

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:48pm. 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 Curry    | Councilmember Lane     |
| Councilmember Koelling | Councilmember Talarico |
| Councilmember LaMonica | Councilmember Weaver   |

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

**ORDINANCES:**

**PUBLIC HEARING ORDINANCE NO. 2016-1409** BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A FIREHOUSE IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$5,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,855,000 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 improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$5,100,000, including the sum of \$245,000 as the down payment required by the Local Bond Law. The down payment is now 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 improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,855,000 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. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the construction of a Firehouse, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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. 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. 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 improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 30 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 (i) the net debt as per the Annual Debt Statement is decreased by \$4,855,000, representing the debt authorized by bond ordinance 2015-1405, which is being re-adopted as this bond ordinance, (ii) 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 \$4,855,000, and (iii) the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,250,000 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 purpose or improvement.

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 described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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 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.

Ordinance No. **2016-1409** was introduced for second reading by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only  
Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Talarico - all ayes

**NO PUBLIC COMMENT**

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Talarico - all ayes  
Motion to adopt on Second and Final Reading in the Bergen Record by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only ----- A roll call vote was taken --- all ayes

**INTRODUCTION OF ORDINANCE NO. 2016-1410** CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

(Public hearing 4/12/16)

A motion to Introduce Ordinance **2016-1410** for first reading was made by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember LaMonica - A roll call was taken – all ayes

**INTRODUCTION OF ORDINANCE NO. 2016-1411** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE BOROUGH CODE IN ORDER TO ESTABLISH A "NO-KNOCK LIST" ~~AND TO PROHIBIT CERTAIN~~

(Public hearing 4/26/16)

A motion to Introduce Ordinance **2016-1411** for first reading was made by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember LaMonica - A roll call was taken – all ayes

Mr. Voytus stated that the title of ordinance at the end that states "And to Prohibit Certain" was a typo, it will be removed.

Councilmember Curry mentioned if residents want to be on the list but not put a decal on their door can the ordinance reflect that. A motion to amend section "C" to state that a decal may be placed on the door by Councilmember Lane; seconded by Councilmember Curry – all ayes

**INTRODUCTION OF ORDINANCE NO. 2016-1412**

AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128, "ZONING," OF THE BOROUGH CODE IN ORDER TO SPECIFY VARIOUS ZONING REQUIREMENTS FOR SCHOOLS AND HOUSES OF WORSHIP

(Public hearing 4/26/16)

A motion to Introduce Ordinance **2016-1412** for first reading was made by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Curry - A roll call was taken – all ayes

**INTRODUCTION 2016 MUNICIPAL BUDGET: Resolution No. 62-2016**

**BE IT RESOLVED**, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Montvale, Bergen County, New Jersey for the year 2015.

**BE IT FURTHER RESOLVED**, that the said Budget be published in The Bergen Record in the issue of April 12, 2016 and that a hearing on the Budget will be held at the Borough Hall Council Chambers on April 26, 2016 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

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

**MINUTES:**

March 8, 2016

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

**MINUTES CLOSED/EXECUTIVE SESSION:**

March 8, 2106

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

**PLANNING BOARD APPOINTMENTS:**

Mayor Ghassali appointed James D’Agostino as a Regular Member and Ann Marie Russo-Vogelsang as 1<sup>st</sup> Alt Member to the Planning Board

**RESOLUTIONS:**

**63-2016 Authorize Tax Court Settlement / 20 Craig Road / Block 1902; Lot 11**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by 20 Craig Rd Owner, LLC (hereinafter the “Tax Appeal”), under Docket Numbers 009124-2012, 004049-2013, 007626-2014 and 001896-2015, and;

**WHEREAS**, the aforesaid tax appeal involves a commercial property located at 20 Craig Road, and is otherwise referred to as Block 1902 Lot 11 on the tax assessment map of the Borough (hereinafter the “subject property”), and;

**WHEREAS**, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel, the Borough Tax Assessor and the Borough Appraiser, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the attached Schedule “A” included herein, and;

**WHEREAS**, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, in accordance with the terms set forth in the attached Schedule “A”, and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

**SCHEDULE “A”**

- A. The terms of the aforesaid tax appeal settlement shall consist as follows:
  - 2012 Appeal: Withdrawn
  - 2013 Appeal: Withdrawn
  - 2014 Appeal: Withdrawn
  - 2015 Appeal: \$3,300,000
- B. The provisions of the N.J.S.A. 54:51A-8 (the “Freeze Act”) shall be applicable to the terms of this settlement.

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

**64-2016 A Resolution Authorizing a Settlement Agreement in the Matter Captioned *McNeice v. Borough of Montvale et al.***

**WHEREAS**, on or about April 24, 2015, Sgt. Alison McNeice filed a Complaint in Lieu of Prerogative Writs against Defendants entitled *McNeice v. Borough of Montvale and the Montvale Police Department.*, in the Superior Court of New Jersey, Bergen County, Law Division and assigned Docket No. BER-L-2908-15 in which she challenged the promotional process conducted

by the Borough of Montvale for promotion to the rank of lieutenant and asserted various other claims for relief; and

**WHEREAS**, Defendants have denied all allegations made by McNeice; and

**WHEREAS**, in order to avoid the expense of litigation, McNeice and the Borough desire to settle with prejudice all claims, disputes or causes of action which may exist between them, including those that were or could have been asserted in the Litigation; and

**WHEREAS**, the Mayor and Council have been advised by counsel of preliminary terms and conditions of such a settlement with McNeice, subject to agreement on and execution of a final settlement agreement; and

**WHEREAS**, pursuant to the terms of said agreement, the Prerogative Writ component of the case shall be voluntarily dismissed with prejudice by Plaintiff, and the remaining counts shall settled by and between all parties.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Clerk are hereby authorized and empowered to execute a Settlement Agreement substantially consistent with the terms and conditions discussed, subject to approval as to form by the Borough Attorney and Outside Counsel representing the Borough.

**BE IT FURTHER RESOLVED** that upon the execution of said Settlement Agreement, same shall be made available to the public.

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

**65-2016 Emergency Temporary Appropriations**

**WHEREAS**, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2016 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$10,968,851.70

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$10,826,106.70

2. That said emergency temporary appropriation (will be) provided in the 2016 budget;

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**CURRENT FUND**

General Appropriations

Operations - Within "CAPS"

Administrative and Executive:

Salaries and Wages

\$125,125.00

Other Expenses

84,900.00

**BOROUGH OF MONTVALE****MARCH 29, 2016**

|  |              |
|--|--------------|
| Mayor and Council:                                   |              |
| Salaries and Wages                                   | 34,150.00    |
| Other Expenses                                       | 12,800.00    |
| Borough Clerk:                                       |              |
| Salaries and Wages                                   | 96,500.00    |
| Other Expenses                                       | 12,700.00    |
| Elections  |              |
| Salaries and Wages                                   | 2,000.00     |
| Other Expenses                                       | 8,850.00     |
| Financial Administration:                            |              |
| Salaries and Wages                                   | 149,400.00   |
| Other Expenses                                       | 12,400.00    |
| Audit Services:                                      |              |
| Other Expenses                                       | 40,000.00    |
| Tax Assessment Administration (Assessment of Taxes): |              |
| Salaries and Wages                                   | 25,500.00    |
| Other Expenses                                       | 25,950.00    |
| Revenue Administration (Collection of Taxes):        |              |
| Salaries and Wages                                   | 40,250.00    |
| Other Expenses                                       | 7,850.00     |
| Legal Services and Costs:                            |              |
| Other Expenses                                       | 235,000.00   |
| Engineering Services and Costs:                      |              |
| Other Expenses                                       | 107,000.00   |
| Cable TV Committee:                                  |              |
| Salaries and Wages                                   | 2,000.00     |
| Other Expenses                                       | 9,250.00     |
| Historic Preservation Commission:                    |              |
| Other Expenses                                       | 900.00       |
| Historian:   |              |
| Other Expenses                                       | 180.00       |
| Planning Board:                                      |              |
| Salaries and Wages                                   | 59,050.00    |
| Other Expenses                                       | 124,370.00   |
| Zoning Official:                                     |              |
| Salaries and Wages                                   | 3,750.00     |
| Property Maintenance:                                |              |
| Salaries and Wages                                   | 1,200.00     |
| Life Insurance                                       | 1,500.00     |
| General Liability Insurance                          | 79,000.00    |
| Worker's Compensation Insurance                      | 84,000.00    |
| Employee Group Health                                | 611,000.00   |
| Employee Group Health -Waiver                        | 35,000.00    |
| Fire:  |              |
| Other Expenses                                       | 98,500.00    |
| Fire Hydrant Service                                 | 150,000.00   |
| Police:  |              |
| Salaries and Wages                                   | 2,310,751.00 |
| Other Expenses                                       | 98,128.00    |
| Acquisition of Police Vehicles                       | 43,000.00    |
| Police Dispatch / 911 (Radio Communications):        |              |
| Other Expenses                                       | 30,000.00    |
| First Aid Organization:                              |              |
| Other Expenses                                       | 24,000.00    |
| Emergency Management:                                |              |
| Salaries and Wages                                   | 2,500.00     |
| Other Expenses                                       | 14,800.00    |
| Uniform Fire Safety:                                 |              |
| Salaries and Wages                                   | 32,500.00    |

**BOROUGH OF MONTVALE****MARCH 29, 2016**

|  |            |
|--|------------|
| Other Expenses                               | 7,300.00   |
| Prosecutor:                                  |            |
| Other Expenses                               | 8,480.00   |
| Road Repair and Maintenance:                 |            |
| Other Expenses                               | 10,000.00  |
| Sewer System:                                |            |
| Other Expenses                               | 10,000.00  |
| Garbage and Trash Removal:                   |            |
| Other Expenses                               | 415,000.00 |
| Recycling:                                   |            |
| Other Expenses                               | 5,000.00   |
| Public Buildings and Grounds:                |            |
| Salaries and Wages                           | 18,900.00  |
| Other Expenses                               | 45,000.00  |
| Maintenance of All Vehicles:                 |            |
| Other Expenses                               | 27,500.00  |
| Municipal Services Act:                      |            |
| Other Expenses                               | 12,000.00  |
| Public Health Services (Board of Health):    |            |
| Salaries and Wages                           | 1,600.00   |
| Other Expenses                               | 63,000.00  |
| Environmental Commission:                    |            |
| Salaries and Wages                           | 1,050.00   |
| Other Expenses                               | 250.00     |
| Animal Control Services (Animal Regulation): |            |
| Other Expenses                               | 9,000.00   |
| Welfare Administration (Public Assistance):  |            |
| Salaries and Wages                           | 4,500.00   |
| Other Expenses                               | 220.00     |
| PEOSHA Compliance:                           |            |
| Other Expenses                               | 2,000.00   |
| Parks and Playground Maintenance:            |            |
| Salaries and Wages                           | 3,800.00   |
| Other Expenses                               | 1,000.00   |
| Recreation:                                  |            |
| Salaries and Wages                           | 64,750.00  |
| Other Expenses                               | 14,500.00  |
| Senior Citizens Van:                         |            |
| Salaries and Wages                           | 18,500.00  |
| Other Expenses                               | 14,300.00  |
| Celebration of Public Events:                |            |
| Other Expenses                               | 27,500.00  |
| Salary Adjustment Account                    | 5,000.00   |
| Municipal Court:                             |            |
| Salaries and Wages                           | 60,736.00  |
| Other Expenses                               | 6,732.00   |
| Public Defender:                             |            |
| Other Expenses                               | 1,932.00   |
| Construction Code Official:                  |            |
| Salaries and Wages                           | 93,200.00  |
| Other Expenses                               | 11,100.00  |
| Building Sub-Code Official:                  |            |
| Salaries and Wages                           | 16,400.00  |
| Plumbing Sub-Code Official:                  |            |
| Salaries and Wages                           | 20,550.00  |
| Fire Sub-Code Official:                      |            |
| Salaries and Wages                           | 12,205.00  |
| Electrical Sub-Code Official:                |            |
| Salaries and Wages                           | 19,800.00  |

**BOROUGH OF MONTVALE**

**MARCH 29, 2016**

|   |                     |
|---|---------------------|
| Elevator Sub-code Official:                     |                     |
| Other Expenses                                  | 16,000.00           |
| Gasoline  | 40,000.00           |
| Electricity                                     | 99,000.00           |
| Telephone                                       | 30,000.00           |
| Natural Gas                                     | 21,500.00           |
| Street Lighting                                 | 85,000.00           |
| Contingent                                      | 1,000.00            |
| Deferred Charges and Statutory                  |                     |
| Expenditures - Municipal within "CAPS"          |                     |
| Deferred Charges:                               |                     |
| Prior Year Bill:                                |                     |
| Municipal Service Act                           | 578.71              |
| Statutory Expenditures:                         |                     |
| Social Security System                          | 142,000.00          |
| Public Employees Retirement System              | 130,648.00          |
| Police and Fire Employees Retirement System     | 630,625.00          |
| Defined Contribution Retirement Program         | <u>5,000.00</u>     |
|   | <u>7,069,910.71</u> |
| Operations - Excluded from "CAPS"               |                     |
| Maintenance of Free Public Library              | 504,004.00          |
| Maintenance of Free Public Library - Additional | 58,644.00           |
| Sewer Processing and Disposal:                  |                     |
| Contractual                                     | 575,000.00          |
| Reserve for Tax Appeals                         |                     |
| Other Expenses                                  | 1,110,000.00        |
| Recycling Tax                                   | 8,000.00            |
| LOSAP   | <u>50,000.00</u>    |
|   | <u>2,305,648.00</u> |
| Inter-local Municipal Service Agreements        |                     |
| Police Dispatch / 911:                          |                     |
| Other Expenses                                  | 137,000.00          |
| Municipal Court Administration:                 |                     |
| Salaries and Wages                              | 68,714.00           |
| Other Expenses                                  | 41,576.00           |
| Prosecutor:                                     |                     |
| Other Expenses                                  | 9,520.00            |
| Public Defender:                                |                     |
| Other Expenses                                  | 2,218.00            |
| Department of Public Works:                     |                     |
| Other Expenses                                  | <u>949,470.00</u>   |
|   | <u>1,208,498.00</u> |
| Public and Private Programs Offset by Revenues  |                     |
| Recycling Tonnage Grant                         | 8,392.27            |
| CDBG Senior Activities                          | 4,125.00            |
| Drunk Driving Enforcement                       | 4,452.10            |
| Body Armor - State Share                        | 2,352.27            |
| Alcohol Education                               | <u>728.35</u>       |
|   | <u>20,049.99</u>    |
| Capital Improvements Excluded from "CAPS"       |                     |
| Capital Improvement Fund                        | <u>150,000.00</u>   |
| Deferred Charges Municipal Excluded from "CAPS" |                     |

|                                  |                  |
|----------------------------------|------------------|
| Emergency Authorizations         | 50,000.00        |
| Special Emergency Authorizations | <u>22,000.00</u> |
|                                  | 72,000.00        |
|                                  | \$10,826,106.70  |
|                                  | =====            |

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

**BILLS:**

Motion to pay bills by Councilmember Lane; seconded by Councilmember Koelling - All ayes

**ENGINEER'S REPORT:**

Andrew Hipolit  
Report/Update  
No Report

**ATTORNEY REPORT:**

Joe Voytus, Esq.  
Report/Update  
a. Report Receipt of Bids/Montvale Fire House  
Recommended the rejection of all bids and to re-bid again.

**66-2016 A Resolution Rejecting All Bids for the New Montvale Fire House Project and Authorizing a Rebid for this Contract with Revised Specifications**

**WHEREAS**, the Borough of Montvale did previously publicly solicit bids for the Construction of a New Montvale Fire House pursuant to the *Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, in response to said solicitation, nine (9) bids were received; and

**WHEREAS**, during the bid review process, it became apparent that the Borough's Architect issued a document entitled "Clarifications No. 1" on March 9, 2016, which the Borough determined mandated that the Borough rebid the project pursuant to *N.J.S.A. 40A:11-23*; and

**WHEREAS**, in addition, the bid prices submitted by all bidders substantially exceeded the Architect's construction cost estimate of \$4,300,455; and

**WHEREAS**, as a result of the price of the bids substantially exceeding the Borough's construction cost estimate, the Borough intends to revise the bid specifications to provide alternate bid pricing in addition to a base bid in order to allow some flexibility in the scope of work awarded, in order to stay within the Borough's construction cost estimate; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:11-13.2(a), (b) and (d)*, the Borough of Montvale hereby elects to reject all bids received and to re-bid this project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that all bids received for the New Montvale Fire House Project are hereby rejected; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to re-solicit bids for this project with revised specifications approved by the Borough Attorney and the Borough's Architect for this Project.

A motion to adopt a resolution to go out to Re-bid by Councilmember Lane; seconded by Councilmember Koelling - all ayes

**UNFINISHED BUSINESS:**

- a. Montvale Economic Development & Retention Commission/Ad Hoc Committee
  - 1) Appointment of Ad Hoc Committee Members either Ad Hoc

Original packet will be included with minutes

- b. Draft Tree Ordinance Comments/Mayor & Council Recommendations

Councilmember LaMonica mentioned the committee collected all the comments and are working together with Darlene Green, Borough Planner to compile another draft

- c. Final Determination/Field Fees/Use of Fields Resolution 39-2016 Adoption/Effective 2016

Clerk mentioned that the field coordinator wants to start scheduling field use; Councilmember Weaver suggested to base fees on the percentage of usage

**NEW BUSINESS:**

- a. Montvale Swim Club

Two members of the swim club Mike Duggen and Glen B. presented to councilmembers their proposal asking for \$40,000 for the next five years to help with their financial crisis.

Councilmembers agreed that the swim club needs to have better communication with the public

- b. Proposal For Grant Writing Services/NJ DEP Trails Grant/Millennium Strategies

The proposal is not to exceed \$1,500 for the walkway between Hillsdale, Park Ridge, Woodcliff Lake and Montvale. A motion to approve by Councilmember Lane; seconded by Councilmember Curry – all ayes

- c. Excess Sewer Usage Fee / Discussion

Mayor Ghassali asked Councilmembers if they would consider changing the amount of 230,000 gallons of usage to possibly eliminated some residential charges; Mayor mentioned some concerns he heard from residents that the usage is from irrigation. After a brief discussion, councilmembers decided not to make any changes to the current ordinance

- d. Library boards from Woodcliff Lake and Montvale

Mayor Ghassali mentioned he will be meeting with the Library boards of both towns on March 30 to discuss shared services.

**COMMUNICATION CORRESPONDENCE:**

Mayor Ghassali mentioned that the Borough received a safety award from the insurance company of \$1,000

**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.

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

Clint Miller

Concerned about the re-bidding of the firehouse and what is the timing, the attorney stated that an award of contract will be by end of April.

Susan Hameyer, 64 Summit Ave

Has some concerns regarding the tree ordinance and would like a copy of the draft ordinance before it's introduced

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

**ADJOURNMENT:**

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

**ADJOURNMENT**

Meeting adjourned at 9:28pm

The next Meeting of the Mayor and Council will be held April 12, 2016 at 7:30 p.m.

Budget Presentation/Hearing: April 26<sup>th</sup> 7:30 p.m.

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**