

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:31pm. 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
Councilmember Curry
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

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

This meeting was held teleconference by Zoom.**ORDINANCES:**

PUBLIC HEARING ORDINANCE NO. ORDINANCE 2020-1482 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,179,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,250,000, including a grant in the amount of \$220,000 expected to be received from the State of New Jersey Department of Transportation Grant (the "\$220,000 State Grant") for the improvement or purpose in Section 3(a)(3) and further including the aggregate sum of \$70,750 as the several down payments for the improvements or purposes required by the Local Bond Law. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the improvement or purpose in Section 3(a)(3) since the improvement or purpose in Section 3(a)(3) is being partially funded by the \$220,000 State Grant. Additionally, the Borough previously appropriated a \$207,000 grant from State of New Jersey Department of Transportation for the purpose or improvement in Section 3(a)(2) (the "\$207,000 State Grant" and, together with the \$220,000 State Grant, the "State Grants") and, as a result, no down payment is required for the purpose in Section 3(a)(2) pursuant to N.J.S.A. 40A:2-11(c). The down payment is at least 5% of the improvements or purposes not covered by the State Grants (in the amount of \$1,415,000). The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the \$207,000 State Grant previously appropriated, and in anticipation of receipt of the \$220,000 State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,179,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Road Department</u>			
1) The Road Improvement Program, all as set forth a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$1,015,000	\$964,250	10 years
2) Improvements Edgren Way, including all work and materials necessary therefor and incidental thereto.	\$297,000 (Additionally to the above-amount, the Borough previously appropriated a \$207,000 State of New Jersey Department of Transportation Grant towards the purpose)	\$297,000	10 years
3) Improvements to Paragon/Phillips Drive, including all work and materials necessary therefor and incidental thereto.	\$538,000 (includes a \$220,000 grant expected to be received from the State of New Jersey Department of Transportation)	\$538,000	10 years

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b) <u>Police Department</u> The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$62,000	\$58,900	5 years	
c) <u>Buildings and Grounds</u> The acquisition and installation of heat coils and a heating, ventilation and air conditioning condenser unit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$97,000	\$92,150	15 years	
d) <u>Office of Emergency Management</u> The acquisition of radios, including all related costs and expenditures incidental thereto.	\$8,000	\$7,600	10 years	
e) <u>PVDPW Department</u> The acquisition of a sewer truck, including all related costs and expenditures incidental thereto.	<u>\$233,000</u>	<u>\$221,350</u>	5 years	
Total	<u>\$2,250,000</u>	<u>\$2,179,250</u>		

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued

interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.56 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,179,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$338,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance.

The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion Introduced for second reading Ordinance No 2020-1482 by Councilmember Russo-Vogelsang; seconded by Councilmember Koelling; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Koelling
- All ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Roche - All ayes

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Curry - All ayes on a roll call vote

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Koelling – all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

None

CLOSED/EXECUTIVE MINUTES:

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.

92-2020 Refund Tax Overpayment / Block 2001, Lot 5.01, C0122 / 47A Forshee Circle

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 47A Forshee Circle, also known as Block 2001, Lot 5.01, C0122;

WHEREAS, a duplicate payment was made by the mortgage company; 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 Laurie Oakley, 47A Forshee Circle, Montvale, NJ 07645 in the amount of \$2,430.00

93-2020 Authorize Tax Appeal Settlement/Summit Plaza, Inc./160 Summit Ave/Block 1902/Lot 8

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property tax appeal filed by Summit Plaza, Inc. (hereinafter the "Tax Appeal"), under Docket Numbers 005024-2017, 001331-2018, 003117-2019 and 003447-2020, and;

WHEREAS, the aforesaid Tax Appeal involves a commercial property located at 160 Summit Avenue, and is otherwise designated as Block 1902 Lot 8 on the tax assessment map of the Borough (hereinafter the "Subject Property"), and;

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

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule "A" attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Borough 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 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 Clerk, Borough Tax 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
2019 Appeal: \$3,100,000
2020 Appeal: \$3,100,000

B. The 2021 tax assessment for the Subject Property will be set at \$3,000,000.

C. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall not apply to the terms of this settlement.

94-2020 Authorize Tax Appeal Settlement/J. Carretta/52 North Ave/Block 402/Lot 12.01

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property tax appeal filed by Joseph Carretta (hereinafter the "Tax Appeal"), under Docket Numbers 002391-2018, 001698-2019 and 004534-2020, and;

WHEREAS, the aforesaid Tax Appeal involves a residential property located at 52 North Avenue, and is otherwise designated as Block 402 Lot 12.01 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 proposed Tax Appeal settlement components are set forth in the Schedule "A" attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Borough 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 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 Clerk, Borough Tax 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:
2018 Appeal: Withdrawn
2019 Appeal: \$1,031,100
2020 Appeal: \$1,031,100
- B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement.

95-2020 A Resolution of the Borough of Montvale Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MontVale Studio Management, Content Production and Related Services

WHEREAS, the Borough of Montvale is desirous of engaging the services of a professional and reputable company to manage, create content and provide related services concerning the MontVale Studio in order to better serve Borough officials and residents; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as "extraordinary unspecifiable services"; and

WHEREAS, the Borough has received a renewal proposal to provide such services from Media Consultants, LLC (the "MC Proposal") it has been determined that Media Consultants demonstrates the expertise and proven reputation in the specialty of television studio management, content production and related services which is essential to the Montale Cable Access Studio; and

WHEREAS, the Council is therefore desirous of awarding a contract to Media Consultants, LLC to perform the above-referenced services for a period of one (1) year, for the prices and on the terms set forth in the Media Consultants Proposal; and

WHEREAS, because the value of this contract exceeds the Borough's applicable pay-to-play threshold, it shall be awarded pursuant to the "alternative" provisions of *N.J.S.A. 19:44A-20.4*, et seq., and Media Consultants has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Media Consultants, LLC for of television studio management, consent production and related services, for the prices and on the terms set forth in the Proposal submitted by Media Consultants, LLC entitled "Borough of MontVale Studio Management Proposal" for the Borough of Montvale which is hereto attached to the original of his resolution.

BE IT FURTHER RESOLVED that the pricing for this contract shall be for a total of \$42,328.00 as set forth in the MC Proposal and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

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

BILLS: *Municipal Clerk read the Bill Report*

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

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

COMMITTEE REPORTS:

Council President Arendacs

Engineering

2020 Road paving bids will be advertise this week

DPW

Extremely busy checking sewers, pump stations, grease traps; maintaining the fields and parks, street sweeping the roads; sanitizing the municipal buildings, train stations and DPW garage; would like to commend the DPW staff for doing a great job while adhering to social distancing; recycling center is open Mondays and Wednesdays between 8am-4pm

Councilmember Roche

Chamber of Commerce

New date for the Street Fair is October 18

Environmental Commission

New date for the Clean-Up day is September 19; Huff Pond submitted plans to DEP for the dredging; Collected 2,580 pounds of plastic bags, received one Trex bench for their efforts.

Regional BOE

8 weeks into remote learning; waiting on an update about graduation;

Recreation

Will begin to accept applications for field use for the Fall

Councilmember Curry

Website

Please contact Rose Curry at rcurry@montvaleboro.org or Carol Manhart at cmanhart@montvaleboro.org

Planning Board

Will have their first Zoom meeting scheduled for May 19

TV Access

Montvale TV Access is asking residents for digital photos – montvaletvaccess@montvaleboro.org

Showing “Montvale Strong”

Seniors

They are anxious to get moving and back to the senior center

Councilmember Russo-Vogelsang

Local BOE

Continuing with remote learning to the end of the year

Councilmember Koelling

Police

Monthly report included in original minutes

Councilmember Lane

Fire Dept

14 calls – 3 online drills; de sanitizing the firehouse

Memorial Day parade is cancelled, but the Fire Department will still decorate the monuments

Finance

The budget was adopted; will be on TV Access to explain the budget

MAYOR

Regarding Memorial Day we may have a very small gathering of people by the monuments and will stream it on Facebook Live; Started the birthday parades every Saturday at 1pm which includes the Police, Fire and Tri-boro Ambulance; Thanked Lt. Alisha Foley for starting and coordinating the parades;

Senior graduation, the high school cannot hold the ceremony. A committee has been formed with Montvale and Woodcliff Lake parents and students to come up with some ideas for graduation.

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

Welcome to Montvale signs will be posted on Fox Hill Road and Wren Way next week; Trying to get LaTrenta turf installed in June; the Pascack Brook behind Eagle Ridge a few years ago changed direction causing damage to the gabion wall; the borough should remove the broken part of the wall; will speak to Rich Campanelli to see if DPW can remove it; for DEP purposes we cannot remove it until after June 15.

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update

Will be receiving Solid Waste bids on May 15 via Zoom; the environmental remediation will begin next week or two at 25 W Grand Ave; 26 N Kinderkamack application will be on the Planning Board Agenda for May 19;

The borough attorney gave another explanation of the resolution 95-2020 that was passed at the last meeting; he explained that this resolution will help support the Walters Group to fund their project through grant monies offered through the State.

UNFINISHED BUSINESS:

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 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 Russo-Vogelsang – all ayes

Carolee Adams

Just for an FYI in regards to getting tested for Covid-19 and an Antibody test, it is covered by most insurance companies; During a conversation with the Superintendent of Schools, regarding inside water fountains, do they have use anymore; this week is National Police Week; would it be possible to contact Congressman Gottheimer to speak with Governor Murphy in regards to graduation ceremonies; the birthday parades are so wonderful and such an encouragement just to see all the participation from each of the first responders; regarding TV Access and Montvale in Motion how do we view the montage of photos;

A motion to close meeting to the public by Councilmember Curry; seconded by Councilmember Roche – all ayes

ADJOURNMENT:

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

Meeting adjourned at 8:24pm

ADJOURNMENT:

The next Regular Meeting of the Mayor and Council will be held May 26th, 2020 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk