

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:43PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent Dieter Koelling 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, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloeggler

Councilmember Koelling
Councilmember Lane
Councilmember Weaver

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2018-1444 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MONTVALE, CHAPTER 121, "VEHICLE AND TRAFFIC," TO PROHIBIT VEHICLES OVER FOUR TONS ON FOX HILL ROAD AND LARK LANE AND TO AMEND THE PENALTIES FOR VIOLATIONS OF SECTION 121-8

WHEREAS, the Borough of Montvale desires to regulate the passage of trucks, buses, trailers, heavy vehicles and other similar vehicles and equipment of a certain size and/or weight upon roadways within residential neighborhoods; and

WHEREAS, heavy vehicle trips that do not necessarily have to traverse local residential streets negatively impact the aesthetics and quality of life of the residential neighborhoods within the Borough; and

WHEREAS, heavy vehicles and other similar vehicles of a certain size find themselves misguided by electronic navigation systems; and

WHEREAS, certain residential streets within the Borough are not designed to accommodate trucks, buses trailers and other similar vehicles of a certain size; and

WHEREAS, the restrictions listed in this Ordinance do not cause any truck, bus, trailer and other similar vehicle of a certain size to be diverted to any roadway in any other municipality in New Jersey; and

WHEREAS, this Ordinance does not prohibit the passage of any trucks, bus, trailers and other similar vehicles and equipment of a certain size from making delivery within the streets being restricted; and
WHEREAS, S. Maurice Rached, P.E., PTOE, from Maser Consulting, P.A., has provided a certification outlining the justification for this Ordinance and stating that it is his professional opinion as a licensed Professional Engineer that the ordinance is in compliance with the applicable provisions of Chapter 16 of the New Jersey Administrative Code and Title 39 of the New Jersey Statutes.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 121 of the Code of the Borough of Montvale, entitled "Vehicles and Traffic," Section 121-29, entitled "Schedule V – Trucks and Buses Over Four Tons," is hereby amended and supplemented by adding the underlined text alphabetically to the existing list, as follows:

§121-29 Schedule V – Trucks and Buses Over Four Tons

In accordance with the provisions of § 121-8, trucks and buses over four tons' gross weight are hereby excluded from the following described streets or parts of streets, except for the pickup and delivery of materials on such streets:

Name of Street	Location
<u>Fox Hill Road</u>	<u>Entire length</u>
<u>Lark Lane</u>	<u>Entire length</u>

Section 2. Chapter 121 of the Code of the Borough of Montvale, entitled "Vehicles and Traffic," Section 121-20, entitled, "Violations and penalties," is hereby amended and supplemented by adding the underlined text, as follows:

- A. Unless another penalty is expressly provided by New Jersey statutes, every person convicted of a violation of a provision of this ordinance or any supplement thereto shall be liable to a penalty of not more than \$50 or imprisonment for a term not exceeding 15 days, or both.
- B. Notwithstanding the above, every person convicted of a violation of the provisions of § 121-7.1 shall be liable for a penalty of \$250 for the first offense and a fine not less than \$250 and up to 90 days' community service on such terms and in such form as the court shall deem appropriate, or any combination therefore, for each subsequent offense.
- C. Notwithstanding the above, pursuant to N.J.S.A. 39:4-197 et seq., every person convicted of a violation of the provisions of Section 121-8 for operating a motor vehicle over the registered gross weight of four (4) tons along any of the streets listed in Section 121-29, shall be liable for a fine of \$100.00 for the first offense, and for subsequent offices, a fine of at least \$100.00 and/or up to 90 days' community service.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law, and upon approval from the Commissioner of Transportation.

Section 7. Referral to Commissioner of Transportation.

Pursuant to N.J.S.A. 39:4-8, upon approval of this Ordinance after a public hearing, the Borough Clerk shall send a certified copy of this Ordinance to the Commissioner of Transportation within thirty (30) days of adoption, together with a copy of the Engineer's Certification referenced above.

Ordinance No. **2018-1444** was introduced for second reading by Councilmember Weaver; seconded by Councilmember Lane; Clerk read by title only;

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

NO PUBLIC COMMENT

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

Councilmember Koelling made a motion to table the ordinance, he would like to have the Police Chief's input; seconded by Councilmember Lane – a roll call was taken – all ayes

PUBLIC HEARING ORDINANCE NO. 2018-1446 CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1.0% increase in the budget for said year, amounting to \$105,234.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$368,319.63, and that the CY 2018 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. **2018-1446** was introduced for second reading by Councilmember Weaver; seconded by Councilmember Curry; Clerk read by title only;

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

NO PUBLIC COMMENT

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

Motion to adopt on Second and Final Reading in Ridgewood News by Councilmember Lane; 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 Lane; seconded by Councilmember Koelling – all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

March 27, 2018

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Gloeggler – all ayes with the exception of Councilmember Curry abstaining

RESOLUTIONS:

94-2018 A Resolution Awarding a Contract to Tele-Measurements, Inc. for the Provision and Installation of New Audio/Visual Equipment for the Borough of Montvale Public Access TV Control Room

WHEREAS, the Borough of Montvale has a need to procure certain goods and services related to the Montvale TV Access Studio; and

WHEREAS, the Borough did solicit bids pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1*, et seq., under the title “Provision and Installation of New Audio/Visual Equipment for the Montvale Public Access TV Control Room”, with bids due in March of 2018; and

WHEREAS, three (3) bids were received in response to said solicitation; and

WHEREAS, after review of these bids, it was determined that two bids were non-responsive and therefore ineligible for award of this contract; and

WHEREAS, the sole remaining bid was submitted by Tele-Measurements, Inc. in the amount of \$179,056.00 for the Base Bid only; and

WHEREAS, the Borough Attorney has reviewed said bid and found it to be responsive to the bid specifications; and

WHEREAS, the Borough’s CFO has determined that sufficient funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale that a contract for the above-identified project is hereby awarded as follows:

Contractor

Tele-Measurements
145 Main Avenue
Clifton, New Jersey 07014

Contract Amount

Base Bid: \$179,056.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute a contract to effectuate the purposes of this Resolution, subject to approval as to form by the Borough Attorney.

Account: C-04-55-413-C00 -- Not To Exceed: \$179,056.00

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

95-2018 Resolution For Member Participation In A Cooperative Pricing System Agreement

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the National Joint Powers Alliance (NJPA) located at 202 12th St., Staples, MN, 54479, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services and was created under the authority of the statutes of the State of Minnesota.

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Montvale.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law* (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

96-2018 Appointment Regular Member / Montvale Fire Department / Anthony J. Fava

WHEREAS, the Montvale Fire Department is desirous of adding a regular member; and

WHEREAS, Anthony Fava 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 Anthony Fava, as a Regular Member of the Montvale Fire Department, is hereby approved

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

97-2018 Award Professional Service Contract /Engineering Services /2018 Bergen County Open Space Grant Application for Municipal Park Improvements/LaTrenta/Round #2 Chestnut Ridge Road

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepared a declaration of Intent To apply and all other related requirements for the submission of the 2018 Bergen County Open Space Grant Application to be submitted for LaTrenta, 159 Chestnut Ridge Road, Montvale, NJ ; 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 March 26, 2018 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 Maser Consulting.
- 2) That the following be provided: Declaration of Intent To Apply/Application Requirements For 2018 BC Open Space Municipal Park Improvements
- 3) The cost not to exceed shall be \$3,800.00. 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.

Account:T-14-56-286-001 -- Not To Exceed:\$3,800.00

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

98-2018 Award Professional Service Contract /Engineering Services /Design/Construction Observation Services/Bidding/2018 Roadway Improvement Program/Maser Consulting

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 2017 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, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated April 3, 2018 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 Maser Consulting.

- 2) That the following be provided: Engineering Design, Construction Observation and Bidding For Improvement To Various Roads
- 3) The cost not to exceed shall be \$63,500.00. 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 ; seconded by Councilmember - All ayes
TABLED UNTIL AFTER THE BUDGET IS ADOPTED

99-2018 Award Professional Service Contract /Engineering Services /Construction Observation Services/Upper Saddle River Road Reconstruction Project/Serrell Drive/Maser Consulting

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 Upper Saddle River Road Reconstruction Project - Serrell Drive 2017 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, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated April 3, 2018 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 Maser Consulting.
- 2) That the following be provided: Construction Observation Services
- 3) The cost not to exceed shall be \$8,000.00. 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 Mercedes Drive, Montvale, NJ 07645.

Introduced by: Councilmember ; seconded by Councilmember - All ayes
TABLED UNTIL AFTER THE BUDGET IS ADOPTED

100-2018 Authorize Change Order No. 1/Upper Saddle River Roadway Improvements/D&L Paving

WHEREAS, the Borough of Montvale awarded a contract on July 25, 2017 to D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110. for the Upper Saddle River Road Roadway Improvements Project; and

WHEREAS, contract amount was awarded in the amount of \$255,414.85; and

WHEREAS, this contract was awarded via Resolution #154-2017; and

WHEREAS, the Borough Engineer in a letter dated March 22, 2018 recommends Change Order #1 in the amount of \$38,916.00 as an increase to the contract ; and

WHEREAS, Change Order #1 is hereby authorized to be issued to D&L Paving in the amount of \$38,916.00; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are attached to the original of this resolution; and

Original Contract Amount	\$255,414.85
Change Order #1	38,916.00
Adjusted Contract Amount	\$294,330.85

Introduced by: Councilmember ; seconded by Councilmember - All ayes

TABLED UNTIL AFTER THE BUDGET IS ADOPTED

101-2018 Emergency Temporary Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2018 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$1,960,441.00

THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$29,000.00

2. That said emergency temporary appropriation (will be) provided in the 2018 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND

General Appropriations

Operations – Within “CAPS”

Administrative and Executive:

Other Expenses \$5,000.00

Mayor and Council:

Other Expenses 2,000.00

Public Buildings and Grounds:

Other Expenses 20,000.00

Municipal Court:

Other Expenses 2,000.00

\$29,000.00

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

102-2018 Authorize Payment #1 FieldTurf USA, Inc./Fieldstone School Turf Replacement

WHEREAS, the Borough of Montvale awarded a contract on August 8, 2017 via resolution in connection with the Fieldstone Middle School Synthetic Turf Replacement Project; and
WHEREAS, the original contract amount is \$522,306.48 via Resolution #158-2017 awarded through a Cooperative Purchasing Agreement with the Keystone Purchasing Network; and
WHEREAS, the Borough Engineer in letter dated April 5, 2018 takes no exception to payment #1 in the amount of \$436,362.37 which is attached to the original of this resolution; and
WHEREAS, payment #1 is hereby authorized to be issued to FieldTurf USA, Inc; and
WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

Total Contract Amount	\$522,306.48	Resolution # 93-2017
Payment #1	\$436,362.37	Resolution #102-2018

NOW THEREFORE BE IT RESOVED, by the Governing Body of the Borough of Montvale payment #1 in the amount of \$436,362.37 be and is hereby issued.

Introduced by: Councilmember Lane ; seconded by Councilmember Koelling - all ayes
 Councilmember Weaver asked when will the field be completed

103-2018 A Resolution Awarding a Contract to Bergen Brookside Towing for the Designation as Official Police Towing Service

WHEREAS, the Borough of Montvale has a need to designate an official police towing service for the Borough of Montvale; 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 this contract under the title "Designation as Official Police Towing Service," with bids due in April of 2018; and
WHEREAS, in response to said solicitation, the only bid received was from Bergen Brookside Towing Corp., calculated according to the stated methodology in the bid specifications to be \$5,975.00, however any and all payments to Bergen Brookside Towing shall be in accordance with the schedule of prices set forth in the bid for each specific call; and
WHEREAS, after review of the bids received, it was determined that Bergen Brookside's bid was 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 two-year contract for designation as the official police towing service in the Borough of Montvale is hereby awarded as follows:

<u>Contractor</u>	<u>Pricing</u>
Bergen Brookside Towing Corp. 1 Emerson Plaza East Emerson, New Jersey 07630	In accordance with Bid Proposal Form

BE IT FURTHER RESOLVED that the contract shall be subject to one (1) two-year or two (2) one-year extensions at the mutual option of the parties; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to enter into a contract with Bergen Brookside Towing Corp. consistent with this Resolution, subject to approval as to form by the Borough Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes
 Councilmember Arendacs asked how many bidders were there; only one bidder

105-2018 Authorize Change Orders No. 13 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 Robbie Conley Architect, LLC approved said change order based on the contract as per the documentation transmittal dated April 10, 2018 which is attached to the original of this resolution; and

WHEREAS, Change Order 13 is hereby authorized in the amount of \$12,740.75 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
Payment	\$125,696.76 Resolution 144-2016 Payment #2
Payment	\$188,081.60 Resolution 153-2016 Payment #3
Payment	\$219,199.20 Resolution 171-2016 Payment #4
Payment	\$357,836.56 Resolution 180-2016 Payment #5
Change Order 1	\$0 (26 additional days)
Change Order 2	Credit \$23,000.00 (due to reduction heated slab)
Change Order#2 (continued)	Credit #23,000.00 minus \$19,915.15 (Fire Pole)
	Credit amount total \$3,085.00
Balance, Including Retainage	\$3,350,955.08 as of 11/7/16
Balance w/credit Change Order 2	\$3,347,870.08 Reso.188-2016
Change Order 3	\$0
Payment	\$273,771.34 Resolution 194-2016 Payment #6
Payment	\$156,559.10 Resolution 53-2017 Payment #7
Payment	\$204,912.37 Resolution 61-2017
Payment	\$56,208.60 Resolution 84-2017
Payment	\$156,514.40 Resolution 106-2017
Payment	\$130,624.90 Resolution 124-2017
Payment	\$146,617.80 Resolution 129-2017
Change Order 4	\$44,085.25 (6" Water Service)
Change Order 5	\$31,792.00 (Cupola)
Payment	\$197,738.03 Resolution 162-2017
Payment	\$252,873.27
Change Order 6	\$7,328.75
Change Order 7	\$66,158.32
Change Order 8	\$12,600.12
Change Order 9	\$10,530.85
Change Order 10	\$20,238.61
Change Order 11	\$ 7,931.96
Change Order 12	\$ 3,728.65
Change Order 13	\$12,740.75

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 Koelling - All ayes

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

COMMITTEE REPORTS:

Council President Koelling

Tri-Boro

Montvale logged: 37 calls; 526 miles; 39 crew hours

Police

Monthly report included in original minutes

Environmental Commission

Montvale clean-up day will be on April 28 at 9am meet at the red shed

Mentioned the passing of former Police Chief Joe Marigliani, great man, he will be missed

Councilmember Weaver

Regional School

Students participated in the National walk out on March 14 at 10am; the superintendent posted a letter on the school website regarding school safety; May 3rd Hills Valley Coalition will be hosting Split Image at 6pm at Hills

Swim club site

At the last meeting, some suggestions were proposed...a walkway, indoor recreation facility, outdoor garden and pavilions for gathering;

Economic Committee

Held an event in mid-March

Councilmember Arendacs

DPW

Commended the DPW and its staff during the last few storms;

Recreation/Special Events

Egg coloring event was held on March 24; Day in the Park is scheduled for June 16 rain date June 17; summer camp registration is now open; adult co-ed soccer April 22 through May 13 on Sundays 5-7pm; tennis badges are now available;

Engineering

Fieldstone turf replacement is now completed; Upper Saddle River Road culvert is complete;

Councilmember Curry

Planning

Held a public hearing regarding block 2405 lots 10 and 11;

Construction

Work on the school #2 fencing has begun; a complaint was filed in Superior court regarding 79 W Grand Ave;

Board of Health

May 7th next meeting; Bergen County Prosecutor's office in conjunction with Northwest Regional will be holding an informal session about heroin and opioid abuse on April 30 at 7pm for more info call 201-445-7217; May 1st is "Keep Kids Alive, Drive 25"

Seniors

Have 147 members; great trips coming up;

Chamber of Commerce

Street Fair is June 10

Councilmember Gloeggler

TV Access

Thanked the residents for being patient with the technical issues of the programs; new equipment will be installed soon; encouraged residents to email the crew with issues;

Councilmember Lane

Fire Dept

25 fire calls; 2 drills; 3 extra credits; Firehouse is near completion

Finance

Adoption of the budget will be April 24

MAYOR

Library

Circulation 9,191; 5,114 patron visits; 18 cards issued; Dining for Dollars at Davey's Locker April 30, May 1st and May 3rd

Report

Met with some Valley View residents in regards to the siren; Mayor for the day will be on May 8; appointed Maggie O'Neill to the Historic Preservation Committee and Nancy Racich will finish out Irmgard Oelkers term on the Library Board; new Dentist office opened at 305 W Grand; RiverVale notified the borough that they want to terminate the DPW shared service contract;

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

Fieldstone is completed, have to run a test before it can be opened; Chestnut Ridge Road paving has started; Shady Trial paving will start soon;

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

a. Re-Review of Ordinance 2018-1445 An Ordinance To Provide For The Preservation Of Trees On Residential Properties Throughout The Borough of Montvale Creating A new Chapter 119A
Councilmember Curry mentioned that the planning board suggested that the borough should include the current reference sheet being used, about tree removal, that is provided by the construction department; the planning board and environmental commission will review it and make further recommendations.

b. Final Determination/Recreational Fees/Adopted Resolution 84-2018/Resident/Non-Resident/Field Fees/Tennis Fees

104-2018 Amending & Supplementing Resolution No. 47-2018, Resolution No. 74-2018 and Resolution No. 84-2018 To Establish Recreational Fees for Year 2018/Programs and Facilities/Rules & Regulations

WHEREAS, The Recreation Department hereby establishes the programs, times and fees for various programs; and

WHEREAS, the Recreation Director has recommended that the following fees, programs, and times be revised as described; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following fees and programs and services be and are hereby established

TIME SCHEDULE FOR SKATING RINK:

8:00 a.m.	Until	10:00 a.m.	Roller/street Hockey
10:00 a.m.	Until	12:00 p.m.	Free Skate
12:00 p.m.	Until	2:00 p.m.	Roller/street Hockey
2:00 p.m.	Until	4:00 p.m.	Free Skate
4:00 p.m.	Until	6:00 p.m.	Roller/street Hockey
6:00 p.m.	Until	Dusk	Free Skate

PROGRAMS:	RESIDENT	NON-RESIDENT
Basketball - 18+	\$50	\$75
Basketball - 30+	\$75	\$95
Sewing	\$80	\$100
Summer Camp	\$320/CHILD \$960/FAMILY MAX	\$380/CHILD \$1140/FAMILY MAX

RESIDENT/NON-RESIDENT: \$30 Additional Fee after Registration Period. \$25 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.

Tae Kwon-Do

Tae Kwon-Do - Youth	\$120	*\$180 (*space permitting)
Tae Kwon-Do – Adult	\$80	\$100

Tai Chi

	\$80	\$100
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Montvale Seniors Club Discount: \$40

	RESIDENT	NON-RESIDENT
Tennis Lessons		
Tennis Lessons- Adult/Child	\$80 per session (6 weeks)	\$120 per session (6 weeks)

Tennis

(Green Acres/ Approval Required)	\$30 Adult	\$60 Adult
	\$10 Child/Student (13-18 yrs)	\$20 Child/Student
	\$50 Family max.	\$100 Family max.
	Free Seniors 62+	\$10 Seniors 62+

BOROUGH OF MONTVALE**APRIL 10, 2018****RESIDENT/NON-RESIDENT: \$10 Fee for Replacement Card**

Volleyball - Adult	\$50	\$75
Volleyball- Girls	\$80	\$100
Yoga	\$80	\$100
Yoga - mini	\$40	\$50
Yoga - Mommy & Me	\$80	\$100
Yoga - Mommy & Me Mini	\$40	\$50
Adult Soccer	\$10	\$15
Special Needs Program	\$80	\$100

WHEREAS, Borough Owned Recreational Fields shall be scheduled by the Borough of Montvale Field Coordinator; and

WHEREAS, Montvale Athletic League ("MAL"), Montvale Recreation and Pascack Hills High School shall have first priority field scheduling use and shall be provide a schedule to the Field Coordinator no later than February 1st.

WHEREAS, MAL, Recreation, Pascack Hills High School and churches are exempt from payment of fees relating to field use.

FIELD USE: 2018
Resident Team

Resident Team**Non-**

Field Use- Ballfields- Baseball or Softball season
(Memorial, Fieldstone, or LaTrenta)

\$200 per season

\$400 per

Field Use- Turf Field- Soccer or Lacrosse (Fieldstone) ***MAL endorsed programs in sports that are not offered by MAL, and which have Montvale residents participating, shall be charged the resident fee for field use.

\$25 per hour

\$50 per hour

Turf Field Fees shall not exceed \$7,000 per season for any one organization. **Add 15% to total, if lights are requested at any field.

Corporation One Day Field Use
(1 scheduled day plus 2 rain dates)

\$ 200

\$ 400

Tennis Courts Daily Group Rate \$25/day (Maximum Reservation of 2 courts per location at any time).

Resident Corporation: Any company that owns or leases commercial within the borough.

Non-Resident Corporation: Any company that does not own or lease commercial space within the borough.

Residential Team: Any athletic team comprised of at least 75% of its roster with Montvale residents.

Non-Residential Team: Any team not having at least 75% of its roster filled with Montvale residents.

Time Slot: An uninterrupted 1 hour time period, or any part thereof, that a field is being used by an approved team.

Corporate Fees: Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

Season: Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

No credit for unused Field Time Slots

All organizational (i.e. club team) play will be considered a non-resident teams.

Payment is required prior to use on all fields or no field use will be granted.

Once field use requests are received in full by February 1st, field use will be established with the following order of preference:

1. Montvale Athletic League, Recreation and Pascack Hills High School
2. Resident: Not-For-Profit Entity
3. Resident: For Profit Entity
4. Non-Resident: Not-For-Profit Entity
5. Non-Resident: For-Profit Entity

WHEREAS, it is the Borough of Montvale's intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.

A request was received by the director from the Bergen County Woman's tennis league to reserve the courts on Tuesdays and Thursdays, councilmembers decided to charge a daily group rate of \$25; A motion by Councilmember Lane; seconded by Councilmember Curry – all ayes

Councilmember Weaver wanted to have a discussion regarding the Pascack Lacrosse league, they are requesting to use Fieldstone field for one night a week and wanted to exempt them from fees; the borough attorney asked Councilmember Weaver to recuse himself for this discussion and to step down from the dais; after a lengthy discussion, it was decided by councilmembers to charge \$25 per hour resident fee for sports not offered by MAL; a motion by Councilmember Lane; seconded by Councilmember Arendacs – all ayes with the exception of Councilmember Weaver not voting

NEW BUSINESS:

a. Proposed Draft Ordinances Prohibited Uses State Consideration Legalizing Marijuana Discussion

Councilmember Curry asked the council to look over the ordinances that other towns have been adopting and this will be discussed at a later date; she asked for more information on vaping and vaping shops;

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 Lane; seconded by Councilmember Curry - all ayes

Mike Weaver 10 Montvale Ave

In regards to the Pascack Lacrosse league, and the decision made to charge them fees, you did a disservice to the Montvale residents, Rivervale and Hillsdale offer Montvale children to participate in the program with free field time; he compared a prior decision given to Hornrock about hanging a sign free of charge, where if a small business owner wanted to hang a sign, they would not be allowed or be charged a large sum of money; he is very disappointed in the decision made tonight.

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

ADJOURNMENT

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

Meeting was adjourned at 9:15pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk