

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:30pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led Pledge of Allegiance to the Flag. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloeggler

Councilmember Koelling
Councilmember Lane
Councilmember Russo-Vogelsang

Also present: Mayor Michael Ghassali; Borough Attorney, Joe Voytus; and Deputy Municipal Clerk, Fran Scordo

SWEARING IN:

Sergeant E. Kash Cruise
Sergeant Jeffrey Hanna
Sergeant Jason Pierri

Resolution No. 104-2019 Governing Body Certification of Compliance with The United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration Of Arrest & Conviction of Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the governing body of the Borough of Montvale, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Introduced by: Councilmember Lane; seconded by Councilmember Gloeggler - all ayes

2019 BUDGET PRESENTATION: Councilmember Lane

PUBLIC HEARING 2019 MUNICIPAL BUDGET

MEETING OPEN TO PUBLIC:

Municipal Budget Only

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

Carolee Adams

Asked for clarification on 7 year call feature bonds; asked about foreclosures in Montvale; concerned with fire safety in new buildings with multiple floors and water supply; mentioned the sewer system and what can we do to inform residents about what not to throw in your toilets; Councilmember Gloeggler mentioned that our Engineer will be making public service announcements in regards to the sewer system; Mentioned a Bloomberg Business week article “Why America’s New Apartment Buildings All Look the Same” <https://www.bloomberg.com/news/features/2019-02-13/why-america-s-new-apartment-buildings-all-look-the-same>

Jarret Schumacher

Ask for clarification in regards to the reserve for tax appeals; Councilmember Lane stated that for this year we are in a good position but going forward especially with corporates we will have to increase the reserve; the reserve for uncollected taxes seems to be a large number, is there a reason for that. Councilmember Lane stated this is the best way to build up surplus; the CFO added that we still have to pay out 100% to the schools and the county but not necessarily collect 100%; so the reserve for uncollected taxes will cover the 100% pay outs. Mentioned about the future of the sewer system; Councilmember Lane stated if major repairs have to be made then bonding over time would be the best for current and future residents.

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

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

Resolution 105-2019 Adoption of 2019 Municipal Budget

This resolution is included with original minutes

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

ORDINANCES:

INTRODUCTION OF ORDINANCE NO 2019-1470 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,351,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

(Public Hearing 5-14-19)

A motion to Introduce Ordinance **2018-1470** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Curry; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Curry - A roll call was taken – all ayes

PUBLIC HEARING OF ORDINANCE NO 2019-1469 AN ORDINANCE TO AMEND ORDINANCE NO. 2019-1466 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND

POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

SECTION 1. Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

SECTION 2. The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

Title		2019 Salary Range	
1.	Fire Prevention Official	\$20,000 -	41,000
2.	Fire Inspector/ Senior/Deputy Fire Official	\$9,000 -	22,000
3.	Police Chief	\$197,000 -	225,000
4.	Police Captain	\$171,000 -	200,000
5.	Special Police Officer Class III	\$40,000 -	45,000

SECTION 3. The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

SECTION 4. The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated "The Borough of Montvale Payroll Account" and "The Borough of Montvale Salary Account" and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants, salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

SECTION 5. This ordinance shall be operative as of January 1, 2019, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

SECTION 6. All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

SECTION 7. This ordinance shall take effect immediately upon publication in the manner provided by Law.

A motion Introduced for second reading Ordinance No 2019-1469 by Councilman Russo-Vogelsang; seconded by Councilmember Curry; Clerk read by title only.

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

NO PUBLIC COMMENT

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling - all ayes

MINUTES:

April 9, 2019

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

MINUTES CLOSED/EXECUTIVE SESSION:

April 9, 2019

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

April 17, 2019

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Curry - 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.

106-2019 Authorize Refund of Recreation Program/Summer Camp

BE IT RESOLVED, the below individual is hereby granted a refund for Summer Camp Sungah Park online registration \$417.59

107-2019 Award Professional Service Contract /Engineering Services /2019 Bergen County Municipal Program Park Improvement Grant Application/Installation of Two Synthetic Turf Bocce Courts

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepared a declaration of Intent To apply and all other related requirements for the submission of the 2019 Bergen County Municipal Park Open Space Grant Application to be submitted for Block 2305/Lot 13 1 Memorial Drive, Memorial Field/Montvale Recreation Center/ Montvale, NJ ; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated April 15, 2019 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: Declaration of Intent To Apply/Application Requirements For 2019 BC Municipal Program Park Improvement Grant Application
- 3) The cost not to exceed shall be \$3,800.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered.
- 4) 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.

108-2019 Authorize Montvale Borough Hall HVAC/Upgrades Change Order #1/Air Systems Maintenance, Inc.

WHEREAS, the Borough of Montvale awarded a contract on March 12, 2019 to Air Systems Maintenance, Inc. in connection with the Montvale HVAC Upgrades and Maintenance Contracts Project; and

WHEREAS, base bid was awarded in the amount of \$386,681.00 to the following:

Air Systems Maintenance, Inc. 718 Jefferson Avenue, Kenilworth, New Jersey 07033

WHEREAS, this contract was awarded via Resolution #76-2019; and

WHEREAS, the Borough Engineer in a detailed letter dated April 17, 2019 recommends Change Order #1 in the amount of \$19,760.00 as an increase to the contract as indicated during the course of the evaluation it was determined four variable speed drives in the second floor mechanical room are not functioning properly; and

WHEREAS, Change Order #1 is hereby authorized to be issued to Air Systems Maintenance, Inc. in the amount of \$19,760.00; 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	\$	386,681.00
Change Order #1	\$	19,760.00
New Project Total	\$	406,441.00

109-2019 A Resolution Certifying a Lien against the property known as 79 West Grant Avenue For Costs Incurred by the Borough of Montvale for the Demolition of Structure

WHEREAS, An Emergency Affecting Public Health, Safety and Welfare and Ratifying the Emergency Contract was declared and a contract awarded Pursuant to N.J.S.A. 40A:11-6, N.J.A.C. 5:34-6.1 and N.J.A.C. 5:23-2.32(B) to Caravella Demolition, Inc. via Resolution No. 99-2019 for an unsafe structure which is attached to the original of this resolution; and

WHEREAS, on March 22, 2019, the Borough of Montvale Construction Official issued a Notice of Unsafe Structure concerning the building and property located at 79 West Grand Avenue in the Borough of Montvale; and

WHEREAS, the owner of said property did not comply with this notice and did not abate the identified violations; and

WHEREAS, the cost to remove the unsafe structure was \$43,256.00 at 79 West Grand Avenue; and

WHEREAS, it is the desire of this Governing Body, in accordance with Borough Code, to approve said costs and to authorize the imposition of a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that a lien for the bill submitted by the vendor Caravella Demolition and paid by the Borough of Montvale is hereby placed as a certified lien against the property known as 79 West Grand Avenue in the Borough of Montvale; and

BE IT FURTHER RESOLVED that said lien shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced in the same manner as are taxes, in accordance with Chapter 86 of the Borough Code and applicable law; and

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this resolution to the owner(s) of the subject property by certified mail; and

BE IT FURTHER RESOLVED that the Tax Collector shall be responsible for collection of the amounts herein certified.

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

110-2019 Amending Resolution 96-2019 / Borough of Montvale Fire Department LOSAP Eligible's

WHEREAS, The Borough of Montvale, has adopted a LOSAP program for the members of the Montvale Fire Department; and

WHEREAS, to be eligible for the annual \$1,350.00 stipend for 2018, totaling \$27,000.00 for the Department, the Montvale Fire Department must meet certain criteria; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Borough Treasurer initiate LOSAP payments in the name of those Fire Department members deemed eligible to receive them.

Introduced by: Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes

BILLS: Municipal Clerk read the Bill Report

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

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update
No Report

ATTORNEY REPORT:

Joseph Voytus, Esq.
Report/Update
No report

UNFINISHED BUSINESS

Councilmember Koelling and Mayor Ghassali met with some residents from Ellsworth Terrace in relation to the no parking on Akers Ave; a petition has been submitted to ask mayor and council to Add no parking signs on their street; currently, on Akers Ave, the no parking signs state 8am-3pm; suggested to change the signs to read No Parking Mon-Sat 8am-8pm on Ellsworth Terrace, Maureen Court, Herring Road and White Oak Court; Mayor Ghassali stated a letter will be sent to all residents to inform them of the change. All councilmembers agreed to make the change.

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 limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry – all ayes

Carolee Adams

Invited councilmembers to the 52nd Anniversary Banquet of the Walter Hoving Home on May 8th at the Florentine Gardens at 6:30pm; the Hoving Home, is a home that helps women to rebuild their lives from drug and alcohol abuse, prostitution and incarceration; First Thursday in May is designated as National Day of Prayer per New Jersey Statutes 36:2-34. The citizens of New Jersey are urged to observe the day in ways appropriate to its importance and significance.

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

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Curry – all ayes
Meeting adjourned at 9:00pm

The next Meeting of the Mayor and Council will be held May 14, 2019 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk