

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:34pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:

Councilmember Arendacs - absent

Councilmember Curry

Councilmember Gloeggler

Councilmember Koelling

Councilmember Lane – via telephone

Councilmember Russo-Vogelsang

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

ORDINANCES:

None

MINUTES:

July 9, 2019

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

MINUTES CLOSED/EXECUTIVE SESSION:

None

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.

150-2019 Refund Tax Overpayment / Block 703, Lot 13.08 / 18 Williamsburgh Way

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 18 Williamsburgh Way, also known as Block 703, Lot 13.08;

WHEREAS, a duplicate payment was made by homeowner; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund Teresa Badigan, 18 Williamsburgh Way, Montvale, NJ 07645 in the amount of \$608.39

---WITHDRAWN---

151-2019 Authorize Hiring/McNerney & Associates, Inc./Appraisal Report/Tax Appeal

WHEREAS, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal boundaries, and;

WHEREAS, the owner of real property located at 59 Huff Terrace and identified as Block 1802 Lot 10 (hereinafter the "Subject Property") has filed a property tax appeal challenging the assessment of the Subject Property for the 2018 and 2019 tax years, and;

WHEREAS, the Borough is seeking to retain the services of an appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified appraisal report that covers the aforementioned tax years, and,

WHEREAS, the Borough had received a proposal dated July 12, 2019 from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare the desired appraisal report for the total amount of \$1,500.00, and;

WHEREAS, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution, and;

WHEREAS the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

NOW THEREFORE BE IT RESOLVED that McNerney & Associates, Inc. is hereby appointed to prepare an appraisal report for the property located at 59 Huff Terrace, at Block 1802 Lot 10 in the Borough of Montvale, in accordance with the terms set forth in the attached Proposal for the 2018 and 2019 tax years.

152-2019 Special Item Of Revenue And Appropriation - Chapter 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item appropriation for an equal amount, and

WHEREAS, the Borough of Montvale has been awarded \$200,000.00 from The S. Hekemian Group and wishes to amend its 2019 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$200,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Donation: Improvements to Parks, Ponds and Trails, and

BE IT FURTHER RESOLVED that a like sum of \$200,000.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Donation: Improvements to Parks, Ponds and Trails

153-2019 Special Item Of Revenue And Appropriation - Chapter 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item appropriation for an equal amount, and

WHEREAS, the Borough of Montvale has been awarded \$1,771.00 from Wegmans Food Markets, Inc. and wishes to amend its 2019 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$1,771.00 which is now available as a revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Donation: Police – Other Expenses, and

BE IT FURTHER RESOLVED that a like sum of \$1,771.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Donation: Police – Other Expenses

154-2019 Authorize Montvale Borough Hall HVAC/Upgrades Change Order #3/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; and

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

WHEREAS, the Borough Engineer in a detailed letter dated July 17, 2019 recommends Change Order #3 in the amount of \$4,977.00 as an increase to the contract as indicated in the letter attached hereto for the replacement of three (3) Trane, Condenser fan motors on the roof, along with the required blades, shields, capacitors and four (4) contactors; and

WHEREAS, Change Order #3 is hereby authorized to be issued to Air Systems Maintenance, Inc. in the amount of \$4,977.00; 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 Reso. #108-2019	\$	19,760.00
Change Order #2 Reso. #135-2019	\$	8,700.00
Change Order #3 Reso #154-2019	\$	4,977.00
New Project Total	\$	420,118.00

155-2019 Award Professional Service Contract /Engineering Services/GIS Record Map Updates/Maser Consulting

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to update maps within the Borough of Montvale; 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 detailed proposal dated June 27, 2019 to provide the engineering services for this services which is attached to the original of this resolution, and

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

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

- 1) That the proposal for the scope of engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: Parcel Updates, Zoning, Election, Voting, and Road Map Updates, Storm Sewer Outfall Mapping, Tax Map Updates
 - 1) Mapping GIS Record Map Updates \$25,000.00
- 3) The cost not to exceed shall be \$25,000.00. 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.

156-2019 Authorized Representative/Amendment Flexible Spending/C. Kalafut

The authorized representative of Borough of Montvale (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on July 30, 2019; and

1. Christine Kalafut, Treasurer – Authorized Representative

RESOLVED, that the form of amended Cafeteria Plan including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective January 1, 2019, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

The undersigned further certifies that the attached hereto as Exhibits A and B, respectively, are true copies of Borough of Montvale Flexible Spending Plan as amended and restated, and

Introduced by Councilmember Curry; seconded by Councilmember Koelling - a roll call vote was taken - all ayes

157-2019 A Resolution Awarding a Professional Services Contract to Community Grants, Planning & Housing (“CGP&H”) for Professional Housing Rehabilitation Services

WHEREAS, the Borough of Montvale has a need to procure professional services to administer the Borough of Montvale’s rehabilitation program related to its ongoing affordable housing obligations; and

WHEREAS, the Borough of Montvale has received a proposal dated July 23, 2018 (the “Proposal”) from Community Grants, Planning & Housing (“CGP&H”) to provide the necessary services to the Borough; and

WHEREAS, the funding for said contract shall come from the Borough’s Affordable Housing Trust Fund; and

WHEREAS, the Borough is desirous of awarding this contract to CGP&H in accordance with the terms set forth in the Proposal, subject to approval and execution of a formal contract acceptable to the Borough; and

WHEREAS, because the value of this contract is anticipated to be in excess of \$15,000 (the Borough’s pay-to-play threshold), this contract has been awarded under the “alternative process” pursuant to N.J.S.A. 19:44A-20.4 et seq. (the “Pay-to-Play Law”), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and

WHEREAS, because this contract has been awarded under the “alternative process,” CGP&H has completed and submitted a Business Entity Disclosure Certification which certifies that CGP&H has not made any reportable contributions (\$300 or more) to a political or candidate

committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit CGP&H from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-5*, requires the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5*, public notice of this contract award shall be published in the official newspaper of the Borough in accordance with applicable law; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that a professional services contract is hereby awarded for housing rehabilitation services in accordance with the terms and conditions set forth in the Proposal, as follows:

Contractor:

CGP&H

101 Interchange Plaza, Suite 301

Cranbury, New Jersey 08512

In the amount of:

Ongoing Day-to-Day Administration: \$111/hour, NTE \$5,000/year

Shared Services: \$87/month

Case Management: \$111/hour

Title Search Fee: \$90/property

Direct Costs: Reimbursement, NTE \$200/year

Subordination Requests: \$175 flat fee paid by homeowner

Total Not-To-Exceed for 12 months: \$16,970

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute a contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with *N.J.S.A. 40A:11-5*.

The clerk explained this is part of the ongoing affordable housing obligation; this is for certain individuals who are eligible for rehabilitation repairs

Introduced by Councilmember Koelling; seconded by Councilmember Curry - a roll call vote was taken - all ayes

BILLS: Municipal Clerk read the Bill Report

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

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Update/2019 Road Program

The contractor will be starting on August 5

b. Memorial Drive

Speed humps have been installed; striping and road signs will be done next week

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update

- a. Update on Proposed Policies Relating To Flags Being Flown in the Borough of Montvale
Mayor Ghassali asked councilmembers to review the policy and send comments and/or recommendations to borough attorney; Mayor Ghassali also suggested to put policy on the website for residents to comment as well; This will be further discussed at the meeting of September 24;

UNFINISHED BUSINESS:

- a. Discussion of Remaining Budgeted Account Funding/Trust Account/125th Anniversary
Councilmember Russo-Vogelsang stated that with the remainder of the monies in the anniversary fund, the committee suggested purchasing either t-shirts, an ornament or a magnet to give to residents at Day in the Park; Councilmember Curry suggested purchasing a sign and install it as you enter into town; this will be brought back to the committee for further discussion.

NEW BUSINESS:

- a. Request Waiver of Fees Montvale Senior Club/Annual Picnic/Sept. 12th
Councilmembers all agreed to waive the fees
- b. Personnel Update
The current CFO will be retiring on November 30, 2019;

COMMUNICATION CORRESPONDENCE:

Mayor Ghassali stated that the Environmental Commission received an award from the NJDEP and the NJ Clean Communities Council for their efforts to clean the town and its waterways.

The borough received a check in the amount of \$200,000 donation from Montvale Development Associates, LLC to be used to improve the borough parks.

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 Curry; seconded by Councilmember Koelling – all ayes

Carolee Adams

Agreed with Councilmember Curry's suggestion about a Welcome to Montvale sign including the 125th anniversary; mentioned that today, July 30th, was the official adoption of "In God We Trust" as the motto of the United States; mentioned that the radio station 770am is highlighting communities in NY and NJ; would like to add to the discussion regarding flags, mentioned to use the electronic bulletin board to commemorate dates and that the American Flag is inclusive to all; Still in the early stages but the Chamber of Commerce is working on a restaurant week celebration.

Matt Solomon

Asked for clarification in regards to the flag policy; how the voting process works. Mayor Ghassali stated that right now they are “fine tuning” the policy and would like comments and recommendations from the public as well before the council votes on it.

Jarret Schumacher

Suggested the discussion of the flag policy should be at a publicly televised meeting

Kari Solomon

Asked what does Bergen County do, do they have a flag policy?

Members of the high school's Gay/Straight Alliance spoke stating how important it is to fly the Pride flag to show the community and the LGBTQ community that they are represented and supported by the town.

A motion to close meeting to the public by Councilmember Koelling; seconded by Councilmember Russo-Vogelsang – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Curry; seconded by Councilmember Russo-Vogelsang - all ayes

ADJOURNMENT:

The next Meeting of the Mayor and Council will be held August 13, 2019 at 7:30 p.m. - Please be advised the Workshop Session of August 27th has been cancelled.

Meeting adjourned at 8:25pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk