#### WORK SESSION MEETING BOROUGH OF MONTVALE Mayor and Council Meeting

### November 27, 2018

#### Closed Executive Session to Commence 6:00 PM Meeting to Commence 7:30 PM

#### CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2018 adopted on January 1, 2018 and posted on the bulletin board in the Municipal Building:

The Mayor and Council will go into a Closed /Executive Session for the following: Attorney/Client/Privilege/Contract/Negotiations/Litigation/Pending/Litigation/Police

Personnel/Promotions/Administrative Personnel

- a. Rice Notice Personnel/Accounting Department
  - 1) Angela McCain
  - 2) Christine Kalafut
- b. Rice Notice Police Personnel/Police Promotions
  - 1) Captain Sanfilippo
- c. Pending Litigation/Unimak
- d. Contract Negotiations / Pascack Valley DPW
- e. Rice Notice Police Chief Abrams /Exit Agreement

Minutes to be disclosed as per the Open Public Meetings Act and Resolution No. 15-2018 matters discussed will be disclosed to the public when such matters are finally determined and there is no reason to prohibit the public disclosure of information relating to such matters.

#### **ROLL CALL:**

Councilmember Arendacs

Councilmember Curry Councilmember Gloeggler Councilmember Koelling

Councilmember Lane

Councilmember Weaver

#### YOUNG WRITERS CONTEST:

5 Year Old George Nathanael

7 Year Old Leonardo Pinto

11 Year Old Giulia DiSalvo

14 Year Old Rebecca Lovett

16 Year Old Sofia Papadopoulos

PROCLAMATION: Lifetime Montvale Resident Miles Kuchar

#### **BEST PRACTICES WORKSHEET CY 2018/SFY2019**

(Ken Sesholtz, CMFO)

#### **ORDINANCES:**

INTRODUCTION ORDINANCE 2018- 1464 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE BOROUGH CODE TO REVISE THE REQUIREMENTS FOR OBTAINING A CERTIFICATE OF OCCUPANCY (Public Hearing 12-11-2018)

#### **MINUTES:**

October 30, 2018 November 13, 2018 October 30, 2018

#### **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.

206-2018 Authorize Upper Saddle River Roadway Improvements Use of Funds from Escrow Account/
D& L Paving Contractors/Additional Screening Associated With Paving Project

207-2018 Authorize Appointment of Steve Cassiello/Fire Official/Fire Inspector

208-2018 Authorize Release Of Performance Guarantee/The Reserve At Montvale/ Block 302 Lot 1

209-2018 Amending Resolution No. 146-2018 Appointment Scott Ehalt / Special Law Enforcement Officer Class III

210-2018 Budget Amendment – to be provided at meeting

#### BILLS:

#### **ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

A. Update Montvale Municipal Building HVAC Status/Improvements/State Contract

#### ATTORNEY REPORT:

Joseph Voytus, Esq. Report/Update

#### **UNFINISHED BUSINESS:**

None.

#### **NEW BUSINESS:**

 a. Schedule Re-Organization Meeting Date Mayor & Council/Proposed Recommendation 7:00 p.m. January 1<sup>st</sup>, 2019

#### **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 <u>limit his/her statement to five (5) minutes</u>. 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.

#### **MEETING CLOSED TO THE PUBLIC:**

#### ADJOURNMENT:

The next Meeting of the Mayor and Council will be held December 11, 2018 at 7:30 p.m.

\*\*\*\*\*Disclaimer\*\*\*\*\*\* All M & C Meeting Are Subject To Additions, Deletions and Amendments -

### **Mayor's Young Writers Contest**

#### Details

Published: November 02, 2018

All other young writers did a really good job and will each get a certificate of participation and appreciation. Great job done by all the young writers.

...and the winners of the Mayor's Young Writers Contest by age category are:

- 5 years old George Nathanael
- 7 years old Leonardo Pinto
- · 11 years old Giulia DiSalvo
- 14 years old Rebecca Lovett
- · 16 years old Sofia Papadopoulos

Theme was: My Neighbor.

Winners will each get a certificate and \$100 Staples gift card, and have the option to read their essay at a televised M&C meeting.

Montvale Mayor Mike Ghassali

		Montvale Borough (Bergen)	
0236	-	Please see Color Key at bottom of sheet for limits on answers	
TO CONTRACT LANGE DA	Answer	Question	Comments
		George Compare to the Association and the Compare to the Compare t	
	Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent ennual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
	Yes	Has your municipality filed a copy of all current shared service agreements and amendments thereto, for which it provides a shared service, along with the estimated savings for each party, with the Division as required by N.J.S.A. 40A:65-4b (excluding cooperative purchasing agreements governed by the Local Public Contracts Law)?	
	Yes	If a final judgment has been entered against the municipality in a legal matter such as a tax appeal, tort claim, or contractual dispute, and there is no further adjudication, or if the municipality reached a final settlement of a legal matter in the past year, has your municipality satisfied its obligations under the final judgment or settlement in a timely fashion pursuant to its terms? This question cannot be answered "Yes" if your municipality has satisfied a judgment or settlement but additional interest and/or other penaltics have been imposed for noncompliance with its terms. This question does not apply to claims adjudicated or settled by the municipality's JIF or insurance carrier.	
	Yes	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. Have all of your local elected officials filed their Financial Disclosure Form in 2018 that covers the 2017 calendar year?	

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		1
	Answer	Question	Comments	<b>!</b>
5	N/A	If the amount of a final judgment not covered by a JIF or an insurance carrier exceeds the amount of reserves set aside through prudent fiscal planning, has your municipality submitted a timely refunding bond application to the Local Finance Board in order to satisfy the judgment?	Judgements have not exceeded reserves.	}   
	Yes	Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles except for commuting? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.		
7	Yes	Having conducted a review of several LOSAP Programs across the State, on June 30, 2015 the Office of the State Comptroller issued a report raising concerns about LOSAP program oversight and contributions not being made in compliance with applicable rules and regulations. Local Finance Notice 2016-3 discusses the report's findings and provides updated guidance on LOSAP administration. If your municipality administers a LOSAP Program, have relevant officials reviewed LFN 2016-3 to ensure compliance with the LOSAP statute and implementing regulations?		
	Yas	Did your municipality file its Annual Financial Statement (AFS) with DLGS by the statutory deadline (Which may include the extended deadline of February 26, where applicable)?		
	Yes	Have all audit findings from the 2017 audit been identified in the corrective action plan? Please list the date the corrective action plan was submitted to DLGS under Comments. Only answer "N/A" if there were no audit findings in the 2017 audit.	7/1/2018	
	No	Have all audit findings from the 2016 audit been and addressed such that they are not repeated in the 2017 audit? If not, please list any repeat findings under Comments. Only answer "N/A" if there were no audit findings in the 2017 audit.		
	Yes	Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that its auditor has filed a certified duplicate copy of the audit report with the Division? You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.		

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
	Yes	Did your municipality file its Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 or July 31, as appropriate?		
	Yes	Is your municipality fully compliant with all outstanding debt disclosure obligations as contained in Local Finance Notice 2014-09?		
THE PROPERTY OF THE PROPERTY O	N/A	The "Director's Ratio" (the average ratio of assessed to true market value) for each municipality as determined by the Director of the Division of Taxation, in the Table of Equalized Valuations promulgated annually pursuant to N.J.S.A. 54:1-35.1. A Director's Ratio of lower than 85 percent generally reflects inequitable assessments and the need for revaluation. N.J.A.C. 18:12A-1.14. If the ratio of assessed values to market values in your municipality is presently less than 85%, has your municipality retained an assessor, issued an RFP for revaluation services, or voted to conduct a revaluation within the next two years?	The Borough's raito is not less than 85%.	
15	N/A	Effective for CY2017/SFY2018 and CY2018/SFY2019 municipal budgets, the annual maximum contribution a municipality can appropriate for use by its volunteer fire companies or board of fire commissioners pursuant to N.J.S.A. 40A:14-34 is \$150,750. In any municipality where there are more than three volunteer fire companies or fire districts, the governing body may appropriate an additional \$50,000 annually for each additional volunteer company or fire district. At least 50% of the municipality's annual appropriation must be used by a volunteer fire company or board of fire commissioners for the purchase of fire equipment, materials and supplies. N.J.S.A. 40A:14-34 requires the volunteer fire company or fire district to provide the municipal governing body, on an annual basis, an accounting of the use of all municipal funds. See Local Finance Notice 2017-6R for further details. Is your municipality obtaining from each volunteer fire company or fire district an accounting of the use of all municipal funds?	The Borough does not appropriate an annual contribution for the volunteer fire company.	
	Yes	Did your municipality introduce and adopt its current year budget no later than the dates required by law or extended by the Director in Local Finance Notice 2017-26? This question may only be answered N/A if your municipality is under State Supervision or was instructed by the Division to delay budget adoption.		

	Montvale Borough (Bergen)		1
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Answer	Question	Comments	<del>{</del>
Yes	UCC. N.J.A.C. 5:23-4.17 and 4.18 and Local Finance Notice 2017-15 establish detailed parameters governing municipal construction code fees. Can your municipality certify that its		
N/A	Bid Prequalification standards can comprise an anti-competitive practice, to ensure a fair and open process, state law requires the Director of the Division of Local Government Services to approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Is your municipality compliant with the obligations set forth in N.J.S.A. 40A:11-25, including seeking Director approval prior to implementing and enforcing all prequalification regulations? "N/A" is only applicable where the municipality has not adopted any prequalification regulations.	The Borough has not adopted any prequalification regulations.	
Yes	Does your municipality publish the required notices regarding professional services contracts to keep the public informed about the cost of professional services?		
Yes	employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to <u>contracts@perc.state.nj.us</u> . <u>Has your</u>		
Prospective	pay for all groups protected under the Law Against Discrimination (N.J.S.A. 10:5-1 et seq.) in light of the "Diane B. Allen Equal Pay Act" (P.L. 2018, c. 9), which greatly increases municipal liability for the failure to assure such protections?		
	Yes Yes Yes	Revenue earned from construction code enforcement fees must be dedicated to enforcing the UCC. N.J.A.C. 5:23-4.17 and 4.18 and Local Finance Notice 2017-15 establish detailed parameters governing municipal construction code fees. Can your municipality certify that its UCC enforcement fees do not exceed the level necessary?  Bid Prequalification standards can comprise an anti-competitive practice, to ensure a fair and open process, state law requires the Director of the Division of Local Government Services to approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Is your municipality compliant with the obligations set forth in N.J.S.A. 40A:11-25, including seeking Director approval prior to implementing and enforcing all prequalification regulations? "N/A" is only applicable where the municipality has not adopted any prequalification regulations.  Yes  Does your municipality publish the required notices regarding professional services contracts to keep the public informed about the cost of professional services?  N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC?  Has your municipality taken measures to prevent employee discrimination and promote equal pay for all groups protected under the Law Against Discrimination (N.J.S.A. 10:5-1 et sec.) in	Answers Answer

<u>L</u>	<u> </u>	Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
	No	Has your municipality explored shared service opportunities with other local governments (including boards of education) within the past year? In the Comments section, please identify all shared service opportunities explored, whether an agreement resulted and, where no agreement was reached, the reason(s) why.		
23	M/A	Mave sufficient reserves been allocated towards satisfying any potential final judgment or settlement in a legal matter that is presently ongoing, including toward any deductible requirement imposed by the municipality's JIF or insurance carrier?	The Borough vigorously contests all lawsuits and believes the ultimate resolution will not have a material adverse effect on the financial position of the Borough.	

		Montvale Borough (Bergen)		}
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	]
	N/A	Does your municipality add a fringe benefit value to the gross income reported on the employee's W-2 for employees authorized to use municipal vehicles for commuting to/from work (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	The vehicles used meet the "qualified non-personal vehicle" criteria specified by the IRS.	al visua de la
	N/A	Within the past year, has your municipality's governing body assessed the authority or authorities it has created to ascertain whether they continue to serve the public interest and are more efficient than other means of providing the same services and/or financing public facilities?	The Borough has not created any authorities.	
	N/A	Have the governing body's findings and conclusions from the annual review of its authorities been discussed as a public agenda item at a scheduled governing body meeting?	The Borough has not created any authorities.	: :
	N/A	Has the governing body's findings and conclusion from the annual review of its authorities been incorporated into the publicly available meeting minutes? (Please identify the meeting date under "Comments.")	The Borough has not created any authorities.	

		Montvale Borough (Bergen)		
0236	<del>}</del>	Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
	: N/A	Payments In Lieu of Taxes (PILOTs) are often used to spur economic development. It is imperative that municipalities monitor PILOT agreements to ensure recipients comply with all agreement terms, including timely payment and reporting. Does your municipality have an appropriate official designated to monitor exemptions granted pursuant to the Long-Term Exemption Law, N.J.S.A. 40A:20-1, et seq., and Five-Year Exemptions/Abatements granted pursuant to N.J.S.A. 40A:21-1 et seq.?	The Borough does not have any PILOT agreements granted pursuant to either of the referenced statutes.	
	N/A	each PILOT agreement?	The Borough does not have any PILOT agreements granted pursuant to either of the referenced statutes.	
<b>7</b>	Yes	In the past year, has your municipality analyzed whether changes to its master plan and zoning ordinances could improve flood and storm resiliency?  For towns that have experienced repeated or extended power outages in the past few years, please note in the comments whether public utilities have improved a) communications and b) performance in responding to those outages.		
	Yes	If your engineer, planner, or land use board has recommended changes as part of the municipality's review of its master plan and zoning ordinances for flood and storm resiliency, is there a plan to implement the recommended changes? Please answer "No" or "Prospective" if your municipality has not reviewed its master plan and zoning ordinances to analyze whether changes could improve flood and storm resiliency.		
1 82	Yes	Has your municipality designated at least one staff member or consultant for community and economic development? One example would be a liaison designated to engage with businesses, developers, and investors to solicit redevelopment proposals.		
33	Prospective	Does your municipality regularly coordinate planning, zoning, and development review activities (e.g. interdepartmental meetings)?		
34	Prospective	Does your municipality actively maintain an inventory of blighted and vacant properties that would benefit from redevelopment?		

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
	Yes	Does your municipality have a current community and/or economic development plan with established metrics?		
25 26 36	Yes	Does your municipality regularly review and measure progress toward the development goals set forth in its community and/or economic development plan?		
37	Yes	Does your municipality's capital improvement program coordinate the replacement of infrastructure to avoid disturbance of recent capital projects and avoid duplicated efforts?		
:3B	Prospective	Is your municipality dedicating sufficient revenues to fund maintenance, repair and replacement of environmental and transportation infrastructure?		
39	Yeş	Municipalities are encouraged to investigate all available grant opportunities; however, certain grants require commitment of matching funds, staffing levels, etc. For each grant accepted within the past year, have each grant's benefits exceeded or are they expected to exceed the actual and/or potential costs of the grant.		
	Yes	While the issuance and renewal of bond anticipation notes can be a reasonable and prudent financing mechanism, failing to take advantage of low interest rates on permanent financing can cause municipalities to incur unnecessary carrying and issuing costs. Has your municipality evaluated its outstanding bond anticipation notes and developed a strategy to move toward permanent financing?		
	Prospective	Local Finance Notice 2018-13 discusses the Local Finance Board's recent adoption of regulations permitting all local units, county colleges, and school district boards of education/boards of trustees to use standard electronic funds transfer (EFT) technologies for payments. Has your municipality's chief financial officer and head procurement official reviewed this Notice with the governing body to determine where the use of electronic payment methods could benefit the municipality?		
2	Prospective	Has your municipality assessed whether the Local Finance Board's adopted EFT regulations require changes in the municipality's current claims payment procedures as pertain to electronic payment methods?		

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Camments	
43	Prospective	Does your municipality have a professional or professionals capable of evaluating and recommending PILOTs assess the utility and value of a PILOT before formalizing negotiations and entering into a PILOT agreement?		
A. Carlotte	Prospective	Other states such as California and Florida have enacted Property Assessed Clean Energy (PACE) legislation that authorizes municipalities to establish programs for public or private financing of energy, water and storm resilience projects through the use of voluntary special assessments for certain property owners. There is currently a bill pending before the New Jersey Legislature, S-1611, that would authorize these PACE programs in New Jersey. Is this something that your municipality would take advantage of?		
35	Yes	Does your municipality have a professional planner on staff?		
46	Yes	The New Jersey Infrastructure Bank (NJIB, formerly NJEIT) offers low-cost financing to local governments to reduce the cost of transportation and environmental infrastructure projects. If your municipality will require financing for such projects, will it consider financing through NJIB?		
47	Prospective	Have you evaluated the SALT Charitable Contribution Law (P.L. 2018, c.8) and considered its implementation?		
48	Prospective	Does your municipality buy hybrid vehicles in all cases except where no hybrid is available that meets the municipality's needs? You may respond "N/A" only if the municipality does not own any vehicles.		
49	No	Does your municipality own any electric vehicles?		
	Yes	Is your municipality adhereing to the mandatory, proven emergency procurement standards to ensure a process that minimizes costs to the municipality?		
<b>S</b>	Yes	Has your municipality adopted and implemented a more restrictive pay-to-play ordinance than the state's pay-to-play laws?		
	Yes	Does your municipality only provide health care benefits for full time employees and officials (ie: >30 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No".	·	

1		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
53	Yes	Does your municipality have a policy that fixes the reimbursement rate for full-time employees who waive benefits at the lesser of 25% or \$5,000, after deducting the employee's required contribution from the premium cost?		
	No	The Fair Labor Standards Act (FLSA) is a federal law that establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The law requires that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). <u>Does your municipality refrain from paying overtime to employees who are classified as exempt under the FLSA?</u>		
	Yes	Does your municipality ensure that employees complete and file standardized forms to verify all employee time worked (e.g. time cards, electronic time keeping)?		
	No	Does your municipality maintain centralized records accounting for all employee leave time earned and used?		
	Yes	Are all employee time and attendance documentation reviewed and independently verified before payroll/processing?		

		Montvale Borough (Bergen)	
0236		Please see Color Key at bottom of sheet for limits on answers	
	Answer	Question	Comments
<b>58</b>	Yas	Has your governing body reviewed the municipality's policies on the use of criminal history when making personnel decisions, to ensure that it does not violate Title VII in light of the 2017 amendments to the Local Budget Law (P.L. 2017, c. 183)?	
	No	Does your municipality have an established, documented process requiring department heads to submit notice of outside employment to the municipality prior to undertaking that employment?	
	No	Upon receiving a notice of outside employment from a department head, does your municipality's human resources office or equivalent assess whether a conflict of interest exists?	
	Yes	Employee personnel manuals serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of municipal vehicles, smoking and political activity, among others. Has your municipality adopted or updated an employee personnel manual by resolution or ordinance within the last five years? If yes, please provide in the Comments section the date of the meeting during which the personnel manual was adopted.	Resolution #182-2018 (9/25/18)
	<del> </del>		
		Opportunity Zones Survey	
	If your municipality is	on the list found in Column K, also answer the questions below. If not, please ignore and procee	d to row 223:
		s program was enacted as part of the 2017 federal Tax Cuts and Jobs Act and is designed to drive lo eral program provides opportunities for private investors to support investments in distressed comn	
		2 2 - F	mentioned to the contract to examine a photograph to the contract to

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		<u> </u>
	Answer	Question	Comments	<u> </u>
	•	o gauge the needs, priorities, and capacities of municipalities with designated Opportunity Zones,	, to aid the State in helping these communities attract locally-	
	appropriate businesses,	investment, and development and make the most of their Opportunity Zone designations.	·	<b>-</b>
			<u></u>	<b></b> _
		For more information about Opportunity Zones, click the following link:	https://www.stare.ni-us/dcs/divisions/ips/opp, Tones html	ļ
				<del> </del>
		For an interactive map of New Jersey Opportunity Zones, click the following link:	http://nydca.mapq_krogis.com/apps/Viewbodex.html/2appid=e2o/12634ced45cd91ciscas2 ap3f9989	}
		Has your municipality developed a strategy around attracting businesses and investment to its		†— —
52	Select	Opportunity Zones?		i
				<b>_</b>
63	Select	If "No", would you like help developing a strategy?		
				Γ — –
		Does your municipality employ a professional or professionals that engage with developers,		<u> </u>
64	Select	investors, or businesses and thoroughly review proposed projects?		
	, , , , , , , , , , , , , , , , , , , ,	Has your municipality been approached by developers, investors, or businesses interested in		
65	Select	making Opportunity Zone investments (i.e. business development/expansion, property		
		development) within your municipality?		<u> </u>
55		If "Yes", who were you specifically approached by (check all that apply)?		
		Local Business Owner		
		Other Business Owner		
		Local Investor		l
		Other investor		<u> </u>
		Local Developer		
		Other Developer		
67		If approached by a developer or business owner, which category would they fall into?		
		Residential developer, real estate development, or property management company		
		Retail		
1		Light industrial		
		<del></del>	<del></del>	·———

		Montvale Borough (Bergen)		
0235		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	<u> </u>
		Heavy industrial		
L		Restaurant, entertainment, or hospitality		
		Professional services		
		☐ Information technology		
		Other (please describe in column E)		
68		What information were they seeking from your municipality (if applicable)?		
لـــا		Info on zoning, permitting, and approval process		
		Info on local tax incentives and subsidies such as tax abatements, PILOTs, & Redevelopment Area Bonds		
		Into on vacant land and available properties		
		☐ Info on redevelopment areas		
		☐ Info on existing development activity		
		Cther (please describe in column E)		
-		If your municipality has one or more Areas in Need of Redevelopment, has it reviewed and		
69	Select	updated them within the past three years?		
				_
70	Select	In terms of real estate and economic development, which area (if any) is your top priority?		
^	Select	in terms of real estate and economic development, which area an any is your top priority:	<u> </u>	
7.	0-14	Which is more important, development of vacant sites and land or redevelopment of existing		
71	Select	structures?		
72	Select	What type of capital improvement does your municipality see as its top priority?		
73		After people, what are your municipality's distinctive assets?		
		☐ Education		
		Tourism		
		Affordable		
		Transit Access		
		Industrial Hub		
		Trensportation		

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	· · · · · · · · · · · · · · · · · · ·
		Business Hub		
		Cultural Center		
		Entertainment Venue		]
		Other (please describe in column E)		
74		What are the major challenges to development in your municipality?		
_		Lack of employment opportunities		
		Limited range of housing options		
		Lack of developable sites		
		Preserving existing community character		
		Limited access to public services		
		Poor public infrastructure		
		Poor access to transportation		
		Access to essential services reachable within 10 min. by foot or other mode of transport		
		Below average math and language arts proficiency scores		
		Lack of child care facilities		
		Stranded assets		
		Lack of high speed internet connectivity		
		Environmental contamination		
		Lack of interest from developers and investors		
75		What type of economic development is your municipality actively pursuing?		
		Retail		
		Light industrial		
		Heavy industrial		
		☐ Transportation/logistics		
		☐ Tourism		
		Transit		
		Restaurants/enterfairment/leisure activity		
		Office space		·
		Tech		
	· · · · · · · · · · · · · · · · · · ·	☐ Higher Ed		
-+		☐ Energy		

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
<u> </u>	Answer	Question	Comments	
<u> </u>		Not pursuing economic development		
<b> </b>				
		Do you have an up-to-date list of:		
76	Select	Distinctive community assets		
37	Select	Abandoned and blighted properties		
78	Select	Foreclosed properties		1
79	Select	Commercial projects planned to begin within 1 year		
20	Select	Municipal projects planned to begin within 1 year		
81.	Select	Planned business expansions		
82	Select	The 10 largest private employers in your municipality		
83	Select	Stalled projects due to funding gaps		
34	1	If "Yes", provide the name of each project, the full address, a short description that include	es the primary developer (if applicable), the estimated value of	1
		the development (i.e. total permitted value), and the reason for lack of progress.		
	Name	Address (street number, street name, town, zip code)	Description and Developer	Estimated Value
-1				<del>                                     </del>
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75	Select	Does your municipality have any other known, upcoming development projects within its Opportunity Zone(s)? (See DCA interactive map for zone boundaries):		
-		http://inidea.mans.arcgis.com/ancs/Mexifiedex.html/jannid=e2c7/2634ccd45cd31c3ca52ah3f989		
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86		If "Yes", provide the name of each project, the full address, a short description that includes the development (i.e. total permitted value), and its status (if known)	e primary developer (if applicable), the estimated value of the	
	Warne	Address (street number, street name, town, zip code)	Description and Developer	Estimated Value

		Montvale Borough (Bergen)		
0236		Please see Color Key at battom of sheet for limits on answers  Question		
	Answer	Question	Comments	
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		Montvale Borough (Bergen)		
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	Answer	Question	Comments	
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	0	Select		<u> </u>
	33	Yes		
	7	No		
	11	N/A		
	10	Prospective		
	61	Total Answered:		
	54	Score (Yes + N/A + Prospective)		-
ļ	89%	Score %		
	0%	Percent Withheld		
L		Chief Administrative Officer's Certification		<u> </u>
L		I hereby certify that the information provided in this Best Practices Inventory is accurate	Certification #(s)	
<u> </u>		to the best of my knowledge.	N/A	
		Name & Title	Date	
3 4.8		Maureen larossi-Alwan, Borough Administrator	11/11/2018	
		Chief Financial Officer's Certification		
		I hereby certify that the information provided in this Best Practices Inventory is accurate	Certification #(s)	
		to the best of my knowledge.	N0167	
		№anae	Date	
100			11/11/2018	
		Municipal Clerk's Certification		
<u> </u>		I hereby certify that the Governing Body of the Borough of Montvale in the County of		
		Bergen will discuss the CY 2018/SFY 2019 Best Practice Inventory as completed		
		herein at a public meeting on November 27, 2018, with the Inventory results, and the		
		certification thereof by the Chief Administrative and Chief Financial Officers, respectively,	Certification #(s)	
		to be stated in the minutes of said public meeting.	C-0986	
		Name	Date	
	Grand Alberta	Maureen Iarossi-Alwan	11/11/2018	

		Montvale Borough (Bergen)		
0236		Please see Color Key at bottom of sheet for limits on answers		
	Answer	Question	Comments	
		Red = Repeat Question; Prospective answers not permitted		
		Blue = Questions where neither "not applicable" nor "N/A" answers are permitted.		
		Green = Questions where neither "Prospective" nor "Not Applicable" are permitted		
		No Color = "Yes", "No"; "Prospective" and "Not Applicable" are all permissible answers		
	Score	Aid Withheld	· · ·	
	46-61	No aid withholding		
	36-45	25% of final aid payment withheld		
	26-35	50% of final aid payment withheld		
	0-25	100% of final aid payment withheld		
	Question	Table of Weblinks		
	8	https://www.ni.gov/dca/divisions/dlgs/lfns/17/20:7-07.edf		
	13	http://www.pl.gov/dca/divisions/dlgs/ifns/14/2014-09.pdf		
	15	https://www.ni.gov/dox/dbusions/digs/lins/17/2017-6B.ndi		
	16	https://www.nj.gov/dca/divisions/digs/lfps/17/2017-26.pdf		
	17	https://www.nj.gox/dos/divisions/digs/lfns/17/2017-15.odt		
	18	https://www.nj.gov/doa/divisions/dlgs/lfns/15/2016-12.pdf		
	41	https://www.nj.gov/dca/divisions/dtgs/ftns/18/2018-13.ndt		
	51	http://www.ni.gov/dca/divisions/digs/resources/munist_docs/pav_to_play_ordinance-contractor.doc		
	58	https://www.nj.gov/dca/divisions/dtgs/lfns/17/2017-27.pdt		

#### BOROUGH OF MONTVALE BERGEN COUNTY, NEW JERSEY ORDINANCE NO. 2018-1464

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 27<sup>th</sup> day of November 2018, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 11<sup>th</sup> day of December at 7:30 pm, or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen larossi Alwan, Municipal Clerk Borough of Montvale

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE BOROUGH CODE TO REVISE THE REQUIREMENTS FOR OBTAINING A CERTIFICATE OF OCCUPANCY

WHEREAS, when inspecting a property prior to the issuance of a Certificate of Occupancy or a Certificate of Continued Occupancy, it is necessary and desirable for the health, safety and welfare of the public for the Construction Official to have a certified property survey that shows the then-current uses and structures on the property; and

WHEREAS, in order to ensure compliance with this requirement, it is necessary to amend the Borough Code to mandate the submission of a certified property survey prior to the issuance of a Certificate of Occupancy or a Certificate of Continued Occupancy.

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

<u>Section 1</u>. The Code of the Borough of Montvale, Chapter 20, "Building Code," Section 4, "Amendments, additions and deletions," is hereby amended and supplemented by adding the <u>underlined</u> text and deleting the [bracketed] text, as follows:

§20-4 Amendments, additions and deletions.

(4) Section 118.9, Certificate of occupancy and certificate of continued occupancy, is added to read as follows:

118.9 Certificate of occupancy and certificate of continued occupancy:

118-9.4 Inspections:

- The Construction Official or his agent shall conduct an inspection of the premises to ensure compliance with applicable municipal ordinances and rules and regulations affecting the use and occupation of all such buildings, structures or dwellings. The inspection shall also require compliance with, but not limited to, the following:
  - A. Flue connections are properly sealed:
  - B. Sump pumps are not connected to the sanitary sewer;
  - C. All electrical outlets, switches and panel boxes are properly covered;
  - D. Relief valves from boilers and water heaters are properly piped;
  - E. All plumbing fixtures are in working order;
  - F. Pools are properly fenced;
  - G. There are rails on all interior stairs of more than two risers;
  - H. Exterior rails must be properly secured:
  - I. Property must not be in violation of the Property Maintenance Code; [and]
  - J. The property is being used for the use it is zoned[.]; and
  - K. The submission of a certified property survey that shows the current uses and structures on the property.
- No certificate permitting occupancy shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified in writing by the Construction Official or his agent.
- 3. At the discretion of the Construction Official, the submission of a certified property survey pursuant to Subsection 1(K) above may be waived under the following circumstances: 1) the applicant submits a certified survey of the property; 2) any changes to the property that have been approved and performed since the date of said survey have received the appropriate permits and/or approvals from the Borough of Montvale; 3) such changes are shown on the survey with appropriate specificity and detail to allow the Construction Official to confirm the accuracy thereof; and 4) such changes are minor in nature and do not create any reasonable doubts concerning the property's compliance with zoning, property maintenance, or other applicable codes, standards, rules, or regulations.

#### Section 2. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

#### Section 3. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

#### Section 4. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If
any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court
of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

A	_	FT FF . 42	P
Section	5.	Effective	Date.

This ordinance shall become effective upon adoption and publication as required by law.

MICHAEL GHASSALI, Mayor
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ATTEST:

Maureen Iarossi-Alwan, Municipal Clerk

INTRODUCED: 11-27-2018

Councilmember	Yes	No
Arendacs		
Curry		
Gloeggler		
Koelling		
Lane		
Weaver		

ADOPTED: 12-11-2018

Councilmember	Yes	No
-Arendacs-		
Curry		
Gloeggler		
Koelling		
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UU I UBER 30, 2018

## WORKSHOP SESSION MINUTES

The Work Session 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, Master Sergeant Dieter Koelling led the Pledge of Allegiance. 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, Joe Voytus; Borough Engineer, Andrew Hipolit; and Deputy Municipal Clerk, Fran Scordo

#### ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloeggler

Councilmember Koelling Councilmember Lane Councilmember Weaver

#### **SURVEY RESULTS:** Jarret Schumacher

Included with original minutes. Councilmembers thanked all who worked on the survey and will review the report.

#### **ORDINANCES:**

PUBLIC HEARING ORDINANCE 2018-1463 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE BOROUGH CODE TO REVISE THE REQUIREMENTS FOR OBTAINING A CERTIFICATE OF OCCUPANCY

WHEREAS, when inspecting a property prior to the issuance of a Certificate of Occupancy or a Certificate of Continued Occupancy, it is necessary and desirable for the health, safety and welfare of the public for the Construction Official to have a certified property survey that shows the then-current uses and structures on the property; and

WHEREAS, in order to ensure compliance with this requirement, it is necessary to amend the Borough Code to mandate the submission of an accurate property survey prior to the issuance of a Certificate of Occupancy or a Certificate of Continued Occupancy.

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

**Section 1**. The Code of the Borough of Montvale, Chapter 20, "Building Code," Section 4, "Amendments, additions and deletions," is hereby amended and supplemented by adding the <u>underlined</u> text and deleting the [bracketed] text, as follows:

#### §20-4 Amendments, additions and deletions.

(4) Section 118.9, Certificate of occupancy and certificate of continued occupancy, is added to read as follows:

### 118.9 Certificate of occupancy and certificate of continued occupancy:

#### 118-9.4 Inspections:

 The Construction Official or his agent shall conduct an inspection of the premises to ensure compliance with applicable municipal ordinances and rules and regulations affecting the use and occupation of all such buildings, structures or dwellings. The inspection shall also require compliance with, but not limited to, the following:

- A. Flue connections are properly sealed;
- B. Sump pumps are not connected to the sanitary sewer;
- C. All electrical outlets, switches and panel boxes are properly covered;
- D. Relief valves from boilers and water heaters are properly piped;
- E. All plumbing fixtures are in working order;
- F. Pools are properly fenced;
- G. There are rails on all interior stairs of more than two risers;
- H. Exterior rails must be properly secured;
- I. Property must not be in violation of the Property Maintenance Code; [and]
- J. The property is being used for the use it is zoned[.]; and
- K. The submission of a certified property survey that shows the current uses and structures on the property.

#### Section 2. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

#### Section 3. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

#### Section 4. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Mr. Voytus, Borough Attorney, gave a brief explanation, he stated that this has been the current practice of the construction department to require a survey before receiving a certificate of occupancy. This allows the construction official to confirm what is on the property was done lawfully.

Ordinance No. **2018-1463** 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 Koelling - all ayes

Several residents asked for clarification as to what is an acceptable survey and what is needed for certain minor upgrades to the property such as replacing a fence, deck or driveway. Mr. Fette stated that a new survey is NOT needed if you are replacing an existing fence, deck or driveway. A survey is needed if you are changing measurements to the existing surface.

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Gloeggler – all ayes

Motion to adopt on Second and Final Reading in Bergen Record by Councilmember Lane; seconded by Councilmember Gloeggler;

After a brief discussion by Councilmembers, it was decided to amend the language in the ordinance, a motion to table Ordinance No. 2018-1463 by Councilmember Gloeggler; seconded by Councilmember Lane – all ayes

#### **MINUTES:**

October 9, 2018

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry — all ayes with the exception of Councilmembers Lane and Weaver abstaining

#### MINUTES CLOSED/EXECUTIVE SESSION:

October 9, 2018

A motion to accept minutes by Councilmember Gloeggler; seconded by Councilmember Curry — all ayes with the exception of Councilmembers Lane and Weaver abstaining

#### 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.

### 199-2018 Authorize Reduction Performance Bond/KPMG LLP/75 Chestnut Ridge Road/Block 3102 Lot 1.01 & Block 2701 Lot 2

WHEREAS, KMPG requested a reduction of the Performance Guarantee issued by Liberty Mutual Insurance Company dated April 28, 2017 in the amount of \$3,160,440.00; and WHEREAS, in a letter dated October 8, 2018 which is attached to this resolution the Borough Engineer takes no exception to a reduction of the performance in the amount \$3,080,440.00 and withhold \$80,000.00 to monitor pavement through the spring of 2019 and to continue to develop a tree banking plan; and

WHEREAS, KMPG shall provide a new Performance Guarantee in the amount of \$80,000.00 for this project; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Performance Guarantee is hereby reduced by \$3,080,440.00 for KPMG LLP; and BE IT FUTHI:R RESOLVED, a copy of this resolution is to be provided to Beattie Padovano, Counsellors At Law, 50 Chestnut Ridge Road, Suite 208, P.O. Box 244, Montvale, NJ Attn: Antimo A. DelVecchio

#### 200-2018 Tax Appeal Settlement/Lukoil/North America, LLC/107 Spring Valley Road

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Lukoil North America, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 002361-2017 and 003926-2018, and;

WHEREAS, the aforesaid tax appeal involves a commercial property located at 107 Spring Valley Road, which is otherwise referred to as Block 403 Lot 5 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 and the Borough Tax Assessor, 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:

2017 Appeal: Withdrawn 2018 Appeal: Withdrawn

B. The assessment of the Subject Property shall be set at an amount not exceed \$975,000 for the 2019 tax year.

## 201-2018 Award Professional Service Contract/Engineering/Authorization to Bid FY2018 NJDOT Municipal Aid/USR Road Between CRR & The Boarder with USR

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to design, construction observation services and bidding municipal road improvements for the Upper Saddle River Road 2018 NJDOT Grant Program Roadway Improvements Project; 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, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated October 3, 2018 to provide the engineering services for services which are detailed and 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: Design & Bidding Services
- 3) The cost not to exceed shall be \$28,500.00. 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.

# 202-2018 Award Professional Service Contract/Engineering Design/Construction Contract Administration Montvale Senior Community Center/Toilet Rooms Renovations/SNS Architects & Engineers

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Architect & Engineer to provide professional services to design, construction administration services and bidding specifications for the renovations to the restrooms at the Montvale Senior Community Center; and

UU I UDER 30, 2018

**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,** SNS Architects & Engineers, PC, One Paragon Drive, Montvale, NJ 07645 has submitted a proposal dated September 26, 2018 to provide these services which are detailed and 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:

- 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 SNS Architects & Engineers, PC.
- 2) That the following be provided: Interior Design Development, Construction Documentation Phase, Bidding & Negotiations Phase, Construction Contract Administration
- 3) The cost not to exceed shall be \$16,400.00. 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.

## 203-2018 Authorize Change Order #9/Montvale Intersection Improvements /Chestnut Ridge Road Widening/New Prince Concrete Construction Co., Inc.

WHEREAS, the Borough of Montvale awarded a contract on April 11, 2017 in connection with the Montvale Intersection Improvements Project throughout the Borough of Montvale; and

WHEREAS, base bid was awarded in the amount of \$2,064,244.05 to the following:

New Prince Concrete, 215 Eileen Terrace, Hackensack, New Jersey 07601

WHEREAS, this contract was awarded via Resolution #92-2017; and

**WHEREAS**, the Borough Engineer in a detailed letter dated October 25, 2018 recommends Change Order #9 in the amount of a decrease of (\$22,721.64) to the contract for invoices as detailed in the documentation attached; and

WHEREAS, Change Order #9 is hereby authorized to New Prince Concrete Construction Co., Inc. in the decreased amount of \$22,721.64; and

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

Total Contract Base Bid Amount	\$2,064,244.05
Change Order #1	\$ 485,445.54
Change Order #2	\$ 20,000.00
Change Order #3	\$ 80,000.00
Change Order #4	\$ (25,819.34) decrease
Change Order #5	\$ 8,928.00
Change Order #6	\$ 35,000.00
Change Order #7	\$ (24,857.14) decrease
Change Order #8	\$ 26,564.00
Change Order #9	\$ (22,721.64) decrease
New Project Total	\$ 2,646,783.47

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

#### BILLS:

Motion to pay bills by Councilmember Koelling; seconded by Councilmember Lane - all ayes A motion to pull Unimak payment by Councilmember Koelling; seconded by Councilmember Lane - all ayes

#### **ENGINEER'S REPORT:**

Andrew Hipolit Report/Update

A. Update Montvale Municipal Building HVAC Status/Improvements/State Contract

Mr. Hipolit explained that through the Direct Install program, the new HVAC has been installed. The next step will be to replace and or repair the VAV boxes; they contacted a vendor on State contract to evaluate the VAV boxes and to submit a proposal; the boiler will be replaced in the Spring.

Councilmember Curry asked for an update with the Woodland Ave Intersection; Mr. Hipolit stated he spoke with the County and they have no issue with putting temporary barrels there until a light is installed; Park Ridge will have to approve the temporary fix.

Councilmember Weaver mentioned about the curbing by 71 Kinderkamack Road; Mr. Hipolit stated that the county will be paving it in 2019; once the county awards a contract, Mr. Hipolit can see about adding the curbing along with the cost estimate so it can be added to the 2019 budget.

Councilmember Weaver asked for an update about the turf field; Mr. Hipolit will be meeting with the manufacturer.

#### **ATTORNEY REPORT:**

Joseph Voytus, Esq. Report/Update No Report

#### **UNFINISHED BUSINESS:**

Councilmember Koelling asked for an update on the Huff Pond Plaque;

#### **NEW BUSINESS:**

#### a. Report of Property Maintenance Lien / 37 Akers Ave

Per requirements of Ordinance #2018-1462, a lien will be placed on the above property for property maintenance; a motion to approve by Councilmember Lane; seconded by Councilmember Curry – all ayes

#### b. <u>Ulta Beauty Request</u>

Would like to request to be open on November  $23^{rd}$  (black Friday) from 6am-10pm and to stock the store Thursday evening from 6pm – 2am; a motion to approve by Councilmember Koelling; seconded by Councilmember Lane – all ayes

Councilmember Koelling mentioned the Police Department is requesting adding more parking spaces by in the municipal parking lot; this will be considered to be included in the 2019 budget.

#### **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 <u>limit his/her statement to five (5) minutes</u>. 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 Koelling; seconded by Councilmember Lane - all ayes

#### Carole Adams

Suggested to the Mayor, to put a little blurb in the newsletter letting residents know if they did not want to receive an absentee ballot in the future, they would have to call the county to opt-out; Ms. Adams also suggested to have a public meeting to inform residents about smart meters that Orange and Rockland Electric have been installing.

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

#### **ADJOURNMENT**

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

Meeting was adjourned at 9:35pm

Town Hall Meeting will be held on Thursday, November 1<sup>st</sup>, 7:30 p.m. 12 Mercedes Drive, Council Chambers.

The next meeting of the Mayor and Council will be held November 13, 2018 at 10am

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk

## PUBLIC MEETING MINUTES

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 10AM. Adequate notification was published in the official newspaper of the Borough of Montvale.

#### **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; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

#### ROLL CALL:

Councilmember Arendacs

Councilmember Curry - absent Councilmember Gloeggler - via telephone Councilmember Koelling
Councilmember Lane - absent

Councilmember Weaver - absent

#### **ORDINANCES:**

None

#### **MEETING OPEN TO PUBLIC:**

Agenda Items Only

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

#### NO PUBLIC COMMENT

#### **MEETING CLOSED TO PUBLIC:**

Agenda Items Only

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

#### 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.

#### 204-2018 Transfer of Appropriations

WHEREAS, certain transfer of funds for various 2018 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the transfers be made between the 2018 budget appropriations as follows:

FROM <u>TO</u> **CURRENT FUND** General Appropriations Operations - Within "CAPS" Planning Board: Other Expenses \$9,000.00 Police: Acquisition of Police Vehicles \$9,000.00 Salary Adjustment Account 7,000.00 Uniform Fire Safety Act: Salaries and Wages 7,000.00 Planning Board: Other Expenses 15.000.00 **Construction Coded Officials:** Salaries and Wages 15,000.00

\$31,000.00

# 205-2018 Award Professional Service Contract / Engineering Design Services, Construction Contract Administration Services, and Bidding / Montvale Building Department Renovations / SNS Architects & Engineers

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Architect & Engineer to provide professional services to design, construction administration services and bidding specifications for renovations to the Building Department at the Montvale Municipal Complex; 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, SNS Architects & Engineers, PC, One Paragon Drive, Montvale, NJ 07645 has submitted a proposal dated June 8, 2018 to provide these services which are detailed and 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:

- 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 SNS
  Architects & Engineers, PC.
- 2) That the following be provided: Interior Design Development, Construction Documentation Phase, Bidding & Negotiations Phase, Construction Contract Administration
- 3) The cost not to exceed shall be \$31,400.00. 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 Koelling; seconded by Councilmember Arendacs — all ayes

#### BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Koelling; seconded by Councilmember Arendacs - all ayes

#### **ENGINEER'S REPORT:**

Andrew Hipolit Report/Update No Report

#### ATTORNEY REPORT:

Joe Voytus, Esq. Report/Update No Report

#### <u>UNFINISHED BUSINESS:</u>

None.

#### **NEW BUSINESS:**

None.

#### 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 <u>limit his/her statement to five (5) minutes</u>. 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 Koelling; seconded by Councilmember Arendacs - all ayes

#### NO PUBLIC COMMENT

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

#### ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Koelling; seconded by Councilmember Arendacs - all ayes

Meeting was adjourned at 10:06am

The next meeting of the Mayor and Council will be held November 27, 2018 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk

# BERGEN COUNTY, NEW JERSEY RESOLUTION NO. 206-2018

RE: Authorize Upper Saddle River Roadway Improvements Use of Funds from Escrow Account/ D& L Paving Contractors/Additional Screening Associated With Paving Project.

**WHEREAS,** additional screening is required as per Maser Engineering for the Upper Saddle River Roadway Project; and

WHEREAS, Maser Consulting obtained quotations for this additional screening and is recommending in a letter dated November 7, 2018 hereto attached to the original of this resolution the Borough of Montvale authorize and use escrow funds in the amount of \$11,500.00 for this project; and WHEREAS, funds are available in escrow in the amount of \$12,153.45 and the remainder will be used for related inspection services.

**BE IT FURTHER RESOLVED,** that a copy of this resolution shall be sent to Maser Consulting and the Borough Treasurer.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs	1						
Ситу							
Gloeggler							
Koelling							
Lane							
Weaver	T						

Adopted: November 27, 2018

Account: E-08-00-217-03A

Amount: \$11,500.00

ATTEST:	APPROVED:
-Maureen-larossi-Alwan	Michael-Ghassali Mayor



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

400 Valley Road, Suite 304 Mount Arlington, NJ 07856 T: 973,398,3110 F: 973,398,3199 www.maserconsulting.com

November 7, 2018

#### VIA EMAIL

Maureen Iarossi-Alwan, Borough Clerk/Administrator Borough of Montvale 12 Mercedes Drive Montvale, NJ 07645

Re:

Upper Saddle River Road Roadway Improvements

Project Planting - Escrow Contribution

Borough of Montvale, Bergen County, New Jersey

MC Project No. MVB-434

Dear Ms. Iarossi-Alwan:

As you know, we recommended the Final Payment for this project on September 17, 2018, and the Mayor & Council authorized the Final Payment at their September 25, 2018 meeting. Subsequently, it was determined that additional screening is required associated with the paving project.

Our office requested quotes to perform this work and received quotes from D & L Paving Contractors, Inc., the Contractor for the above referenced project in the amount of \$11,500.00, and from Covino Sons Construction Company, Inc. in the amount of \$12,100.00.

Although the project was closed out in September 2018, funding for these improvements remains in an existing escrow account set up pursuant to the Planning Board approval for K Hovnanian as part of their contribution towards the required road improvements on Upper Saddle River Road.

Based on the above, we are recommending that the Borough authorize the utilization of a portion of the \$12,153.45 remaining escrow funds for the payment to D&L Paving Contractors, Inc. in the amount of \$11,500.00, with the remainder available for related inspection services for this work.

Thank you for your kind attention to this matter. Please contact me if you have any questions.

Very truly yours,

MASER CONSULTING P.A.

Andrew R. Hipolit, P.E. P.P., C.M.E.

Borough Engineer

ARH/tva Attachments

cc: Mayor and Council (via Clerk/Administrator)

Carl Bello, Borough Treasurer

D&L Paving Contractors

P:\MVB\MVB-434 USRR\Correspondence\OUT\181107 MVB-434 Upper Saddle River Rd Landscaping Escrow.docx



#### INDUSTRIAL AND COMMERCIAL PAVING

INSTALLATION OF PETRO MAT FABRIC 675 FRANKLIN AVENUE NUTLEY, NEW JERSEY 07110 (973) 667-7300 • FAX (973) 667-1190

November 6, 2018

#### Proposal / Contract

Maser Consulting

200 Valley Road

Suite 304

Mt. Arlington, NJ 07856

Attn: Robert Culvert

Email: RCulvert@maserconsulting.com

D & L Paving Contractors, Inc. is pleased to submit our proposal to furnish all equipment, labor and material necessary to complete the following work for above referenced project.

- Supply and install (10) Green Giant Arborvitaes.
- · Approx. 3 yards of mulch.
- Approx. 3 yards of ¾" Clean Stone.
- Supply and Install 4 Canada Red Cherry and 4 Ivory Silk trees.
- Total Job Cost: \$11,500.00

#### **Exclusions:**

- 1. Permits, Testing, Survey and Layout, Engineering.
- 2. Excavation and repair of soft areas in sub-base.
- 3. Traffic Control, Saw cutting, Adjustment of Utilities.
- 4. Ponding of Areas less than 2% Slope.
- 5. Nights, Saturdays and Holidays.

#### Terms and Conditions

- Quantities stated above are approximate only. Payment will be based on actual field measurements.
- 2. Sales Tax will be charged on all invoices for all work, unless a valid Sales Tax Exemption Certificate is received.
- If rock/concrete and such is encountered and cannot be removed by on-site machinery, and blasting services are required, the cost of blasting shall be the owner's responsibility.

- 4. If we encounter soft areas during proof rolling of the sub base, then excavating, backfill and compaction will be charged as an extra.
- 5. Cold Weather Paving- Paving done under cold weather conditions can cause asphalt imperfections. Cold, frost, rain, winds, snow, and moisture can cause defects. Paving work done under these conditions will be done at owner's responsibility with repair work done at the owner's expense.
- 6. All Asphalt Paving should be left to "set-up" a minimum of 72 hours. Exposure to vehicle use in any manner could result in damage to new paving. D & L will not be held responsible for damages.
- 7. The prices listed in this proposal shall be valid for thirty days.
- 8. A reduction in quantities may result in an increase in prices.
- This proposal becomes effective as a CONTRACT, after the purchaser has executed its acceptance.
- 10. Conditions, which are not specifically incorporated in this contract, will not be recognized. No modification or transfer of this contract after acceptance shall be binding upon Seller, unless made in writing and signed by one of the Seller's Officers.
- 11. All prices are based on the current asphalt/cement index for liquid AC20 and are subject to change without written notification.
- 12. This proposal may be withdrawn pending the results of a credit investigation or it may be necessary to post a bond or establish an escrow account with sufficient funds and a guarantee of payment upon completion of our work.
- 13. Invoices will be rendered monthly, or at completion of work, whichever comes first, and payments are expected on any portion of the work performed and/or materials furnished during that 30-day period.
- 14. Final Payment- Payment in full is required within 30 days. A service charge of 1 ½ % per month will be added to any unpaid portion of our invoice, which is annual percentage rate of 18%.

If the proposal is satisfactory, please sign, date, and return one copy at your earliest convenience. If applicable, please submit a copy of your tax-exempt or capital improvements certificate.

SAT	
Koseph Matarazzo	<del></del>
Matarazzo  D & L Paving Contractors, Ir	ıc.
Accepted By:	
Accepted By: Name and Title:	

Thank-you,



# Sons Construction Company, loc

Excavation • Demolition • Pavers • Asp

Masonry &

Concrete Sidewalks o Driveways o

Steps \* Retaining Walls & Brick Work

39 North Drive ORochelle Park, New Jersey 07662 Tel:

(201) 843-0092 Fax: (201) 843-0992 PROPOSAL SUBMITTED TO: JOB DESCRIPTION: Township of Montvale JOB: Upper Saddle River Road-Culvert Tree Planting ADDRESS: CITY: STATE: DATE: PG. OF We hereby submit specifications and estimates for the following: Install 10 Green Giant Arborvitaes, mulch and stone. WE HERBY PROPOSE TO FURNISH LABOR AND MATERIALS COMPLETE IN ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK IS TO BE COMPLETED ACCORDANCE WITH THE ABOVE SPECIFICATIONS, IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATION OR DEVIATION FROM ABOVE SPECIFICATIONS INVOLVING EXTRA costs WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER FOR THE SUM OF \$ \$12,100.00\_\_\_\_\_ AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS OUR CONTROL OWNER TORNADO WITH PAYMENT TO BE MADE AS FOLLOWS: \_\_\_\_ OR DELAYS BEYOND TO CARRY FIRE, AND NECESSARY INSURANCE, OUR WORKERS ARE FULLY COVERED BY WORKMEN'S COMPENSATION INSURANCE. AUTHORIZED SIGNATURE:

Account No: E-08-00-217-03A

Description: KHOV -USRR RePaying

Type: Line Control Account

Starting Date: 0 Ending Date: 11/06/18 Po Transactions: Summ \* Transaction is included in Previous and/or Opening Balance \*\* Transaction is not included in Balance Po Transactions: Summarized

En = PO Line Item First Encumbrance Date

BC = Blanket Control

BS = Blanket Sub

Date	Description	Trans Amount	Balance	
01/24/17	Add Acct New: 0.00 Temporary Budget	0.00	0.00	
01/23/17	Reimbursement Check: CK KHOV - USRR repaying Post Ref: R 17996 1 Source: ESCRO	200,000.00	200,000.00	
05/09/17	PO 17-00144 2 Paid Ck 13125 UPPER SADDLE RIVER RD. IMPROV. Vn 00731 MASER CONSULTING P.A. En 01/25/17 BS	10,789.00-	189,211.00	
07/11/17	PO 17-00144 3 Paid Ck 13397 UPPER SADDLE RIVER RD. IMPROV. Vn 00731 MASER CONSULTING P.A. En 01/25/17 BS	13,697.00-	175,514.00	
08/08/17	PO 17-00144 4 Paid Ck 13508 UPPER SADDLE RIVER RD. IMPROV. Vn 00731 MASER CONSULTING P.A. En 01/25/17 BS	10,644.25-	164,869.75	
08/29/17	PO 17-00144 5 Paid Ck 13565 UPPER SADDLE RIVER RD. IMPROV. Vn 00731 MASER CONSULTING P.A. En 01/25/17 BS	3,011.00-	161,858.75	
09/26/17	PO 17-00144 6 Paid Ck 13680 UPPER SADDLE RIVER RD. IMPROV. Vn 00731 MASER CONSULTING P.A. En 01/25/17 BS	1,336.50-	160,522.25	
07/31/18	PO 17-00880 7 Paid Ck-14917 UPPER SADDLE RIVER RD_IMPROVM. Vn 00790 D & L PAVING CONTRACTORS,INC En 08/02/17 BS	126,23 <u>0.9</u> 2-	34,291.33	
10/09/18	8 PO 17-00880 10 Paid Ck 15216 UPPER SADDLE RIVER RD IMPROVM. Vn 00790 D & L PAVING CONTRACTORS, INC En 08/02/17 BS	22,137.88-	12,153.45	



# RESOLUTION NO. 207-2018

RE: Authorize Appointment of Steve Cassiello/Fire Official/Fire Inspector

WHEREAS, the Uniform Fire Safety Act, (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of fire safety standards throughout the State of New Jersey; and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose; and

WHEREAS, the Borough of Montvale has opted to have the Uniform Fire Safety Act enforced locally; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that Steven Cassiello, 29 Blueridge Road, Lodi, NJ 07644 is hereby appointed Part- Time Fire Official and Fire Inspector for a term commencing on January 1, 2019 through December 31, 2019; and

**BE IT FURHTER RESOLVED,** a copy of this resolution shall be provided to the Personnel & Labor Relations Coordinator Division of Fire Safety for the State of NJ.

**BE IT FURTHER RESOLVED,** by the Mayor and Council of the Borough of Montvale that the Fire Official shall carry out the duties in accordance with the Uniform Fire Safety Act and the NJ Administrative Code.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs					-		
Curry			_				
Gloeggler							·· · · · · · · · · · · · · · · · · · ·
Koelling							
Lane					···		
Weaver							

Adopted: November 27, 2018

ATTEST:	APPROVED:
Maureen Iarossi-Alwan	Michael Ghassali
Municipal Clerk	Mayor

# BERGEN COUNTY, NEW JERSEY RESOLUTION NO. 208-2018

RE: Authorize Release Of Performance Guarantee/The Reserve At Montvale/ Block 302 Lot 1

WHEREAS, K. Hovnanian The Reserve At Montvale,110 Fieldcrest Ave., Edison, NJ 08837 has requested a release of their remaining Performance Guarantee – Bond #1103208 Lenox Insurance Company LX-272633 for The Reserve At Montvale; and

WHEREAS, a completed inspection of the site has been conducted by Maser Consulting P.A., which takes no exception to the release of the remainder of the performance guarantee in the amount of \$644,857.52 and the cash portion remaining in the amount \$71,650.84 subsequent to the posting of \$325,247.00 Two Year Maintenance Bond which is detailed in a letter dated October 24, 2018 from Borough Engineer, Andrew Hipolit and has been made a part of this resolution; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that Accounts Payable/Accounts Receivable Department is hereby authorized to release the cash performance guarantee for The Reserve at Montvale when the Two Year Maintenance Bond in the amount of \$325,247.00 shall be posted with the Borough of Montvale and a copy of this resolution shall be sent to The Reserve At Montvale,110 Fieldcrest Ave., Edison, NJ 08837 Attn: Kathy C. Herity.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs		,					-
Curry						-	
Gloeggler		-					
Koelling			_				
Lane							
Weaver							

Adopted: November 27, 2018

ATTEST:	APPROVED:	
Maureen Iarossi-Alwan	Michael Ghassali	
Municipal Clerk	Mayor	



Mount Arlington, NJ 07856 T: 973.398.3110 F: 973.398.3199 www.maserconsulting.com

October 24, 2018

#### VIA E-MAIL

Maureen Iarossi-Alwan Borough Clerk/Borough Administrator Borough of Montvale 12 Mercedes Drive, 2nd Floor Montvale, NJ 07645

Re: Performance Guarantee Release

The Reserve at Montvale Block 302, Lot 1 MC Project No. MVP-083A

Dear Ms. Iarossi-Alwan:

The Applicant, K. Hovnanian, for the above-referenced matter is requesting release of their remaining Performance Guarantee for the Reserve at Montvale. Our July 21, 2016 letter recommended a reduction of the original Performance Guarantee from \$2,388,361.20 (\$2,149,525.08 surety bond and \$238,836.12 cash) to \$644,857.52 surety and \$71,650.84 cash.

The Applicant originally requested release of their Guarantee on November 30, 2017 (attached letter from Kathy C. Herity/K. Hovnanian to Maureen Iarossi-Alwan). Several outstanding punch list items remained which have been resolved. In addition, on September 19, 2018, the Applicant provided the outstanding as-built survey for this project (see attached letter from Kathy C. Herity/K. Hovnanian to Maser Consulting).

Based on our review of this request, and our recent site inspections, the site improvements have been completed in substantial conformance with the approved plans, and we take no exception to the release of the remainder of the Performance Guarantee in the amount of \$644,857.52 and the Cash portion remaining in the amount of \$71,650.84 subsequent to posting a \$325,247.00 Two-year Maintenance Bond with the Borough (representing 15 percent of the cost of the installation of site improvements - see our June 19, 2014 letter also attached).



Thank you for your kind attention in this matter. Please do not hesitate to contact me should you have any questions.

Very truly yours,

MASER CONSULTING P.A.

Andrew R. Hipolit, P.E., P.P., C.M.E. Borough Engineer

ARH/cd

#### Attachments

cc:

Borough of Montvale, Mayor and Council (via Clerk/Administrator)

Jeffrey Fette, Construction Official (via e-mail) Philip Boggia, Borough Attorney (via e-mail) Carl Bello, Borough Treasurer (via e-mail)

Robert Regan, Planning Board Attorney (via e-mail) Lorraine Hutter, Planning Board Secretary (via e-mail)

Kathy C. Herity, K. Hovnanian (via e-mail) Kherity@khov.com

 $P.\MVP-083A-KHov\ Reserve\ \ Correspondence\ \ \ OUT\ 181024\_arh\_alwan\_MVP-083A\_Performance BondRelease.docx$ 

## BOROUGH OF MONTVALE BERGEN COUNTY, NEW JERSEY RESOLUTION NO. 209-2018

RE: Amending Resolution No. 146-2018 Appointment Scott Ehalt / Special Law Enforcement Officer Class III

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Scott Ehalt was appointed effective June 29, 2018 as a Special Law Enforcement Officer Class III with the Borough of Montvale Police Department; and

BE IT RESOLVED, Two SLEO's were previously hired and Mr. Scott Ehalt is the Third (3) each appointed at the rate of \$3,547.00 per month.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							. <b></b>
Koelling							
Lane							
Weaver			-				

Adopted: November 27, 2018

ATTEST:	APPROVED:	
Maureen Iarossi-Alwan Municipal Clerk	Michael Ghassali Mayor	

#### RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the following bills, having been referred to the Borough Council and found correct, be and the same hereby be paid:

<u>FUND</u>	<b>AMOUNT</b>	NOTES
Current	\$128,554.71	Bill List Wire11/27/18
	<u>251,421.08</u>	Wires/Manual Checks
Current TOTAL	379,975.79	
Capital Fund	14,295.95	Bill List Wire11/27/18
This resolution was ado	pted by the Mayor an	d Council of Montvale
at a meeting held on	11/27/18	
Introduced by:		——————————————————————————————————————
ATTEST:		Michael Ghassali, Mayor
ATTEST:		
Maureen Iarossi-Alwan,	Municipal Clerk	

#### MANUAL/VOID CHECKS - WIRES November 27, 2018

Check #	PO#	<u>Date</u>	Transaction/Vendor	<u>Amount</u>
WIRE		11/9/18	Payroll Account	162,744.67
WIRE		11/9/18	Salary Account	88,323.91
WIRE	-	11/9/18	FSA Account	<u>352.50</u>
Total				<u>251,421,08</u>

P.O. Type: All Range: First to Last Format: Detail without Line Item Notes	1		Open: N Rcvd: Y Bid: Y	He]d: Y	Aprv: N		npt: Y		
Vendor # Name PO # PO Date Description Item Description		Contract PO Type Charge Account	Acct Type Description		S1		First Rcvd Enc Date Date		d 109 Invoice Exc
00050 DEPIERO'S FARM 18-01286 10/03/18 HALLOWEEN CARN. SUPPLIE						ASSESSED OF THE PROPERTY OF TH		Oznušiedo.	
1 LARGE HAY BALES 2 SMALL HAY BALES 3 LARGE PUMPKINS 4 MEDIUM PUMPKINS 5 CONRSTALKS	32.00 24.00 80.00 36.00	8-01-28-795-068 8-01-28-795-068 8-01-28-795-068 8-01-28-795-068 8-01-28-795-068	B SPECIAL EVENTS B SPECIAL EVENTS B SPECIAL EVENTS B SPECIAL EVENTS S SPECIAL EVENTS		R R R R	{ ₹ ₹	10/03/18 11/20 10/03/18 11/20 10/03/18 11/20 10/03/18 11/20 10/03/18 11/20	20/18 20/18 20/18	4558 4558 4558 4558 4558
Vendor Total:	196.00								
00064 MUNNOS ITALIAN DELI 18-01427 11/06/18 ELECTION FOOD 11/6/18 1 ELECTION FOOD 11/6/18	EAN NO	) 8-01-20-702-041	B MEAL REIMBURSEMENT				11/06/18 11/20	// ***	11/6/18 I
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000920 FORD MOTOR CREDIT COMPANY	NOT THE								Na samang mala
18-00711 05/30/18 2019 CHEVY TAHOE-POLICE		8-01-25-760-051	B PURCHASE OF VEHICLES	j	R		05/30/18 11/20	0/18	RESO. 128-2018
Vendor Total: 13	3,806.12								
00097 CABLEVISION									
18-01327 10/15/18 07873-204461-01-0 CABLE 1 07873-204461-01-0 CABLEVISION		8-01-20-701-029	B OTHER CONTRACTUAL ITE	TEMS	R	r.	10/15/18 11/20	0/18	OCT.NOV.
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18-01463 11/15/18 SENIOR EVENTS -9/20,10/ 1 SENIOR EVENTS -9/20,10/18 & 31 2 BLUE CHIP CHORUS 10/18/18	900.00	8-01-28-795-063 8-01-28-795-063	B SENIOR ACTIVITIES B SENIOR ACTIVITIES		R R		11/15/18 11/20 11/15/18 11/20		9-20-18 1 10/18/18 1

	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date		Chk/Void Date	Invoice	109! Exc
00112 MONTVALE SENIOR CLUB Continued	Continued					74.		
18-01463 11/15/18 SENIOR EVENTS -9/20,10/18 & 31 3 PANORAMA TOURS TRANSP 10/31/18 965.00 2,065.00	8-01-28-795-063	B SENIOR ACTIVITIES	R	11/15/18	11/20/18		10/31/18	ħ
<pre>vendor Total: 2,065.00</pre>								
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	8-01-25-745-103	B POLICE VEHICLE EQUIPMENT	R	10/30/18	11/20/18		15043-98031+	. ,
2 T-ONE TOW READY TR WIRING KIT 44.55		B POLICE VEHICLE EQUIPMENT		11/20/18			15043-98748	Ä
301.04								
Vendor Total: 301.04								
00146 PSE&G CO.					V3.540333	W. P.		
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	8-01-31-829-086	B NATURAL GAS - ONE MEMORIAL		11/16/18			OCTOBER 2018	
	8-01-31-829-086	B NATURAL GAS - ONE MEMORIAL		11/16/18			OCTOBER 2018	
	8-01-31-829-070	B NATURAL GAS		11/16/18			OCTOBER 2018	
	8-01-31-829-070	B NATURAL GAS		11/16/18			OCTOBER 2018	
	8-01-31-829-070	B NATURAL GAS		11/16/18			OCTOBER 2018	
7 6673192003 31 W GRAND AVE 261.71 2,467.46	8-01-31-829-070	B NATURAL GAS	R	11/16/18	11/20/18		OCTOBER 2018	K
Vendor Total: 2,467.46								
00164 STATELINE FIRE & SAFETY, INC.			cydlyfyf		alicebie:			1.74
18-01411 10/31/18 PD FIRE EXT REFILL & MAINT 1 PD FIRE EXT REFILL & MAINT 36.80	8-01-25-745-102	B OXYGEN TANK/FIRE EXT - M & R	R	10/31/18	11/20/18		116337	N
Vendor Total: 36.80								

	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	109 Exc
00244 EAST COAST EMERGENCY LIGHTING							Alan's	
18-00616 05/08/18 365 LIGHT REPLACEMENT 1 365 LIGHT REPLACEMENT 600.00	8-01-25-745-103	8 POLICE VEHICLE EQUIPMENT	R	05/08/18	11/20/18		18170	
Vendor Total: 600.00								
00258 ROCKLAND ELECTRIC COMPANY							MARI	6 #14 6 . <u>. 1</u>
18-01466 11/16/18 ROCKLAND ELECTRIC CHARGES OCT			_	11/10/10	44 /20 /40		0000000	3010
- •• • • • • • • • • • • • • • • • • •	8-01-31-825-086	B ELECTRICITY - 1 MEMORIAL			11/20/18		OCTOBER .	
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•	8-01-31-825-071	B ELECTRICITY			11/20/18 11/20/18		OCTOBER OCTOBER	
	8-01-31-825-071 8-01-31-825-071	8 ELECTRICITY 8 ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	8 ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	B ELECTRICITY			11/20/18		OCTOBER	
, 25000.0000	8-01-31-825-071	8 ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	8 ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	8 ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	B ELECTRICITY			11/20/18		OCTOBER	
	8-01-31-825-071	8 ELECTRICITY			11/20/18		OCTOBER	2018
	8-01-31-825-071	8 ELECTRICITY	R	11/16/18	11/20/18		OCTOBER	2018
	8-01-31-825-071	B ELECTRICITY	R	11/16/18	11/20/18		OCTOBER	
3,015.50				•	·			
Vendor Total: 3,015.50								
00502 BOROUGH OF HILLSDALE								
18-01416 10/31/18 CHILD HEALTH CONF./OCTOBER								
	8-01-27-785-028	8 OTHER PROF/CONSULTANT SERVICES	R	10/31/18	11/20/18		OCTOBER	2018
Vendor Total: 35.00								
00699 ATLANTIC TOMORROWS OFFICE								M var
18-01340 10/16/18 PD COPIER MAINTENANCE 1 PD COPIER MAINTENANCE 83.97	8-01-25-745-028	B OTHER PROF/CONSULTANT SERVICES	R	10/16/18	11/20/18	1	CNIN8160	24
Vendor Total: 83.97								

Vendor # Name PO # PO Date Description Item Description		Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	109 Exc
00705 APPROVED SURGICAL SUPPLIES INC						n Karki mir niliku bada			- 1
18-01252 09/27/18 PD OXYGEN REFILLS 1 PD OXYGEN REFILLS	120.00	8-01-25-745-102	B OXYGEN TANK/FIRE EXT - M & R	R	09/27/18	11/20/18		42144+42207	+
Vendor Total:	120.00								
00737 NORTHWEST BERGEN CENTRAL 18-00095 01/15/18 DISPATCH SERVICES FE	EC 2018	Q					Figure.		1,25
5 DISPATCH SERVICES FEES 2018		8-01-40-250-029	B OTHER CONTRACTUAL ITEMS	R	04/26/18	11/20/18		06012018-9	I
Vendor Total:	48,175.39								
00745 WASTE MANAGEMENT OF NEW JERSEY 18-00190 01/30/18 GARBAGE COLLECTION 2		B						Black La	
25 GARBAGE COLLECTION OCT 2018	50,318.20	8-01-26-770-029	B OTHER CONTRACTUAL ITEMS	R		11/20/18		2562760-137	
26 MONTVALE BORO -THE RESERVE	1,480.00 51,798.20	8-01-26-770-029	B OTHER CONTRACTUAL ITEMS	R	04/26/18	11/20/18		2811668-137	4-/ i
Vendor Total:	51,798.20								
00896 GIAMMARINO, MICHAEL 18-00048 01/09/18 INTERPRETER SERVICES	2019	8 B		ko sol Yinda Kiriayaza					
35 INTERPRETER SERVICES 2018	78.00	8-01-41-250-028	B OTHER PROFESSIONAL/CONSULTING SERVICES			11/20/18		11/14/18	1
36 INTERPRETER SERVICES 2018	72.00 150.00	8-01-42-855-028	B OTHER PROF/CONSULTANT SERVICES	R	04/26/18	11/20/18		11/14/18	
Vendor Total:	150.00								
01042 MCMANINON, SCOTLAND, BAUMANN ELC									:
18-01380 10/24/18 PROFESSIONAL SERVICE 1 PROFESSIONAL SERVICES RENDERED	7,104.08	C-04-55-405-A00	B CONSTRUCTION OF FIRE HOUSE			11/20/18		156722	!
2		C-04-55-413-B00 C-04-55-413-C00	B SANITARY SEWER SYSTEM IMPROVEMENTS B IMPROVEMENT TO BUILDINGS AND GROUNDS			11/20/18 11/20/18		156722 156722	1 1
- 4 -	1,737.61	C-04-55-425-B00 C-04-55-430-A00	B SANITARY SEWER SYSTEM IMPROVEMENTS B ACQUISITION OF PROPERTY (BL 1601/LOT 1)			11/20/18 11/20/18		156722 156722	1
5 6	1,390.09	C-04-55-447-A00	B ROAD IMPROVEMENTS	R	10/24/18	11/20/18		156722	į
7	347.52	C-04-55-447-B00	B SANITARY SEWER SYSTEM	R	10/24/18	11/20/18		156722	?

vendor # Name PO # PO Date E Item Description	Description		Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date		Chk/Void Date	Invoice	109 Exc
	SCOTEAND BAUMANN LEC PROFESSIONAL SERVICES	RENDERED		B BUILDINGS AND GROUNDS	R	10/24/18	11/20/18		156722	
	Vendor Total:	14,295.95								
01211 TURN OUT UN 18-00761 06/06/18 F 1 FOLEY UNIFORMS	NIFORMS & CO: FOLEY UNIFORMS	289.76	8-01-25-745-268	B FOLEY, ALISHA R - CLOTHING	imad læske R	06/06/18	11/20/18	Till and Alfred Deuts Alfred	196365+	:
	vendor Total:	289.76								
	SURENTAN & ASSOCILLO SPECIAL COAH COUNSEL DUNSEL		B 7-01-21-720-028	B OTHER PROF/CONSULTANT SERVICES	#4 (0) (1) R	01/15/18	11/20/18		SEPTEMBER	2 <b>018</b> ।
	Vendor Total:	146.00								
	CARLY REIMBURSEMENT EXPENSE EXPENSES	S	8-01-20-718-044	B PROFFESIONAL ASSOCIATION DUES	R (1995)	10/31/18	11/20/18		REIMBURSE	; ;v.i. EX₽.
	Vendor Total:	70.00								
		480.12	8-01-31-827-076 8-01-31-827-076	B TELEPHONE CHARGES B TELEPHONE CHARGES	R R R		11/20/18 11/20/18		9817392579 9817392579	1 - <sub>1</sub> 2 - 1 - 1
18-01446 11/07/18 9 1 982182917 VERIZ	982182917 VERIZON WIR ZON WIRELESS	ELESS 206.23	8-01-31-827-076	B TELEPHONE CHARGES	R	11/07/18	11/20/18		9816912664	I
	Vendor Total:	1,091.16								

Vendor # Name PO # PO Date Des Item Description	cription		Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date	RCVd Date	Chk/void Date	Invoice	10 <del>9</del> Exc
02559 INS.DESIGN AD			7. (2.7 E 8				THE .			
18-00006 01/03/18 BOR 11 VISION ADMIN. FEE		266.00	8-01-20-701-028	B OTHER PROF/CONSULTANT SERVICES	R	04/26/18	11/20/18		410105/OCT	
	Vendor Total:	266.00								
03060 TRI-STATE TEC	and the second contract of the second					as i was da a a E dalaman an ana		ya, na		···
18-01334 10/16/18 PD 1 PD COMPUTER MAINT		320.00	8-01-25-745-060	B COMPUTER EQUIP - MAINT/REPAIR	R	10/16/18	11/20/18		18207	
18-01371 10/24/18 COM 1 COMPUTER SERVICE/	INSTALLATION	949.15	7-01-20-701-059	B COMPUTER EQUIPMENT S/W & SUPPL B COMPUTER EQUIPMENT S/W & SUPPL	R R		11/20/18 11/20/18		25615 25615	
2 COMPUTER SERVICE/		1,349.00	8-01-20-701-059	R COMBOLEK EGATIMENT 2/M & 20115	n.	10/14/10	11/20/10		23013	
	Vendor Total:	1,669.00								
03084 WESLEY SICOMA										
18-00221 02/06/18 201 10 MILK DELIVERY ADM 11 MILK DELIVERY ADM	INISTR.		8-01-20-701-041 8-01-20-701-041	B MEAL REIMBURSEMENT B MEAL REIMBURSEMENT	₽ R		11/20/18 11/20/18		SEPTEMBER 2016 OCTOBER 2016	
	Vendor Total:	127.75								
03727 STAPLES INC		, VIV.	68.088.088						en ogsåden. Nærelage	
18-01330 10/15/18 off 1 toner bldg dept	ice supplies	769.78	8-01-22-725-059	B COMPUTER EQUIPMENT & SUPPL	R	10/15/18	11/20/18	;	3394371414	
2 water			8-01-20-702-036	B OFFICE SUPPLIES	R		11/20/18		3394371414	
3 tylenol			8-01-20-702-036	B OFFICE SUPPLIES	R		11/20/18		3394371414	
4 advil			8-01-20-702-036	B OFFICE SUPPLIES	R		3 11/20/18		3394371414	
5 sheet protectors			8-01-25-752-058	B OTHER EQUIPMENT & SUPPLIES	R R		11/20/18   11/20/18		3394371414 3394371414	
6 frames certificat			8-01-25-752-058	B OTHER EQUIPMENT & SUPPLIES  B OTHER EQUIPMENT & SUPPLIES	K R		11/20/18		3394371414	
7 desk calendars 20	119		8-01-25-752-058 8-01-25-752-058	B OTHER EQUIPMENT & SUPPLIES	R		11/20/18		3394371414	
8 binders		943.33	0.01-52-135-030	b Office Equations of Dorrest		,,	,,		•	

Vendor # Name PO # PO Date Description Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	5tat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	109 Exc
93727 - STAPLES INC 18-01342 10/16/18 office supplies	Continued					17 - 616			77 W
1 file pockets	27.45	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18	11/20/18		3394371416+	
2 file pockets large	94.80	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
3 3 tab legal file folders	7.23	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
4 frames	59.88	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
5 paper towels	23.60	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
6 pens	25.95		B OFFICE SUPPLIES	R	10/16/18			3394371416+	
7 2019 at a glance	23.42	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
8 letter size file folders	12.67 275.00	8-01-20-701-036	B OFFICE SUPPLIES	R	10/16/18			3394371416+	
18-01391 10/29/18 office supplies			,						
1 office supplies calendar	9.65	8-01-21-720-036	B OFFICE SUPPLIES	R	10/29/18	11/20/18		3395367224	
2 file folders	34.39	8-01-21-720-036	B OFFICE SUPPLIES	R	10/29/18	11/20/18		3395367224	
3 file folders	12.48	8-01-21-720-036	B OFFICE SUPPLIES	R	10/29/18			3395367224	
4 wall calendar planner	21.77	8-01-20-701-036	B OFFICE SUPPLIES	R	10/29/18			3395367224	
5 desk calendars	39.12 117.41	8-01-20-701-036	B OFFICE SUPPLIES	R	10/29/18	11/20/18		3395367224	
18-01406 10/30/18 OFFICE SUPPLIES									
1 Office Supplies	39.88	8-01-41-250-036	B OFFICE SUPPLIES	R	10/30/18	11/20/18		3395367228+	
2 Office Supplies	36. <u>82</u>	8-01-42-855-036	B OFFICE SUPPLIES	R	10/30/18	11/20/18		3395367228+	
	76.70								
Vendor Total:	1,412.44								

Borough of Montvale Bill List By Vendor Id

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 2017 BUDGET	7-01	1,095.15	0.00	1,095.15	0.00	0.00	1,095.15
CURRENT FUND 2018 BUDGET	8-01	127,459.56	0.00	127,459.56	0.00	0.00	127,459.56
CAPITAL FUND	C-04	14,295.95	0.00	14,295.95	0.00	0.00	14,295.95
Total Of All	Funds:	142,850.66	0.00	142,850.66	0.00	0.00	142,850.66