

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:40pm. Adequate notification was published in the official newspaper of the Borough of Montvale.

**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 Koelling
Councilmember Curry	Councilmember Lane
Councilmember Gloeggler	Councilmember Weaver

Also present: Mayor Mike Ghassali; Borough Engineer, Andy Hipolit; Borough Attorney, Joe Voytus; Municipal Clerk/Administrator, Maureen Iarossi-Alwan

**AKERS AVENUE: Parking Discussion Residents Input:**

- a. No Parking Entire Length
- b. Parking Stickers/Akers Avenue Resident Only

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

Several residents spoke, some of their concerns were, when you have family for the holidays or special gatherings, can there be an exception; what section of the road will be affected; Akers is used as a cut through concerns about speeding; what about police enforcement; less parking the better; possible speed bump; speed signs;

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

Councilmembers all agreed to try permit stickers and if it doesn't work can re-visit; a motion to draft ordinance by Councilmember Lane; seconded by Councilmember Weaver – all ayes

**ORDINANCES:**

None

**MINUTES:**

July 11, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Koelling - all ayes

**MINUTES CLOSED/EXECUTIVE SESSION:**

July 11, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Koelling - all ayes

**RESOLUTIONS:**

**152-2017 Authorize Change Order No.1/Montvale 2017 Paving Program DLS Contracting**

**WHEREAS**, the Borough of Montvale awarded a contract on June 13, 2017 to DLS Contracting, 271 Highway 46 West, Fairfield, NJ 07004 for the Montvale 2017 Road Paving Program; and **WHEREAS**, the original contract amount including Alternate A & Alternate B is \$620,068.50 via Resolution #133-2017; and

**WHEREAS**, the Borough Engineer in a letter dated July 20, 2107 which is attached to the original of this resolution has been monitoring the project and recommends in detail Change Order #2 in the amount of \$58,477.50 ; and

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

Total Contract Amount	\$ 620,068.50	Resolution 133-2017
Change Order #1	\$ 58,477.50	Resolution 152-2017
Final Contract Amount:	\$ 678,546.00	

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Montvale authorize Change Order #1 in the amount of \$58,477.50 for additional curbing to be replaced throughout the Borough as directed by the Borough Engineer and milling and paving of a 400 foot section of Old Chestnut Ridge Road as detailed in the attached.

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

**153-2017 Revising Resolution No. 149-2017/Payment #1/Montvale Intersection Improvements/New Prince Concrete Construction Co., Inc.**

**WHEREAS**, the Borough of Montvale awarded a contract on April 11, 2017 in connection with the Montvale Intersection Improvements Project throughout the Borough of Montvale; and

**WHEREAS**, on July 11<sup>th</sup>, 2017 Resolution No. 149-2017 contained language for Alternate B to be awarded in the amount of \$485,445.54 which was incorrect and is proposed to be awarded at a later date; and

**WHEREAS**, base bid was awarded in the amount of \$2,064,244.05 to the following:

New Prince Concrete	Base Bid \$2,064,244.05
215 Eileen Terrace	
Hackensack, New Jersey 07601	

**WHEREAS**, this contract was awarded via Resolution #92-2017; and

**WHEREAS**, the Borough Engineer in a letter dated July 6, 2017 recommends payment #1 in the amount of \$197,554.28 based on the contract ; and

**WHEREAS**, Payment #1 of the base bid amount is hereby authorized to be issued to New Prince Concrete Construction Co., Inc. in the amount of \$197,554.28; and

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

Total Contract Base Bid Amount	\$2,064,244.05
Total Amount Due	\$197,554.28

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

**154-2017 A Resolution Awarding a Contract to D&L Paving Contractors, Inc. for the Upper Saddle River Road Roadway Improvements Project**

**WHEREAS**, the Borough of Montvale has a need for services in connection with the Upper Saddle River Road 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 “Upper Saddle River Road Roadway Improvements” with bids due on July 13, 2017; and  
**WHEREAS**, said solicitation requested bids for a Base Bid plus Alternate “A”; and  
**WHEREAS**, in response to said solicitation, four (4) bids were received; and  
**WHEREAS**, the Borough Engineer subsequently advised that the Borough was unable to obtain the easement necessary for the work in Alternate “A”; and  
**WHEREAS**, the lowest bid for the Base Bid was submitted by D&L Paving Contractors, Inc. in the total amount of \$255,414.85; and  
**WHEREAS**, said bid was \$8,719.85 higher than the Engineer’s estimate for this work, which is approximately 3.5% higher than the estimate, which the Engineer has determined is reasonable; 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:

<b>Bidder</b> D&L Paving Contractors, Inc. 681 Franklin Avenue Nutley, New Jersey 07110	<b>In the amount of:</b> Base Bid	\$255,414.85
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**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.

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

**155-2017 A Resolution Awarding a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough’s Affordable Housing Litigation**

**WHEREAS**, the Governing Body is desirous of hiring Special Counsel to represent the Borough in connection with the Borough’s affordable housing litigation, Docket No. BER-L-6141-15; and  
**WHEREAS**, the Borough has received a proposal from Jeffrey R. Surenian, Esq. of Jeffrey R. Surenian & Associates, LLC, 707 Union Avenue, Suite 301, Brielle, New Jersey 08730, to perform all services necessary and appropriate in connection with same; and  
**WHEREAS**, Mr. Surenian’s proposal sets forth the following rates:

- (a) \$200.00 per hour for all time spent by Jeffrey R. Surenian (over 30 years of experience);
- (b) \$185.00 per hour for all time spent by an attorney with at least fifteen years of experience as a lawyer;
- (c) \$175.00 per hour for all time spent by an attorney with at least ten years of experience as a lawyer;
- (d) \$165.00 per hour for all time spent by an attorney with less than ten years of experience as a lawyer;
- (e) \$70.00 per hour for all paralegal work; and

**WHEREAS**, the Governing Body is satisfied that Mr. Surenian and his firm possess the requisite experience pertaining to such matters; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:11-5(a)(i)*, a professional services contract is exempt from public bidding requirements; and

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

**WHEREAS**, because this contract has been awarded under the "alternative process," Mr. Surenian has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit said persons and entities from making any reportable contributions (\$300 or more) through the term of the contract; and

**WHEREAS**, the Governing Body is desirous of awarding a contract to Jeffrey R. Surenian and Associates, LLC, in an initial amount not to exceed \$25,000.00 without further authorization of the Governing Body, at the hourly rates set forth above; 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** that a contract is hereby awarded to Jeffrey R. Surenian and Associates, LLC to serve as Special Counsel in connection with the Borough's Affordable Housing Litigation, pursuant to the terms and conditions set forth herein.

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

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

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

**BILLS: Municipal Clerk read the Bill Report**

Motion to pay bills by Councilmember Lane; seconded by Councilmember Curry - All ayes

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Update Fieldstone Field/Synthetic Turf Replacement Options

Option 1 – traditional turf - \$848,729.53

Option 2 – turf and cork - \$1,204,181.69

Option 3 – coolplay - \$932,253.73

After a brief discussion by councilmembers, it was decided to go with Option 33 and to look into how the difference will be funded; speak with the school district;

b. Road Paving Program

Woodland Guide Rail was completed; Bayberry curbing will start;

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

a. Draft Resolution Hiring/Special Counsel

- b. Proposed Draft Agreement/Hiring & Placement Of Special Police Officer III in PHHS/BOM & PVRSD

Motion to approve by Councilmember Koelling; seconded by Councilmember Arendacs – a roll call was taken all ayes with Councilmember Lane voting no

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- a. Request Of Montvale Athletic League/Ballfield Lights/Memorial Fields 1 & 2/Quotation  
After a brief discussion, it was decided to get a second quote and find out if MAL will pay for it;
- b. Proposal/Prepare & Furnish/Landscaping Design Plan/Center Of Town/Preparation For Bidding/Forcellati Bros., Inc.

Councilmembers decided to get a second quote;

- c. Monies for Economic Committee

Mayor Ghassali mentioned that \$1,000 has been allocated to fund a network event that Wegmans donated to, another event will take place on August 2<sup>nd</sup> at the community center and the committee is asking to use the \$1,000; a motion by Councilmember Lane; 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.

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry – all ayes

**NO PUBLIC COMMENT**

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

**ADJOURNMENT:**

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

Meeting adjourned at 9:21pm

The next Meeting of the Mayor and Council will be held August 8, 2017 at 7:30 p.m.

**BOROUGH OF MONTVALE**

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**

**JULY 25, 2017**