

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:36PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Fyfe led the Pledge 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 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 Roger Fyfe; Borough Engineer, Paul Neihoff; Borough Attorney, Phil Boggia; Deputy Municipal Clerk, Fran Scordo;

ROLL CALL:

Councilmember Cudequest	Councilmember LaMonica
Councilmember Ghassali	Councilmember Lane
Councilmember Greco	Councilmember Talarico

Recognition:

Montvale Athletic League: Cowboys Junior Football Team/Super Bowl Participants

Mayor Fyfe read a proclamation of accommodation

MEETING OPEN TO PUBLIC:

Agenda Items Only

A motion to open the meeting for agenda items by Councilmember Lane; seconded by Councilmember Talarico – all ayes

NO PUBLIC COMMENT

A motion to close the meeting for agenda items by Councilmember Cudequest; seconded by Councilmember LaMonica – all ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

November 29, 2011

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember LaMonica all ayes

Councilmember Ghassali clarified that the billing for PSEG will be corrected to reflect electric charges for LaTrenta field instead of being classified as gas charges.

RESOLUTIONS:

211-2011 Award Professional Service Contract/Storm Sewer Outfall Inspections/Maser

WHEREAS, the Borough of Montvale is required under the Tier A- Stormwater General Permit to engage the professional services of an Engineer to perform inspections of all stormwater outfalls by April 1, 2012; 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 November 18, 2011, and

WHEREAS, the Certified Municipal Finance Officer has included these fund 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 a detailed proposal for the scope of service is attached to this resolution which is made part of this resolution and shall be awarded to Maser Consulting.
- 2) That the following be provided: Inspection of all Stormwater outfalls within the Borough of Montvale.
- 3) The not to exceed amount shall be \$ 7,500.00. 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 in The Ridgewood News or Bergen Record, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

Introduced by: Councilmember Cudequest; seconded by Councilmember Talarico All ayes

212-2011 Award Professional Service Contract/Construction Inspection/2011 Road Program

Maser

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide the construction inspection services for the 2011 Roadway Improvement Program contract awarded to Smith-Sondy Asphalt Construction Co., Inc. via Resolution No. 193-2011 on October 25, 2011; 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 November 22, 2011 to provide construction inspection utilizing the plans and specification developed for the project 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 service is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: Construction Inspection Services
- 3) The cost not to exceed shall be \$41,500.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

BE IT FURTHER RESOLVED, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645.

Introduced by: Councilmember Lane; seconded by Councilmember Talarico All ayes

213-2011 Authorize Submission Safe Routes To School Grant Agreement/NJDOT

WHEREAS, the New Jersey Department of transportation has funds available for a federal-aid, "Safe Route To School Program" and

WHEREAS, the Borough Engineer has recommended that the Borough's Mayor and Council apply to the New Jersey Department of Transportation Municipal Aid Program Safe Routes To School Program to improve certain pedestrian areas along school routes; and

WHEREAS, the Borough's Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE RESOLVED that the Mayor and Council of the Borough of Montvale, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-I-2012-Montvale Borough-00104 to the New Jersey Department of Transportation of behalf of the Borough of Montvale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Montvale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Introduced by: Councilmember Cudequest; seconded by Councilmember Talarico All ayes

214-2011 Authorize Release of Escrow/Block 2204/Lot 29/Planker

WHEREAS, Robert Planker requested a release in escrow for Block 2204/Lot 29 in the remaining amount of \$245.00; and

WHEREAS, Borough Treasurer has confirmed no remaining escrow are necessary and Borough Engineer and Planning Board Attorney takes no exception to the release as the project is deemed complete; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the escrow for Block 2204/Lot 29 is hereby released.

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

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane All ayes

215-2011 Refund Tax Overpayments / Bergen County Tax Appeals

WHEREAS, a resolution authorizing this municipality to refund overpayment of taxes for property located in the Borough of Montvale.

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 overpayment of taxes due to Bergen County Tax Appeals for following homeowners:

Diane Perez	23 Eagle Ridge Road	\$ 1,696.13
Fariborz Ashtyani	14 Sunrise Drive	\$ 840.50
Aman Sharma and Rashmi Kapoor	134E N. Kinderkamack Rd	\$ 1,752.00

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane All ayes

216-2011 Tax Appeal Settlement/95 Chestnut Ridge Road/Block 2701/Lot 4

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. #3 (hereinafter the "Tax Appeal"), under Docket Numbers 009833-2010, and 006889-2011, and;

WHEREAS, the aforesaid tax appeal concerns a commercial building located at 95 Chestnut Ridge Road, and is otherwise referred to as Block 2701 Lot 4 on the tax assessment maps 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 the Borough Tax Assessor, who recommends that it be approved, and;

WHEREAS, the proposed Tax Appeal settlement would adjust the assessment of the above-referenced property to \$4,750,000 for both tax years, and;

WHEREAS, the Mayor and Council have determined that 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 approved, whereby the property tax assessment of Block 2701 Lot 4 would be adjusted to \$4,750,000 for the 2010 and 2011 tax years, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Borough Tax 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.

Introduced by: Councilmember Lane; seconded by Councilmember Cudequest All ayes

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Cudequest

Regional School Board

The board approved an updated curriculum for Biology, Chemistry and Physics; two new clubs include animal rights club and sign language club;

Update with the Local School board and the geese situation, the BOE voted to appropriate \$5,000 towards removal of the geese and will coordinate with the Board of Health on this issue

Councilmember Cudequest wished all residents Happy and Safe Holiday

Councilmember Ghassali

Local School Board

Approved monies for geese removal

Admin

Bidding session for general bond with a rate of 1.74; Homestead Credits have been applied to first quarter tax bills for qualified homeowners and were mailed.

Councilmember LaMonica

Chamber of Commerce

New website; offers for discounts on website; March 21 is the Taste of Pascack Valley at the Courtyard by Marriot sponsored by Footprints in the Sand; April will be breakfast networking event at Davey's Locker and June 3rd is the second annual Street Fair.

Keep It Green / Transit Initiative

Two buses will be designated and will begin in February.

Historical Preservation

Actively looking at homes to designate

Councilmember Lane

Planning Board

Regarding the K Hov application that was not approved by the board, K Hov has now filed a lawsuit against the borough;

Fire Dept.

34 calls for month of November; 6PM on December 24th Santa will arrive; all officers were re-elected for 2012. Thank you for your service.

Councilmember Lane made a motion to accept another Jr firefighter; seconded by Councilmember Greco

Councilmember Talarico

Police

Monthly report included in original minutes

Commended the police department and the surrounding towns that helped in the investigation and arrest of the individual in the luring incident.

OEM received word from FEMA that they declared an emergency and 70% should be reimbursed from the storm;

Councilmember Talarico wished all Happy Holidays

Councilmember Greco

Recreation

Holiday gift giving and tree lighting, good turnout;

DPW

Road paving is complete; the water main break on Herring Road will be repaired by United Water; clean up from the last storm is now complete, residents should no longer be placing limbs at curbside, branch pick up will resume in the Spring. Street sweeping will begin this Thursday;

Mayor Fyfe

Library

Pajamas and books are being collected for needy children in the area; www.pajamaprogram.org

Village of Chestnut Ridge NY – December 15th meeting will be held concerning the new development and is open to the public; There are concerns that the borough has and would like the borough professionals to go over the documents; a motion not to exceed \$10,000 by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

ENGINEER'S REPORT:

Paul Neihoff
Report/Update

a. Status 2011 Road Improvement Program

Paving is complete

b. Montvale Library/Window Replacement/Bidding Process

Library will be replacing some windows and would like to use borough engineers; Maser is requesting a proposal from Mr. Boggia's office authorizing the use of the borough's engineers; the library is funding the entire project.

c. Authorizing Receipt Of Bids/Tree Removal/Stump Grinding

The engineer is asking for authorization to go out for bids for the removal of stumps due to the last few storms; a motion by Councilmember Greco; seconded by Councilmember Lane – all ayes

ATTORNEY REPORT:

Phillip Boggia, Esq.
Report/Update
NO REPORT

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

a. Scheduling M&C Departmental Budget Meetings/January 10th & January 31st to commence 5:30 p.m. prior to Regular M&C mtgs.

Mayor and council agreed to schedule two budget meetings prior to the regular council meeting and possibly on January 24th is need be.

b. Montvale Police Department/Work Schedule/Pitman Schedule/12 Hr. Shift/Adopt or Reject

Mayor Fyfe explained that the police department has been on this new 12 hour schedule temporarily for a six month trial basis, and it has come to the end of the trial basis and a decision needs to be made whether to continue with it; It has been reported that the PBA, Police Chief and the borough are happy with the new schedule. A motion by Councilmember Talarico; seconded by Councilmember Lane to continue with the schedule –

Councilmember Ghassali has some concerns with the length of the 12 hour shift and the officer will not give a 100% after the 10th hour and may slow down physically;

A roll call vote was taken – all ayes except for Councilmember Ghassali - no

c. Notification of Award/Rate of General Improvement Bonds/12/7/2011

Already discussed earlier

COMMUNICATION/CORRESPONDENCE:

None

Motion to open meeting to the public by Councilmember Cudequest; seconded by Councilmember Talarico - All ayes

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.

Tom Sullivan, 43 Woodland Road

Ask about the police schedule being cost effective; concerning the water main break, he stated that there is an ordinance stating the roads have to be brought back to the way it was; Commended Councilmember Greco on his support throughout the years for the recreation committee; Thanked the Fire Dept and the members of the rec committee for a wonderful tree lighting ceremony; Congratulated members of the council for winning the election; Happy Holidays.

Michael Falk, 77 Akers Ave

What was the final result of the excess sewer charges; raised his concerns regarding the water main break on Herring Road and the bad patch job. The engineer stated that it will be blended in to be smoother; Mr. Falk stated again that drains should have been installed for Herring Road.

Chuck Taut, 27 Hillcrest Ave

Ask about the train service and why are the buses going to Ridgewood; Mayor Fyfe stated that the first train that comes north is 10:30am; Ask again about the tree ordinance, and would like to know why it hasn't been discussed further; Mayor Fyfe explained that there has been discussions by the council but it has been difficult to come to an agreement

Motion to close meeting to the public by Councilmember Greco; seconded by Councilmember LaMonica
All ayes

MEETING CLOSED TO THE PUBLIC:

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

Meeting was adjourned at 8:32pm

ADJOURNMENT

The next Meeting of the Mayor and Council will be held on December 27, 2011 @ 7:30 p.m.

Closed Executive Session: Wednesday, December 14, 2011 7:00 p.m. Police Candidate Interviews

RE-ORGANIZATION MEETING: Tuesday, January 3, 2012 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk