

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:30pm. 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 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 - absent

Also Present: Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; Municipal Clerk, Fran Scordo

ORDINANCES:

None

MINUTES:

September 14, 2023

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

CLOSED/EXECUTIVE MINUTES:

September 14, 2023

A motion to accept the closed session minutes by Councilmember Cudequest; seconded by Councilmember Koelling - all ayes with the exception of Councilmembers Lane abstaining

RESOLUTIONS: (CONSENT AGENDA*)

All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

196-2023 Resolution authorizing the sale of surplus Borough property no longer needed for public use through GOVDEALS.COM public online auction

WHEREAS, the Borough of Montvale has determined that certain property described and incorporated herein is no longer needed for public use; and

WHEREAS, the Borough of Montvale intends to utilize the online auction services of GovDeals public online auction, pursuant to Sourcwell Cooperative Purchasing #27887 Online Surplus

Auctions & Payment Processing Contract at GovDeals.com. (The terms and conditions of the agreement entered into with GovDeals is available online at www.govdeals.com); and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services Local Finance Notice 2019-15; and

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby authorize the sale of Borough property no longer needed for public use and that the public auction shall be conducted through GovDeals.com public online auction pursuant N.J.S.A. 40A:11-36 and Local Finance Notice 2019-15 of the New Jersey Department of Community Affairs, Division of Local Government Services; and Sourcwell Cooperative Purchasing Online Surplus Auctions & Payment Processing Contract #012821-GDI; and

BE IT FURTHER RESOLVED, that the sale of surplus property to be sold in “as is” condition without expressed or implied warranties is as follows:

BE IT FURTHER RESOLVED that the Borough of Montvale reserves the right to accept or reject any bid submitted; and

BE IT FURTHER RESOLVED that the successful bidder(s) shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and shall be required to plan for the pick-up of sold property from the Borough of Montvale within 10 business days of the auction; and

BE IT FURTHER RESOLVED, the Borough Clerk shall publish a legal advertisement in the official newspapers informing the public as to scheduled dates of the online public auction, the nature of items being sold, and how to obtain more information on the sale as required by N.J.S.A. 40A:11-36; and

BE IT FURTHER RESOLVED that all other Borough Officials and Employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

197-2023 Authorizing Hiring Full Time Police Department Secretary, Dorothy Yannetti

WHEREAS, the Borough of Montvale’s Police Department is in need of hiring a full-time secretary; and

WHEREAS, Dorothy Yannetti has met the qualifications for this position and agrees to the terms and conditions of full time employment, and has completed a satisfactory background investigation; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the above named individual is hereby appointed as a full-time employee, effective October 2, 2023

198-2023 Authorizing Hiring Part Time Fire Inspector for the Fire Prevention Department, Peter Greco

WHEREAS, the Borough of Montvale’s Fire Prevention Department is in need of hiring a part-time Fire Inspector; and

WHEREAS, Peter Greco has met the qualifications for this position and agrees to the terms and conditions of part time employment, and has completed a satisfactory background investigation; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the above named individual is hereby appointed as a part-time employee, effective September 20, 2023

199-2023 A Resolution Authorizing the Borough Administrator to Execute Temporary Shared Service Agreements with the County of Bergen for Tree Removal Along County Roads

WHEREAS, the County of Bergen, as part of the County’s concept of providing shared services to local municipalities, the County cooperates with municipalities in removing dead or dying trees

located within the public right-of-way along County roadways; and

WHEREAS, in order to aid Bergen County Municipalities in the removal of dead or dying trees, municipalities may send a written request under the County's tree removal program, and the County will determine if the requested tree falls within its removal criteria; and

WHEREAS, the County now requires that each municipality execute a separate Temporary Shared Service Agreement for each tree to be removed by the County; and

WHEREAS, in order to expedite such work, the Borough Council is desirous of authorizing the Borough Administrator to execute such Temporary Shared Service Agreements when deemed in the best interests of the Borough to request the removal of trees by the County of Bergen.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby direct, authorize and empower the Borough Administrator to execute such Temporary Shared Service Agreements as are deemed necessary, in a form acceptable to the Borough Attorney, whenever it shall be reasonably determined that the Borough requires the County to remove a dead or dying tree located in the public right-of-way along a County Road.

200-2023 A Resolution Awarding a Contract to Asphalt Paving Systems Pursuant to State Contract #T2507 for Micro-Surfacing Services in Connection with the 2023 Road Improvements Program

WHEREAS, the Borough of Montvale has a need to contract with an experienced vendor for micro-surfacing services of approximately 19,720 square yards in connection with the 2023 Road Improvements Program; and

WHEREAS, the Borough has determined that the most cost effective manner to contract for these services shall be through a State Contract T2507, and the Borough of Montvale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Montvale solicited a quote from Asphalt Paving Systems, Inc. ("APS") under State Contract No. T-2507 for the provision of micro-surfacing services on Murray Road, Wilson Road, Prospect Avenue, Lewis Road, Nichols Road and Maple Avenue in connection with the 2023 Road Improvements Program; and

WHEREAS, a Proposal dated August 22, 2023, was received from APS in the amount of \$115,588.89, consistent with the pricing on State Contract T-2507, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Borough Engineer has recommended that the Borough award this contract to APS consistent with said Proposal; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough of Montvale hereby accepts the August 22, 2023 Proposal of Asphalt Paving Systems, Inc., P.O. Box 530, Hammonton, New Jersey, 08037, for the aforementioned micro-surfacing services and authorizes all appropriate officials to execute an agreement and/or purchase order for this contract, subject to all the conditions applicable to State Contract No. T-2507 and subject to approval by the Borough Attorney and Borough Engineer.

201-2023 Amending Resolution #186-2023 Awarding a Contract to Winner Ford of Cherry Hill Pursuant to State Contract #20-FLEET-01189 for the Purchase of a 2024 Ford F150 4 X 4 for Montvale Fire Department

WHEREAS, the Borough of Montvale awarded a contract via resolution #186-2023 in the amount of \$53,402.00; and

WHEREAS, this SUV will be for the Deputy Fire Chief and was approved in the 2023 Capital

Budget; and

WHEREAS, the Fire Chief was notified the quote initially approved has changed; and
WHEREAS, the new quote from Winner Ford of Cherry Hill pursuant to State Contract #20-FLEET-01189 for said vehicle in the total amount of \$49,827.00, a copy of which is attached hereto; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough of Montvale hereby accepts the attached proposal from Winner Ford of Cherry Hill, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034, for the aforementioned vehicle and directs, authorizes and empowers all appropriate officials to execute an agreement and/or purchase order for this contract, subject to all the conditions applicable to State Contract #20-FLEET-01189 and subject to approval by the Borough Attorney.

202-2023 Appointment Jr. Member / Montvale Fire Department / Michael G. Weaver

WHEREAS, the Montvale Fire Department is desirous of adding a junior member; and
WHEREAS, Michael G. Weaver of Montvale, NJ has been approved by the Board of Fire Commissioners and has undergone a satisfactory physical, pursuant to the attached application which has been made part of this resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the appointment of Michael G. Weaver, as a Jr. Member of the Montvale Fire Department, is hereby approved.

203-2023 A Resolution Authorizing Execution of an Agreement with MuniPAY for Online Credit Card Payment Processing

WHEREAS, pursuant to NJSA 40A:5-43, et seq. and section 5 of P.L. 1995, c. 325, the Government Electronic Payment Acceptance Act authorized local government units to utilize credit cards, debit cards, and electronic transfer mechanism as a means of collecting local unit obligations; and

WHEREAS, in connection with the implementation of GovPilot municipal management software, many new services will be available to residents online, some of which require payments to be made to the Borough; and

WHEREAS, while residents will still have the ability to make payments in person, directly to the Borough, in order to make such transactions more convenient for the public, it is advisable to offer the option to make credit card payments through an online credit card payment processing system; and

WHEREAS, MuniPAY has submitted a proposal to the Borough that would include fees of 2.65% for Visa/MC/Discover/Amex (with a minimum fee of \$3.00), and an online ACH payment flat fee of \$1.50; and

WHEREAS, the Borough will not incur the fees associated with the use of credit cards for these payments, since the fee is assessed to each individual user, and the fees associated with such payments shall be fully and clearly disclosed to all users prior to making such payments; and

WHEREAS, the Borough has explored the options available and found that it is advisable to award a contract to MuniPAY to process these online credit card payments.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Mayor, Borough Clerk, Borough Administrator and/ CFO are hereby directed, authorized and empowered to execute an agreement with MuniPAY for online credit card payment processing, consistent with the terms of their proposal, and subject to approval as to form by the Borough Attorney.

Introduced by: Councilmember Koelling; 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 - absent

Report/Update

Council President Arendacs mentioned the 2023 road program will be underway in the next week or so.

ATTORNEY REPORT:

Dave Lafferty, Esq.

Report/Update

No Report

ADMINISTRATOR REPORT:

Joe Voytus

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Discussion to Amend Ordinance entitled Chapter 400 To Amend The Uses Permitted In The Ah-6 Zone

This discussion will be carried to the next meeting

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 Roche; seconded by Councilmember Koelling – all ayes

No Public Comment

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

ADJOURNMENT:

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

Meeting adjourned at 7:35pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, October 12, 2023

Respectfully submitted, Frances Scordo, Municipal Clerk