is attached to the original of this resolution.

131-2022 Awarding Contract to Fire & Safety Services / Custom Chassis Pumper / Through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program

WHEREAS, the Borough of Montvale has resolved to become a member of the Houston-Galveston Area Council (HGAC) cooperative purchasing program; and,

WHEREAS, the HGAC has cooperative contracts for the purchase of emergency apparatus; and

WHEREAS, the Borough of Montvale is in need of a Custom Chassis Pumper for the Montvale Fire Department; and

WHEREAS, the HGAC can provide an Pierce Fire apparatus base model FS19VC07 – Custom Chassis Pumper from Fire & Safety Services, 200 Ryan Street, South Plainfield, NJ 07080 meeting the specifications of the Borough of Montvale’s Fire Department; and

NOW, THEREFORE BE IT RESOLVED that the Borough of Montvale award a contract to Fire & Safety Services, through HGAC for an Pierce Fire apparatus base model FS19VC07 – Custom Chassis Pumper for an original price of the HGAC Contract FS19 12-19 for \$1,152,192.36; and

BE IT FURTHER RESOLVED, a \$18,279.27 credit will be applied for making the first payment of \$502,835.83 at time of issuance of the purchase order. With the payment of \$502,835.83, at time of purchase order issuance, balance due at delivery will be \$631,077.26; and

BE IT FURTHER RESOLVED, Fire & Safety Services will provide the Borough of Montvale with a Performance Bond to cover this order within 10 days of receipt of a purchase order.

132-2022 Award Purchase of Police Vehicle / Gentilini Motors /State Contract # 21-FLEET-01485

WHEREAS, the Mayor and Council approved to purchase a 2022 Chevy Tahoe 9C1 PATROL SPEC for the Montvale Police Department; and

WHEREAS, the Borough of Montvale authorized the execution of payment of purchase with Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 in the amount of \$62,416.13; and

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 payment to Gentilini Motors in the amount of \$62,416.13.

133-2022 Award Purchase of Police Vehicle / Gentilini Motors /State Contract # 20-FLEET-01393

WHEREAS, the Mayor and Council approved to purchase a 2022 Ford Explorer for the Montvale Police Department; and

WHEREAS, the Borough of Montvale authorized the execution of payment of purchase with Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 in the amount of \$38,740.13; and

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 payment to Gentilini Motors in the amount of \$38,740.13.

134-2022 Authorize Release of Escrow / 89 Valley View Terrace/ Moksha Investments

WHEREAS, Moksha Investments c/o Paul Yevzikov, with offices located at 191 Mt. Horeb Road, Warren, NJ 07059, have requested release of escrow posted for Block 104, Lot 14; and
WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release of \$1,306.55; and
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to
Moksha Investments c/o Paul Yevzikov, at 191 Mt. Horeb Road, Warren, NJ 07059; and
BE IT FURHTER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

135-2022 Authorize Release of Escrow / 2 Chestnut Ridge Road / Drop Fitness

WHEREAS, Drop Fitness c/o Jeb Balise, with offices located at 2 Chestnut Ridge Road, Montvale, NJ 07645, have requested release of escrow posted for Block 3101, Lot 1; and
WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release of \$3,732.82; and
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to
Drop Fitness c/o Jeb Balise, at 2 Chestnut Ridge Road, Montvale, NJ 07645,
BE IT FURHTER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

136-2022 Authorize Release of Escrow / 97 Summit Ave / Metropolitan Home Development

WHEREAS, Metropolitan Home Development c/o Stanley Nowak, with offices located at 50 Tice Blvd., Suite 320, Woodcliff Lake, NJ 07677, have requested release of escrow posted for Block 302, Lot 13; and
WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release of \$465.00; and
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to
Metropolitan Home Development c/o Stanley Nowak, at 50 Tice Blvd., Suite 320, Woodcliff Lake, NJ 07677; and
BE IT FURHTER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

137-2022 Authorize Release of Escrow / Spring Valley South (now Parkland) / Metropolitan Home Development

WHEREAS, Metropolitan Home Development c/o Stanley Nowak, with offices located at 50 Tice Blvd., Suite 320, Woodcliff Lake, NJ 07677, have requested release of escrow posted for Block 403, Lot 1 and Block 1103, Lot 5; and
WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release of \$1,856.05; and
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to
Metropolitan Home Development c/o Stanley Nowak, at 50 Tice Blvd., Suite 320, Woodcliff Lake, NJ 07677; and
BE IT FURHTER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

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

130-2022 A Resolution Approving a Contract with Chief of Police Joseph Sanfilippo

WHEREAS, Chief of Police Joseph Sanfilippo has requested that the Borough provide him with a contract concerning his employment with the Borough of Montvale for the period January 1, 2022 through December 31, 2022; and

WHEREAS, the Police Committee has engaged in negotiations with the Chief and has recommended execution of a contract that has been provided to the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute the contract with the Chief of Police, subject to approval as to form by the Borough Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Cudequest - a roll call was taken - all ayes Mayor Ghassali asked for a confirmation regarding the removal of a car, the borough attorney stated yes it was removed.

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue - July

COMMITTEE REPORTS:

Council President Russo-Vogelsang

Construction

District building #1 is 50% filled with tenants; District building #3 should be completed by Fall; Spring Valley project is now up and running and a fence has been installed for resident protection; Sony property is on schedule; working on the lights at LaTrenta field; State has issued a new Lead Paint law for residential rental properties, any issues please go to the building department.

Councilmember Koelling

Police

Monthly report included in original minutes;

Councilmember Arendacs

Engineering

LaTrenta parking lot has been completed; Craig Road will be completed by September; Memorial field will be completed by the start of school;

DPW

Status quo; keeping hydrated with the heat

Councilmember Cudequest

Library

Updating the Code of Conduct and Collection of Development Policy; beginning to get estimates on the repairs for the reading garden; 95 adults in the summer reading program and 250 children in the children programs; patron visits continue to climb as does circulation; please go to the library website for more upcoming events.

Board of Health

Flu clinic, Saturday, October 8th

Councilmember Roche

Chamber of Commerce

Street Fair is scheduled for October 23rd

MAL

Working on Fall registration for sports; working on portable restrooms through a grant; looking to install batting cages; Looking into Lacrosse for the younger children;

Recreation

Day in the Park is scheduled for August 27th 5:30-9:30

Councilmember Lane

Fire Dept

40 fire calls; 2 drills; 5 extra credit and 1 meeting; looking into how to fight electric car fires for the future; October will be Fire Prevention month.

ENGINEER’S REPORT:

Andrew Hipolit

Report/Update

Memorial field will be done before school starts; Craig Road was delayed working with them to see when the project will start; a pre-construction meeting is scheduled for next week to determine when Kinderkamack Road will be paved.

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a. Recreation Request for Approval / Waive permit fees / Day in the Park, food trucks

Councilmembers agreed to waive the permit fees for 3 food trucks

138A-2022 Emergency Appropriations

WHEREAS, an emergency has arisen with respect to the Current Fund of the Borough of Montvale, as a result of the need to provide a down payment for the acquisition of property that has just become available and is valuable in terms of development and preservation of open space, and no adequate provision was made in the 2022 municipal budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$200,000.00

and three percent of the total operations in the Current Fund budget for the year 2021 is \$492,564.15

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48,

- 1) An emergency appropriation be and the same is hereby made for:

General Appropriations	
Capital Improvements – Excluded from “CAPS”	
Capital Improvement Fund	\$200,000.00
	=====

- 2) That said emergency appropriation shall be provided in full in the 2023 municipal budget.
- 3) That two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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

138B- 2022 – Capital Budget Amendment

Original resolution include with minutes

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

138-2022 A Resolution Authorizing the Submission of a Letter of Intent to the Owner of 127 Summit Avenue, Block 1002, Lot 7, for the Purchase Price of \$4.5 million, Contingent Upon and Subject to the Adoption of an Ordinance Authorizing Said Acquisition and the Adoption of a Bond Ordinance Funding Said Purchase

WHEREAS, N.J.S.A. 40A:12-5 authorizes municipalities to acquire real property by way of negotiated purchase; and

WHEREAS, in order to effect such a purchase, a municipality must adopt an ordinance authorizing same; and

WHEREAS, the Governing Body of the Borough of Montvale has deemed it necessary and advisable to acquire certain real property in the Borough known as 127 Summit Avenue, and identified as Block 1002, Lot 7 on the Official Tax Map of the Borough (the “Property”); and

WHEREAS, the Property and the building located thereon have significant value to the Borough for both development of an inclusionary age-restricted development as well as for environmentally-sensitive land to be reserved for open space purposes; and

WHEREAS, the Master Plan of the Borough identifies 13.19 acres of the Property as being a target for prospective public parkland, recreation and open space purposes; and

WHEREAS, an appraisal of the Property was completed in February of 2022, which justifies the proposed purchase price set forth herein; and

WHEREAS, the funding for the purchase of the Property shall come from a Bond Ordinance to be adopted by the Borough, and the purchase shall be conditioned upon the Borough receiving funding from said Ordinance; and

WHEREAS, the Borough Council has determined that it is in the best interests of the Borough of Montvale to acquire the Property for the purposes set forth herein; and

WHEREAS, the Borough intends to introduce an Ordinance authorizing the acquisition of the Property at its meeting on August 9, 2022, with the public hearing for said Ordinance to be held in accordance with applicable law; and

WHEREAS, the Borough further intends to introduce a Bond Ordinance to fund the acquisition of the Property at its meeting on August 9, 2022, with the public hearing for said Ordinance to be held in accordance with applicable law; and

WHEREAS, the Borough Council therefore intends to authorize the submission of a Letter of Intent to the Owner of the Property setting forth the terms and conditions upon which the Borough would like acquire the Property, subject to and contingent upon the adoption of the aforesaid Ordinance and

Bond Ordinance, and the expiration of both the appeal period for the Ordinance and the estoppel period for the Bond Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale as follows:

1. The foregoing recitals are incorporated as if set forth herein at length.
2. The Borough Attorney is hereby directed, authorized and empowered to submit a Letter of Intent to the Owner of the Property known as 127 Summit Avenue, and identified as Block 1002, Lot 7, for the total sum of \$4.5 million, subject to and contingent upon the adoption of an Ordinance authorizing the acquisition of the Property pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1, et seq., and the expiration of any appeal period applicable to same, and subject to and contingent upon the adoption of a Bond Ordinance to fund the acquisition of the Property and the expiration of the estoppel period for said Bond Ordinance.
3. This resolution shall take effect immediately.

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

It was decided to have a Special Council Meeting for public hearing on August 30, 2022 at 6PM

INTRODUCTION OF ORDINANCE NO. 2022-1523 AN ORDINANCE AUTHORIZING THE BOROUGH OF MONTVALE TO ACQUIRE CERTAIN REAL PROPERTY KNOWN AS 127 SUMMIT AVENUE, MONTVALE, NEW JERSEY, IDENTIFIED AS BLOCK 1002, LOT 7, ON THE OFFICIAL TAX MAP OF THE BOROUGH PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1, ET SEQ.

(public hearing 8/30/22)

A motion to Introduce Ordinance **2022-1523** for first reading was made by Councilmember Lane; seconded by Councilmember Cudequest; 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 Cudequest - a roll call was taken – all ayes

INTRODUCTION OF BOND ORDINANCE NO. 2022-1524 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS 127 SUMMIT AVENUE IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$4,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,380,950 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

(public hearing 8/30/22)

A motion to Introduce Ordinance **2022-1524** for first reading was made by Councilmember Lane; seconded by Councilmember Cudequest; 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 Roche - a roll call was taken – all ayes

COMMUNICATION CORRESPONDENCE:

None

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 Roche
- all ayes

Arthur, Wayne Street

Lived here many years and would like to know when the street will be paved; also there are no street lights- can one be installed; the borough engineer stated that Veolia(Suez) will pave this year. Suggested to do a traffic study in regards to the new community center. Maybe find another track of land to build it on.

Chief Gibbons

Wanted to thank councilmembers for your support and approving the new fire truck and turn-out gear; 2024 the fire department will be celebrating its 100 anniversary; will be fundraising at Day in the Park and the street fair; also will have a booth at Day in the Park with Tri-Boro to encourage volunteers.

Lillian Crowley, 26 Ladik Place

Experiencing more flooding by her house, the right of way has filled in tremendously; the water comes down the right of way into her basement; would like help from the borough

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

A motion to adjourn by Councilmember Lane; seconded by Councilmember Roche – all ayes

Special Meeting scheduled for August 30, 2022 at 6PM

The Next Regular Public Meeting of the Mayor & Council to be held at 7:30pm on September 13, 2022.

Meeting was adjourned at 8:16pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk