

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was 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. Master Sargent Koelling led in the Pledge of Allegiance.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record 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 Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

Also Present: Mayor Ghassali; Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; Borough Engineer, Andy Hipolit; Municipal Clerk, Fran Scordo

Proclamation: In Recognition of Mental Health Awareness Month – May 2023

2023 BUDGET PRESENTATION: Councilmember Tim Lane and Councilmember Chris Roche Powerpoint presentation included with minutes

Resolution No. 103-2023 Permitting the 2023 Municipal Budget to be Read by Title Only

WHEREAS, N.J.S.A. 40A:4-8 permits that the Municipal Budget as advertised may be read by its title, providing that at least one week prior to the date of the hearing, a complete copy of the approved budget shall be posted in a public place where public notices are customarily posted, and is made available to each person requesting the same during the said week and during the public hearing, and

WHEREAS, the Borough of Montvale has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2023.

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

PUBLIC HEARING 2023 MUNICIPAL BUDGET

MEETING OPEN TO PUBLIC:

Municipal Budget Only

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

Carolee Adams

At what fed funds rate would you consider changing your strategy? Councilmember Lane answered that it would be the bond rate higher than 5%. Where do you go for grants, for example the sewer system? Mayor Ghassali answered by saying the State has a portal that municipalities can use to see what grants are available. Who is lobbying for Montvale in Trenton? Councilmember Lane answered by saying the League of Municipalities represents the towns. Also, the MEL and the JIF which are public insurance funds, they are lobbying for us. Carolee asked who in Montvale is the conduit to all of those? Councilmember Lane answered it would be the borough administrator. Who determined what the average house value is? Councilmember Roche answered it is the Tax Assessor and it's based on the ratables. Carolee asked when will a another re-assessment be done? Mayor Ghassali answered the tax assessor will determine when. The administrator added that once the ratio dips below 80% that's when it will have to be looked at. We are still ok. Councilmember Lane added that if we were to re-assess right now the home values will be higher making your property taxes higher.

Dan Galeon

Thank you for all your efforts with the budget. Councilmember Lane, you mentioned the need to maintain debt service, there is multiple funding sources, notes, bonds etc. What is the governance around it? Councilmember Lane answered by saying we are subject to our auditors and our CFO who review it. It is about understanding what is getting retired and what your capacity is.

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

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

ADOPTION 2023 MUNICIPAL BUDGET:

Resolution No. 104-2023 Adoption of 2023 Municipal Budget

Resolution included with minutes

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

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2023-1535 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,848,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,735,500 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 \$2,848,000, including grants in the amount of \$196,000 and \$180,000 expected to be received from the New Jersey Department of Transportation (the "NJDOT Grants"), and further including the aggregate sum of \$112,500 as the several down payments for the improvements or purposes required by the Local Bond Law. 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 in anticipation of the receipt of the NJDOT Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,735,500 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) BUILDINGS AND GROUNDS			
1) Replacement of HVAC system at the Municipal Building, including all work and materials necessary therefor and incidental thereto.	\$460,000	\$438,095	15 years
B) FIRE DEPARTMENT			

BOROUGH OF MONTVALE

April 25, 2023

<u>Purpose</u>	Appropriation & <u>Estimated Cost</u>	Estimated Maximum Amount of <u>Bonds & Notes</u>	Period of <u>Usefulness</u>
1) Replacement of turnout gear, including all related costs and expenditures incidental thereto.	\$55,200	\$52,570	10 years
2) Replacement of radios and all related appurtenances, including all related costs and expenditures incidental thereto.	\$69,000	\$65,710	10 years
3) Acquisition of an SCBA cascade system, including all related costs and expenditures incidental thereto.	\$34,500	\$32,855	15 years
4) Upfit of Deputy Chief's vehicle, including installation of lights and radios, and further including all related costs and expenditures incidental thereto.	\$34,500	\$32,855	5 years
C) POLICE DEPARTMENT			
1) Acquisition and upfit of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$85,100	\$81,045	5 years

BOROUGH OF MONTVALE

April 25, 2023

<u>Purpose</u>	Appropriation & <u>Estimated Cost</u>	Estimated Maximum Amount of <u>Bonds & Notes</u>	Period of <u>Usefulness</u>
2) Replacement of handguns, including all related costs and expenditures incidental thereto.	\$27,600	\$26,285	15 years
3) Acquisition of plate reader cameras, including all related costs and expenditures incidental thereto.	\$24,150	\$23,000	10 years
4) Acquisition of tasers, including all related costs and expenditures incidental thereto.	\$30,250	\$28,800	5 years
D) ENGINEERING			
1) Drainage improvements to Upper Saddle River Road, including all work and materials necessary therefor and incidental thereto.	\$43,400	\$41,330	20 years
2) 2023 Road Improvement Program, all as set forth in a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$1,150,000	\$1,095,235	10 years

BOROUGH OF MONTVALE

April 25, 2023

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
3) Resurfacing of Summit Avenue, including all work and materials necessary therefor and incidental thereto.	\$234,600 (including a \$196,000 New Jersey Department of Transportation grant)	\$234,600	10 years
4) Resurfacing of Terkuile Road, including all work and materials necessary therefor and incidental thereto.	\$253,000 (including a \$180,000 New Jersey Department of Transportation grant)	\$253,000	10 years
5) Excavation of Ladik Place/Montvale Avenue, including all work and materials necessary therefor and incidental thereto.	\$17,700	\$16,850	20 years
E) RECREATION			
1) Rehabilitation of pickleball court, including, but not limited to, resurfacing and installation of net, including all work and materials necessary therefor and incidental thereto.	\$69,000	\$65,710	10 years

BOROUGH OF MONTVALE

April 25, 2023

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
F) DEPARTMENT OF PUBLIC WORKS			
1) Purchase of rolling stock, including a loader, a caterpillar and a tilt trailer, including all related costs and expenditures incidental thereto.	<u>\$260,000</u>	<u>\$247,560</u>	5 years
Totals:	<u>\$2,848,000</u>	<u>\$2,735,500</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 or the NJDOT Grants, as applicable.

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 10.40 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 \$2,735,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$337,600 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 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. 2023-1535** by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only.

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

NO PUBLIC COMMENT

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Cudequest; Clerk read by title only. - All ayes on a roll call vote

INTRODUCTION OF ORDINANCE 2023-1536 AN ORDINANCE AUTHORIZING THE BOROUGH OF MONTVALE TO ACQUIRE CERTAIN REAL PROPERTY FOR PUBLIC PURPOSES CONSISTING OF APPROXIMATELY 8.393 ACRES KNOWN AS 53 CRAIG ROAD AND A PORTION OF SUMMIT AVENUE, MONTVALE, NEW JERSEY, IDENTIFIED AS BLOCK 1903, LOT 5 (2.67 ACRES) AND A PORTION OF BLOCK 1903, LOT 3 (5.723 ACRES), PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1, ET SEQ. (public hearing 5-11-23)

A motion to Introduce Ordinance **2023-1536** for first reading was made by Councilmember Cudequest; seconded by Councilmember Lane; 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 Roche - a roll call was taken – all ayes

INTRODUCTION OF BOND ORDINANCE 2023-1537 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS 53 CRAIG ROAD AND A PORTION OF SUMMIT AVENUE IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$5,150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,900,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF (public hearing 5-30-23)

A motion to Introduce Ordinance **2023-1537** for first reading was made by Councilmember Cudequest; seconded by Councilmember Lane; 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 Roche - a roll call was taken – all ayes

MINUTES:

April 13, 2023

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Roche - all ayes with the exception of Councilmembers Arendacs and Russo-Vogelsang abstaining

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.

105-2023 Award Professional Service Contract to Colliers Engineering & Design for Engineering Services, Authorization To Bid , Design & Specifications FY2023 NJDOT Grant for Terkuile Road

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to design and bidding specifications for the FY2023 NJDOT Grant Program for Terkuile Road; 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, Colliers Engineering & Design, with offices located at 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated April 19, 2023 to provide the engineering 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 Colliers Engineering & Design.

That the following be provided: Design Specifications, Bidding Services, Grant Administration & Engineering Services

The cost not to exceed shall be \$41,750.00.

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 DePiero Drive, Montvale, NJ 07645.

106-2023 Award Professional Service Contract for Design, Bidding and Construction Observation Services for 2023 Roadway Improvement Program to Colliers Engineering & Design

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 2023 Roadway Improvement Program; 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, Colliers Engineering & Design with offices located at 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated April 19, 2023 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 Colliers Engineering & Design.

That the following be provided: Construction Observation, Design and Bidding For the 2023 Road Improvement Program.

The cost not to exceed shall be \$132,000.00.

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 DePiero Drive, Montvale, NJ 07645.

107-2023 Award Professional Service Contract for Environmental Services for Summit Ave and Craig Road to Colliers Engineering & Design

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services for providing Environmental Services, related to the possible acquisition of property located south of Summit Ave and east of Craig Road Block 1903, Lots 3 and 5; 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, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated April 19, 2023 to provide the environmental services for 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 Colliers Engineering & Design. That the following be provided: Phase I Environmental Site Assessment (Phase I ESA),

Limited Phase II Assessment and Asbestos Screening

The cost not to exceed shall be \$66,500.00.

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 DePiero Drive, Montvale, NJ 07645.

108-2023 A Resolution Requesting Permission For The Dedication By Rider For Accumulated Absences Liability Trust Fund Pursuant To N.J.A.C. 5:30-15

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 budget appropriations through annual adopted budgets to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the dedicated revenues anticipated from the Accumulated Absence Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund pursuant to N.J.A.C. 5:30-15

109-2023 Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40a:4-87 – Distracted Driver Grant

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 was not determined at the time of the adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2023 Municipal Budget in the sum of \$7,000, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Distracted Driver Grant.

BE IT FURTHER RESOLVED that the like sum of \$7,000 is hereby appropriated under the caption:

General Appropriations:

(A) Operations – Excluded from “CAPS”

Public and Private Revenues Offset by Revenues

Distracted Driver Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

110-2023 Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40a:4-87 – Recycling Tonnage Grant

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 was not determined at the time of the adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2023 Municipal Budget in the sum of \$14,991.37, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that the like sum of \$14,991.37 is hereby appropriated under the caption:

General Appropriations:

(A) Operations – Excluded from “CAPS”

Public and Private Revenues Offset by Revenues

Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

111-2023 A Resolution Awarding a Contract to Data Network Solutions for New Office Telephones and Related Services Pursuant to ESCNJ Contract #65MCESCCPS

WHEREAS, the Borough has a need to procure new telephone equipment and related services for the Municipal Complex, including the Library and Administration, Construction and Police Departments; and

WHEREAS, the Borough did solicit proposals from its incumbent contractor, Cooperative Communications (“Cooperative”) as well as Data Network Solutions (“DNS”); and

WHEREAS, the proposal submitted by DNS dated March 27, 2023, was significantly lower in price and provided equivalent service to the proposal from Cooperative; and

WHEREAS, pursuant to Section 11 of the Local Public Contracts Law, N.J.S.A. 40A:11-11, the Borough is a member of a cooperative pricing system for the provision of goods and services with the Educational Services Commission of New Jersey (“ESCNJ”), formerly known as the Middlesex County Educational Services Commission; and

WHEREAS, DNS offers its services through ESCNJ, contract #65MCESCCPS; and

WHEREAS, the Borough is desirous of entering into a contract through ESCNJ with DNS for the provision of new telephones and related services, as set forth in the March 27, 2023 proposal attached hereto and incorporated herein by reference; and

WHEREAS, any and all contracts entered into pursuant to this resolution shall remain subject to review and approval as to form by the Borough Attorney; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough of Montvale does hereby award the above-referenced contract pursuant to ESCNJ #65MCESCCPS, as follows:

Vendor	Contract Amount
Data Network Solutions	Non-Recurring \$18,015.00
116 Oceanport Avenue	Monthly Recurring \$ 1,096.29
Little Silver, NJ 07739	Five-Year Total \$83,792.40

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and all other appropriate officials, officers and employees are hereby directed, authorized and empowered to take all steps necessary to effectuate the provisions and purposes of this resolution.

Introduced by: Councilmember Cudequest; seconded by Councilmember Roche - a roll call was taken - all ayes

113-2023 A Resolution Approving a Contract with Modern Materiel for the Purchase of Eleven (11) Rifles with Various Accessories for Use by the Montvale Police Department

WHEREAS, the Borough of Montvale has a need to purchase eleven (11) rifles with various accessories for use by the Montvale Police Department, which purchase was part of the 2022 capital budget; and

WHEREAS, the Borough did solicit three (3) quotes for these items; and

WHEREAS, the lowest quote received, and the most advantageous proposal, price and other factors considered, was an April 6, 2023 proposal from Modern Materiel (“Modern”) in the total amount of \$20,918.48; and

WHEREAS, said price is within the \$21,000 appropriated for this purpose; and

WHEREAS, this contract will be awarded under the “alternative process” pursuant to N.J.S.A. 19:44A-20.4 et seq. (the “Pay-to-Play Law”), and will be awarded to Modern based upon the merits and abilities of Modern to provide the good necessary; and

WHEREAS, Modern has completed and submitted a Business Entity Disclosure Certification which certifies that Modern has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale in the previous one year, and that Modern is prohibited from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the CFO has certified that funds have been appropriated and are available for this purpose in account number C-04-55-519-B03.

NOW, THEREFORE, BE IT RESOLVED that a contract for this project is hereby awarded pursuant to the April 6, 2023 proposal as follows:

Contractor:
Modern Materiel
2 Industrial Drive, Suite G
Keyport, New Jersey 07735

Price:
\$20,918.48 (as per proposal)

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all other appropriate officials and employees are hereby directed, authorized and empowered to execute all documents and take all steps reasonably necessary to effectuate the provisions and purposes of this resolution.

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

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

In speaking about grants, we currently have 2 NJDOT grants projects, Summit Ave and Spring Valley Road to the NY border and the other is Terkuile Road. You have the open space grant that you are applying for and a few more upcoming as well. 2023 road program has been approved. There was a leak in the water main on Grand Ave east of the culvert.

ATTORNEY REPORT:

David Lafferty, Esq.
Report/Update
No Report

ADMINISTRATOR REPORT:

Joe Voytus
Report/Update

Attended the safety breakfast from the BMED, we received the platinum award of \$1,750 which goes to a barbeque for the employees. Also approved by the BMED was a \$5,000 grant for wellness activities for the employees. Mayor Ghassali added that councilmembers completed MEL training this evening and save the borough approximately \$2,000.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

PUBLIC HEARING ON THE SUBMISSION OF A 2023 BERGEN COUNTY OPEN SPACE TRUST FUND GRANT APPLICATION:

For Memorial Field – Synthetic Turf Field and related work. The borough engineer explained it is a \$350,000 job and you are applying for half (\$175,000) it is a matching grant. He recommends applying for the grant.

MEETING OPEN TO PUBLIC:

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Resolution No. 112-2023 - Authorizing Submission of Grant Application for Bergen County Open Space Trust Fund Municipal Program Park Improvements – Memorial Drive M.A.L. Synthetic Turf Field

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Montvale desires to further the public interest by obtaining a matching grant of **\$175,000.00** from the County Trust Fund to fund the following project: **Memorial Drive M.A.L. Synthetic Turf Field**; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on **April 25, 2023**; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of MAY 12th, 2023, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Montvale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Borough Montvale is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Montvale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

June Pride Month – Special Events Committee

Councilmember Cudequest and Mayor Ghassali attended the special events committee meeting to discuss the Pride event. It was agreed upon by the committee members, not to have political speeches. It is scheduled for June 3rd from 3-5pm at Huff Pond with a rain date of June 4th. Councilmembers agreed to waive permit fees.

25 West Grand Ave

The administrator explained, he received a proposal from Mr. Hipolit to go to the DEP for a pre-application process for a potential affordable development in conjunction with the Bergen County United Way. The proposal is for \$5,000 to speak with the DEP which will come out of the affordable housing trust fund. Councilmembers gave the go ahead to schedule a meeting with the DEP.

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 Cudequest; seconded by Councilmember Roche – all ayes

Alan Broadman

Thanked council for the process and compromise to have the Pride event.

Kari Solomon

Thank you all for allowing the committee to do the Pride event; the committee is very excited

Jacob Levin

He is a Pascack Hills student, he was the President of the Gay Straight Alliance Club on behalf of the high school, he wanted to thanked mayor and council for having the Pride event for a second time.

Carolee Adams

Sent an email in regards to an added park for consideration in the budget for next year. Talked about mental health awareness month and mentioned a few online roundtable events about mental health challenges. Spoke at the last meeting in regards to expungements for those who do not have critical criminal activity that their records would be expunged if they volunteered for certain services in town. This should be pursued further.

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

Mayor Ghassali spoke with the Rabbi from Monsey and he would like to have him speak on cultural awareness. Mayor Ghassali explained that there was an incident with a Hasidic juvenile that was arrested and the police could not call his parents because it was after a certain hour.

Mayor Ghassali also mentioned about the Ramadan ceremony and asked Dr. Khan to say a few words. Dr. Khan was very grateful for the support of the mayor and council for the Crescent Moon lighting and for the interfaith Lidar.

ADJOURNMENT:

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

Meeting adjourned at 8:41pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, May 11, 2023

Respectfully submitted, Frances Scordo, Municipal Clerk