

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:36 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Ghassali led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also Present: Mayor Mike Ghassali; Borough Attorney, Phil Boggia; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Curry	Councilmember Lane
Councilmember Koelling - absent	Councilmember Talarico
Councilmember LaMonica	Councilmember Weaver

Acting Montvale Recreation Director: Lisa Dent

Introduced herself to the mayor and council

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items 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 LaMonica
- all ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

October 25, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Curry
- all ayes with the exception of Councilmember LaMonica abstaining

The deputy clerk asked to remove from the record a miss interpreted statement from resident Ms. Adams; Councilmembers approved minutes with amendment.

MINUTES CLOSED/EXECUTIVE SESSION:

October 25, 2016

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Weaver
- all ayes with the exception of Councilmember LaMonica abstaining

RESOLUTIONS:**178-2016 Refund Tax Overpayment / Block 402 Lot 9; 153 Spring Valley Road / Fred Lee**

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 153 Spring Valley Road, also known as Block 402 Lot 9; and

WHEREAS, a duplicate payment for fourth quarter property taxes was made by the homeowner and bank; and

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 Mr. Frederick Lee in the amount \$2,795.00

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

179-2016 Confirm Endorsement of Community Development Project/Senior Activities Grant

WHEREAS, a Bergen County Community Development grant of \$6,000.00 has been proposed by the County of Bergen for Senior Citizens Activities 2017-2018 in the municipality of the Borough of Montvale, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Montvale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

180-2016 Authorize Payment #5/New Montvale Firehouse/Unimak LLC

WHEREAS, the Borough of Montvale awarded a contract on April 26, 2016 in connection with the New Montvale Firehouse Project; and

WHEREAS, the original contract amount is \$4,449,000.00 via Resolution #82-2016; and

WHEREAS, the Robbie Conley Architect, LLC approved said payment based on the contract as per the documentation transmittal dated October 4, 2016 which is attached to the original of this resolution; and

WHEREAS, Payment #5 is hereby authorized in the amount of \$357,836.56 to be issued to Unimak, LLC, 82 Midland Avenue, Saddle Brook, NJ 076633 Franklin Avenue, Suite 170 Nutley, NJ 07110-1209; and

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

Total Contract Amount	\$4,449,000.00	Resolution #82-2016
Payment	\$207,230.80	Resolution 138-2016 Payment #1
Payment	\$125,696.76	Resolution 144-2016 Payment #2
Payment	\$188,081.60	Resolution 153-2016 Payment #3
Payment	\$219,199.20	Resolution 171-2016 Payment #4
Payment	\$357,836.56	Resolution 180-2016 Payment #5
Total Remaining Balance, Including Retainage	\$3,350,955.08	

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

**181-2016 Authorize Proposal/Professional Services/Garden State Parkway/Summit Avenue
GSP#172/KSE Engineers, P.C.**

WHEREAS, there exists a need for the services for design work, construction management for the proposed new northbound ramp to the Garden State Parkway (GSP) from Summit Avenue; and
WHEREAS, KSE Engineers, P.C. has submitted a proposal for this professional service as outlined in the attached proposal dated September 12, 2016 which is hereto attached to the original of this resolution; and

WHEREAS, the amount of the proposal is a not to exceed amount of \$19,000.00 and availability of funds are certified by the Chief Financial Officer and said certification is attached to the original of this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that a Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the professional service agreement for these services be and hereby are approved.

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
2. The Contract amount does not exceed the statutory bid threshold.

A Notice of this action shall be printed once in the local newspaper.

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

**182-2016 Awarding Professional Service Contract/Engineering Services/Design
Services/Inspection Services/Huff Terrace/Emergency Repair/Maser Consulting, LLC**

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional Design services and Site Inspection for the emergency repair for the Huff Terrace emergency repair Maser Consulting prepared bid documents and coordinating the Contractors to solicit prices for this work; 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 October 24, 2016 to provide these services which is attached to the original of this resolution, and

WHEREAS, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

- 1) That the proposal for the scope of engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: Professional Design Services and Site Inspection.
- 3) The cost not to exceed shall be \$19,500.00. 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

183-2016 Change Order/Professional Service Contract / Legal Services / Borough Attorney / Boggia & Boggia

WHEREAS, the Borough of Montvale awarded a professional service contract in January 2016 for Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Boggia & Boggia, 71 Mt. Vernon Street, Ridgefield Park, NJ 07660 was awarded a one year contract via Resolution No. 21-2016; and

WHEREAS, a change order is necessary in the amount of \$30,000 for additional expenses for legal services provided to the Borough of Montvale

BE IT RESOLVED FUTHER RESOLVED, the Certified Municipal Finance Officer has certified the availability of funds and said certification is attached to the original of this resolution; and

BE IT RESOLVED, A Notice of this action shall be printed once in the official newspaper of the Borough.

Introduced by: Councilmember Lane; seconded by Councilmember LaMonica - All ayes
Councilmember Weaver asked why the increase, the administrator stated it's for tax appeals

184-2016 A Resolution Encouraging the Pascack Valley Regional High School District Board of Education to Videotape its Public Meetings

WHEREAS, transparency and public participation are of paramount importance to efficient and effective governance; and

WHEREAS, New Jersey law currently does not require municipal governing bodies or school boards to videotape or otherwise record their public meetings; and

WHEREAS, certain members of the public have raised concern with the Governing Body of the Borough of Montvale that the public meetings of the Pascack Valley Regional High School District Board of Education (the "Board of Education") are currently not recorded; and

WHEREAS, the Governing Body recognizes that it has no jurisdiction over this issue, which is within the exclusive purview of the Board of Education; and

WHEREAS, nevertheless the Governing Body of the Borough of Montvale would like to express its recommendation and opinion that it would be beneficial for the Board of Education to consider recording its meetings for the benefit of the public.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale does hereby encourage the Pascack Valley Regional High School District Board of Education to consider recording its public meetings and, if possible, playing such recordings on the MonTVale Access channel in order to permit a greater number of residents to observe the discussions and actions taken at such meetings.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a copy of this Resolution to the Board of Education.

Introduced by: Councilmember ; seconded by Councilmember - All ayes

Mayor Ghassali asked councilmembers to table this resolution until next meeting because he will be meeting with the Superintendent to further discuss. A motion by Councilmember Lane; seconded by Councilmember LaMonica to table the resolution – all ayes

BILLS:

A motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue – October

COMMITTEE REPORTS:

Council President Lane

Fire Dept

Annual banquet was held; Chief Miller is feeling better; structure is being built; no major issues to date
25 fire calls;

Police Commissioner Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 54 calls; 736 miles; 75 hours; 26.22 crew hours

Local Assistance

Food Pantry in need of can goods, hot cereal, paper goods etc. Bin is located outside library

Councilmember Curry

BOH

There are a few free programs available for seniors regarding health awareness; Rabies clinic is scheduled for January 7th 10am-11:30;

Recreation

Welcome Lisa; tree lighting Dec 2nd at 7pm Memorial Drive; Halloween carnival; Recognition for Jim Freeman is scheduled for December 13 6pm at borough hall

Construction

All plans for the school #2; Shoppes at DePiero's underground piping has been installed; KHOV Reserve have 21 units occupied, Woodland Heights 5 homes occupied.

Councilmember LaMonica

Chamber of Commerce

Street Fair was a huge success; Chamber is considering to do the street fair in the fall;

Seniors

Encouraged all residents 55 and older; Eagle Scout project of the bocce court is moving well

Would like to commend all support services in borough hall for all their help

Councilmember Weaver

Planning Board

Occupying 5,000 square feet at 50 Chestnut Ridge Road for hiring of Wegmans; second public hearing for the Sharp building;

MAYOR

Library

10,169 circulation; 5,272 patron visits; assisting in two local charities, collecting unwanted cell phones, slightly used shoes, sneakers and boots

Report

Met with management of KPMG and thanked them for staying in Montvale and continuing to grow; met with China Shipping, they merged with Costco Shipping, asking for help with their building which is now vacant 65,000 sq feet; could be used as a medical facility; next week will be at the League of Municipalities and have a few meetings to go to discuss COAH; a meeting has been scheduled for November 29th at 6pm for all the boards of the borough to discuss needs in 2017, the mayor asked councilmembers if they would like to attend

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. North Ave Update

Will be completed by the end of week; suggested a traffic study for stop signs or speed humps; Councilmember LaMonica asked about plowing the speed bumps;

b. Middletown Road Pump Station

Failure of the pump station due to a lightning strike to the control panel; DPW did an incredible job to stabilize the pump station; an insurance claim has been submitted; the engineer will look into eliminating the pump station entirely;

c. Huff Terrace Update

Huff Terrace culvert is now complete

Councilmember Weaver mentioned that on Franklin Ave by the CVS loading dock a couple of residents have concerns of parking on the street causing an in passable roadway because of the way the trucks are parked by the loading dock; the discussion continued and as a result, the Police Chief will be notified and possibly making a no parking zone on Franklin Ave

ATTORNEY REPORT:

Phil Boggia, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Verizon Wireless application for authorization to locate & operate small network nodes in the public right of way by attaching to existing and new utility poles.

This is in legal review and will discuss at a later date

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 LaMonica
- all ayes

Chief Miller

Requested electrical repairs by Memorial Drive; pulled the memorial monuments for repairs; requested Orange and Rockland to remove light pole by firehouse; requested to fly flag by train station for Veterans Day; Will start decorating center of town; will elect new officers at their December 1st meeting.

Jaret Schumacher

Likes the idea of having the Street fair having in the fall; mentioned the parking on Akers Ave by the high school which makes it hard to navigate down the street; after a brief discussion, it was decided to bring to the attention of Police Chief for further review.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

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

Meeting was adjourned at 8:40pm

The next Meeting of the Mayor and Council will be held November 29, 2016 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk