

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:49PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Fire Chief Miller led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or 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).

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

ROLL CALL:

Councilmember Curry

Councilmember Lane - absent

Councilmember Koelling

Councilmember Talarico

Councilmember LaMonica

Councilmember Weaver

GET TO KNOW OUR MONTVALE CORPORATES PRESENTATION SERIES:

Montvale Hardware Store - Stuart Nixon

A Proclamation was given to Mr. Nixon which is included with the original minutes.

PROCLAMATION HONORING KYLE C. PALMIERI

Kyle Palmieri, is an American professional ice hockey right winger currently playing for the New Jersey Devils of the National Hockey League (NHL) – included in the minutes.

ORDINANCES:

PUBLIC HEARING ORDINANCE NO.2016-1419 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 40 OF THE BOROUGH CODE TO CLARIFY THE AUTHORITY OF THE GOVERNING BODY TO PROVIDE INCREASES TO THE LOSAP PAYMENTS BY RESOLUTION OF THE GOVERNING BODY IN ACCORDANCE WITH APPLICABLE LAW

WHEREAS, the Emergency Services Volunteer Length of Service Awards Program ("LOSAP") was signed into law in 1998 to support the recruitment and contention of fire and first aid volunteers by rewarding their service; and

WHEREAS, the Borough of Montvale did adopt a LOSAP program in the Borough by virtue of Ordinance No. 99-1131 adopted on August 10, 1999, and by voter referendum approved on November 2, 1999; and

WHEREAS, the LOSAP program adopted by the Borough did not explicitly provide a procedure to increase in the annual contribution amounts; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government services has determined that such increases may be made at the discretion of the governing body by resolution, in amounts not to exceed the cumulative change in the Consumer Price Index (CPI) since the year in which the annual contribution amounts were last set; and

WHEREAS, the Borough of Montvale is desirous of amending its LOSAP Ordinance to provide clarity to the public and to potential recipients of LOSAP awards that such increases are indeed permitted at the discretion of the Governing Body.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Montvale as follows:

Section 1. Chapter 40 of the Code of the Borough of Montvale, Section 40-27, "Criteria for eligibility," is hereby amended and supplemented by adding the underlined text, as follows:
Commencing January 1, 2000, LOSAP shall provide annual contributions to each eligible member that meets the following criteria:

- A. 100 points are required for a member to be eligible for an annual contribution.
- B. Five years of service are required for vesting.
- C. The maximum annual contribution per each eligible member shall be as follows:
 - (1) First year - 2000: \$600.
 - (2) Second Year - 2001: \$850.
 - (3) Third Year - 2002, and each year thereafter: \$1,150.
- D. The Governing Body may, from time to time, authorize an increase in the annual contributions in an amount not to exceed the cumulative percentage increase in the Consumer Price Index (CPI) since the year in which the annual contribution amount was last set, as calculated by the Director of the Division of Local Government Services. Any such increase shall be made by resolution of the Governing Body and shall not require a public hearing.

Section 2. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

Section 3. Effective date.

This Ordinance shall take effect immediately upon adoption and publication as provided by law.

Section 4. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Ordinance No. **2016-1419** was introduced for second reading by Councilmember Weaver; seconded by Councilmember Talarico; Clerk read by title only;

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

NO PUBLIC COMMENT

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

Motion to adopt on Second and Final Reading in Ridgewood News by Councilmember Talarico; seconded by Councilmember Koelling; Clerk read by title only ----- A roll call vote was taken --- all ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Talarico; seconded by Councilmember Koelling - all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Talarico; seconded by Councilmember Curry
- All ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

August 30, 2016

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry
– all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

August 30, 2016

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry
– all ayes

RESOLUTIONS:**143-2016 NJ Transit Resolution for Bus Stops on Municipal & County Road**

Original resolution submitted by NJ Transit copy attached to original minutes

Introduced by: Councilmember Talarico; seconded by Councilmember Curry - All ayes

144-2016 Authorize Payment #2/New Montvale Firehouse/Unimak, LLC

WHEREAS, the Borough of Montvale awarded a contract on April 26, 2016 in connection with the New Montvale Firehouse Project; and

WHEREAS, the original contract amount is \$4,449,000.00 via Resolution #82-2016; and

WHEREAS, the Borough Engineer in a letter dated August 24, 2016 and Robbie Conley Architect, LLC approved said payment based on the contract as per the documentation letter of transmittal dated August 12, 2016 which both are attached to the original of this resolution; and

WHEREAS, payment #2 is hereby authorized in the amount of \$125,696.76 to be issued to Unimak, LLC, 82 Midland Avenue, Saddle Brook, NJ 076633 Franklin Avenue, Suite 170 Nutley, NJ 07110-1209; and

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

| | |
|-----------------------|--|
| Total Contract Amount | \$4,449,000.00 Resolution 82-2016 |
| Payment | \$207,230.80 Resolution 138-2016 Payment #1 |
| Total Amount Due | \$125, 696.76 Resolution 144-2016 Payment #2 |
| Total Remaining: | \$4,116,072.44 |

Introduced by: Councilmember Talarico; seconded by Councilmember Koelling - All ayes

145-2016 Authorize Reimbursement/Field Use Fee/R. Gatto/Robert Half Company

BE IT RESOLVED, the below individual from the corporation Robert Half is hereby granted a refund for an used field use fee as the Company was not able to use the field as scheduled.

Refund: \$400.00

Check made payable to: Ryan C. Gatto, Mail to Ryan C. Gatto, Regional Vice President

Robert Half Company, 250 Pehle Avenue, 5th floor, Saddle Brook, NJ

NOW THEREFORE BE IT RESOLVED, the Borough Treasurer shall receive a copy of this resolution for processing.

Introduced by: Councilmember LaMonica; seconded by Councilmember Koelling - All ayes
Councilmember Curry asked for clarification as to why the refund;

146-2016 Awarding Professional Service Contract/Engineering Services/Construction Observation Services/Eagle Ridge Sanitary Sewer Extension/ Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional engineering services for on- site construction observations services for Eagle Ridge site work; and

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

WHEREAS, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated June 22, 2016 to provide these 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 professional 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: Construction Observations Services
- 3) The cost not to exceed shall be \$32,500.00. 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 Mercedes Drive, Montvale, NJ 07645.

Introduced by: Councilmember Curry; seconded by Councilmember Koelling - All ayes

BILLS:

A motion to pay bills by Councilmember Koelling; seconded by Councilmember Curry - All ayes
Councilmember Weaver ask for clarification regarding a bill payable to Anchor Fence

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

COMMITTEE REPORTS:

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 56 calls; 750 miles; 52 hours; 50 crew hours

Councilmember Curry

Construction

In process of hiring extra sub code officials which will be on a part-time basis

Recreation

Fall programs have begun; Halloween Carnival will be held on October 28th from 7-8:30 at Fieldstone Middle School; December 2 will be the tree lighting ceremony at the center of town at 7pm. The position of Rec Director has been posted on the NJLOM website, there are 3 possible candidates.

Board of Health

Flu clinic is scheduled for September 17 at the Senior Community Center from 9-11am

Councilmember LaMonica

Chamber of Commerce

Street Fair has been re-scheduled for Oct 23rd from 10-5pm;

Stigma-Free

Oct 14 will be an all day seminar at Park Ridge community center from 8:30-4:30

Councilmember Koelling

Swim Club

Looking into getting proposals to level the site

Councilmember Weaver

Regional Board of Ed

Met with concerned parents in regards to busing; spoke with Freeholder Sullivan and superintendent of schools, mentioned County and school is not responsible for sidewalks; asked what is our responsibility; brainstorming will continue with the Board of Education for a solution.

Planning Board

2 use permits were issued located at 210 Summit Ave and 1 Paragon Drive; Shell gas station looking to re-locating a poll; Sharp is looking to move in by December; discussions are ongoing in regards to 12 Railroad Ave.

MAYOR

Library

Circulation 12,201; 6,196 patron visits; 118 children participated in the summer reading programs.

Report

Flight Center's Grand Opening is scheduled for Sept 26; Toured the Sharp building; Sharp is requesting permission to work on Sundays between September 18 and January 27; a motion to grant permission to work on Sundays except for October 23 by Councilmember LaMonica; seconded by Councilmember Curry – all ayes

If anyone wishes to meet with the mayor it is scheduled for the first Tuesday of the month between 5-7pm; Discussions on still on going for the parkway ramp; KPMG will be expanding, they purchased the Winebow building, they will be adding 610 additional employees.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. Report Receipt of Bids/North Avenue Roadway Improvements
 - 1) Resolution of Award

147-2016 A Resolution Awarding a Contract to AJM Contractors for the North Avenue Roadway Improvements Project

WHEREAS, the Borough of Montvale has a need for services in connection with the North Avenue Roadway Improvements Project; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law*, N.J.S.A. 40A:11-1, et seq., the Borough of Montvale did publicly solicit bids for said project under the title "North Avenue Roadway Improvements" with bids due on September 7, 2016; and

WHEREAS, said solicitation requested bids for a Base Bid plus Alternates "A" and "B"; and

WHEREAS, in response to said solicitation, five (5) bids were received; and

WHEREAS, the Mayor and Council, in consultation with the Borough Engineer have determined that sufficient funds are available to perform the work included in Base Bid plus Alternates "A" and "B"; and

WHEREAS, the lowest bid for the Base Bid plus Alternates "A" and "B" was submitted by AJM Contractors, maintaining offices at 300 Kuller Road, Clifton, New Jersey, in the total amount of \$202,871.00; and

WHEREAS, said bid was within the funds allocated for this project and within the Engineer's estimate for this work; and

WHEREAS, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; 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 contract for the above-referenced project shall be awarded as follows:

Bidder

AJM Contractors
300 Kuller Road
Clifton, New Jersey 07011

In the amount of:

| | |
|---------------|---------------------|
| Base Bid | \$138,371.00 |
| Alternate "A" | \$ 4,500.00 |
| Alternate "B" | \$ 60,000.00 |
| TOTAL | \$202,871.00 |

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents necessary to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney.

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.

Introduced by: Councilmember LaMonica; seconded by Councilmember Koelling - All ayes

b. Professional Engineering Services/Public Bidding/Contract/Removal of Pool/Pool Building/1 Memorial Drive

Proposal submitted is not to exceed \$24,000, this does not include contractor's work; Councilmember Weaver asked how much is the total cost, will be approximately \$250,000; this can be paid through Open Space Fund; a motion to proceed with bidding by Councilmember Koelling; seconded by Councilmember Curry – all ayes; The discussion continued regarding the pool chairs and remaining equipment, the swim club needs to be notified to have all equipment removed asap.

c. Huff Terrace/Culvert/Emergency Repair

Culvert runs under the road near the Huff Terrace pumping station, a portion of the culvert is failing; the engineer's recommendation would be to declare an emergency so it can be repaired sooner rather than later; a motion to declare an emergency by Councilmember Talarico; seconded by Councilmember Curry – all ayes

d. Chestnut Ridge Road Widening / Update

Councilmember Talarico asked for an update; engineer stated should go out to bid in November; anticipated start date would be spring of 2017;

e. Eagle Ridge Sanitary Sewer Installation

Councilmember Weaver asked for clarification into the power outage during construction; the engineer explained sometimes it happens

f. Magnolia Bridge Replacement

Councilmember Weaver mentioned he spoke to Freeholder Sullivan as to when it will be replaced; it's a county issue.

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Request Installation of Shed/12 Mercedes Drive Location/Boy Scout Troop 334/Storage of Equipment

Councilmembers had concerns as to the location of the shed, why the need of a shed; Councilmember Talarico asked for a different location; It was decided, to contact Mr. Hanrahan for a different location.

- b. MAL Trunk or Treat

Requesting permission to use LaTrenta field parking lot on October 29 from 5-7PM- a motion to grant permission by Councilmember Curry; seconded by Councilmember LaMonica – all ayes

Additional Resolution was added on:

148-2016 A Resolution Certifying a Lien against Property Known as 96 Powder Hill For Costs Incurred by the Borough of Montvale In Accordance With the Montvale Property Maintenance Code

WHEREAS, in accordance with Chapter 86 of the Montvale Borough Code, entitled “Property Maintenance,” notice of numerous property maintenance violations was sent to the owner of property/bank foreclosure known as 96 Powder Hill Road, designated as Block 104, Lot 19 on the Montvale Tax Map, and

WHEREAS, the owner of said property or the bank foreclosure division did not comply with these notices and did not abate the identified violations; and

WHEREAS, the Montvale Construction Official is required to take the steps in order for the necessary work to be performed and has certified the cost of same to the Governing Body with the submission of an invoice from Raymond Brothers, Landscaping, Inc. 55 Prospect Place, Hillsdale, NJ 07642 dated September 9, 2016, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the cost to abate the property maintenance violations at 96 Powder Hill will \$850.00 for the initial cutting of the lawn, \$450.00 Initial whip weeds in front of beds and back patio, \$150.00 whip weeds along street and curb and \$200.00 for a weekly cut; and

WHEREAS, it is the desire of this Governing Body, in accordance with Borough Code § 86-10(D)(8), to approve said costs and to authorize the imposition of a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that a lien for all the bills submitted by the vendor is hereby certified as against the property known as 96 Powder in the Borough of Montvale; and

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

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

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

Introduced by: Councilmember Talarico; seconded by Councilmember Koelling - All ayes

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.

Motion to open meeting to the public by Councilmember Talarico; seconded by Councilmember Koelling
- all ayes

Leia Amin

Requesting permission for her Girl Scout project to allow the planting of milkweed, Butterfly Flower, at La Trenta Field, The Senior Center, Huff Park and the Montvale Library area; Mayor Ghassali suggested to go before the Environmental Commission for permission.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

Motion to adjourn Public Meeting by Councilmember Talarico; seconded by Councilmember Koelling
- all ayes

Meeting was adjourned at 9:30pm

The next Meeting of the Mayor and Council will be held September 27, 2016 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk