

PUBLIC MEETING
MINUTES

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:41 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Clint 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, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloegler

Councilmember Koelling
Councilmember Lane - absent
Councilmember Weaver

PRESENTATION: Flight Centre Travel Group

Representatives from the group gave a brief overview of their company; they are a corporate travel company that employs more than 19,000 people globally and has a total of almost 2,800 businesses. Liberty Travel is their parent company.

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2018-1455 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 4 OF THE BOROUGH OF MONTVALE TO INCREASE THE MAXIMUM NUMBER OF PLENARY RETAIL CONSUMPTION LICENSES

WHEREAS, the number of plenary retail consumption licenses within the territorial jurisdiction is set by the New Jersey Division of Alcoholic Beverage Control ("ABC"); and

WHEREAS, the Borough of Montvale is currently limited by the ABC to a maximum of four plenary retail licenses based on its population, exclusive of exemptions; and

WHEREAS, there are certain exemptions to the maximum number of plenary retail consumption licenses, including for establishments affiliated with a hotel/motel or theater; and

WHEREAS, Montvale Code §4-11 imposes a cap of five plenary retail licenses, including exemptions; and

WHEREAS, the Borough of Montvale is desirous of increasing the cap in its Code to allow for additional plenary retail consumption licenses under hotel/motel, theater, or other exemptions permitted by the ABC.

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

Section 1. Chapter 4, "Alcoholic Beverages," of the Code of the Borough of Montvale, Section 11, "Limit on plenary retail consumption licenses," is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§4-11 Limit on plenary retail consumption licenses.

The Mayor and Council does hereby limit the number of plenary retail consumption licenses to be issued to a maximum of six [five] licenses.

Section 2. 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 3. 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 4. 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 5. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Ordinance No. **2018-1455** was introduced for second reading by Councilmember Weaver; seconded by Councilmember Koelling; Clerk read by title only;

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

NO PUBLIC COMMENT

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

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

PUBLIC HEARING ORDINANCE NO. 2018-1456 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 128, "ZONING," TO PROHIBIT MARIJUANA ESTABLISHMENTS AND VAPOR ESTABLISHMENTS, INCLUDING THE CULTIVATION, TESTING OR MANUFACTURING OF MARIJUANA OR VAPOR PRODUCTS AS WELL AS ADVERTISING CONCERNING SAME IN THE BOROUGH OF MONTVALE
(Montvale Planning Board Comments/Recommendations)

WHEREAS, the State of New Jersey is considering legalizing marijuana for recreational use, allowing for the distribution and consumption of marijuana within New Jersey; and

WHEREAS, the Borough of Montvale is concerned about the impacts of the legalization of marijuana on the health, safety and welfare of the public and specifically with respect to children; and

WHEREAS, in light of the circumstances present in many other states that have legalized marijuana for recreational use, the Borough of Montvale hereby finds that businesses selling, cultivating, growing, processing or which are otherwise involved in the distribution of marijuana pose specific and articulable concerns, including but not limited to security, the sale or re-sale of marijuana to minors, the health of employees and patrons, patrons driving under the influence of

marijuana, connection to organized criminal activity, and the sale of unlicensed products in such establishments; and

WHEREAS, the Borough of Montvale is therefore desirous of banning the sale of marijuana and associated paraphernalia, and operations related to the cultivation, testing or manufacturing of such products, within the territorial jurisdiction of the Borough of Montvale; and

WHEREAS, electronic smoking devices, commonly known as “e-cigarettes,” “e-cigars,” “e-pens,” “vape pens” or similar names, are battery-operated devices designed to look like and be used in the same or a similar manner as conventional tobacco products; and

WHEREAS, electronic smoking devices often contain liquid or cartridges that contain liquid nicotine and other chemical, and which can sometimes be filled or re-filled with liquid solutions containing controlled substances, creating the potential for inhalation and exposure to controlled substances; and

WHEREAS, the United States Food and Drug Administration (“FDA”) has conducted laboratory analysis of electronic smoking device cartridges and has found the presence of, among other things, diethylene glycol (an ingredient in antifreeze), tobacco-specific nitrosamines (human carcinogens), tobacco-specific impurities suspected of being harmful to humans, varied levels of nicotine despite identically-labelled cartridges, and particularly high doses of nicotine; and

WHEREAS, consumers currently lack information resulting from clinical studies about the safety and efficacy of electronic smoking devices, including with respect to second-hand exposure to the vapor emitted from electronic smoking devices; and

WHEREAS, the FDA has raised concerns about the use of electronic smoking devices and the marketing and advertising of such products towards young people; and

WHEREAS, the Borough of Montvale is concerned that the presence of social clubs and stores selling electronic smoking devices or other vapor products within the Borough would be detrimental to the health, safety and welfare of the public.

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

Section 1. Chapter 128 of the Borough of Montvale is hereby amended and supplemented by adding a new Section 9.3, “Certain uses related to marijuana and vapor products prohibited; definitions,” as follows:

§128-9.3 Certain uses related to marijuana and vapor products prohibited; definitions.

A. Wherever used in this Chapter, the following terms shall have the meaning indicated:

ELECTRONIC SMOKING DEVICE means any non-combustible product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size and which can be used to deliver nicotine or other substances in a solution, vapor or any form to the person inhaling from the device, including, but not limited to, vapor cartridge, liquid nicotine container, electronic cigarette, cigar, cigarillo, pipe or other form intended to be used with, or in, any such device.

LIQUID NICOTINE means any solution containing nicotine which is designed or sold for use with an electronic smoking device.

LIQUID NICOTINE CONTAINER means a bottle or other container of liquid, wax, gel or other substance containing nicotine, where the liquid or other contained substance is sold, marketed or intended for use in a vapor product but does not include containers prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

MARIJUANA means all or parts of the plant genus Cannabis, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds (except those containing only resin extracted from the plant).

MARIJUANA ESTABLISHMENT means a business, residence or other location where the cultivation, testing, manufacturing, dispensing, growing, extraction or retail sale of marijuana or marijuana paraphernalia takes place, or where services are offered that involve marijuana or marijuana paraphernalia.

MARIJUANA PARAPHERNALIA means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into the human body.

VAPOR PRODUCT means electronic smoking devices, liquid nicotine, liquid nicotine containers, and similar products used, or intended to be used, with such products.

VAPOR ESTABLISHMENT means a business, residence or other location where the testing, manufacturing or retail sale of vapor products takes place, or where services are offered that involve vapor products.

B. In all zoning districts in the Borough of Montvale, the following uses shall be prohibited:

1. Marijuana Establishments. This prohibition shall not include premises regularly in the business of providing prescription medicines under a license issued by the New Jersey Board of Pharmacy and only for the sale of medical marijuana having been prescribed by a licensed physician and dispensed by a licensed pharmacist.
2. Vapor Establishments.
3. Signs, billboards or other similar structures or devices that advertise or promote marijuana, marijuana establishments, vapor products or vapor establishments.

Section 2. 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 3. 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 4. 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 5. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Ordinance No. **2018-1456** 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 Curry; seconded by Councilmember Koelling - all ayes

Martin Gallagher owner of Chestnut Ridge Exxon

Mentioned that the intent of the ordinance is to prohibited marijuana and vaping products; Mr. Gallagher stated that e-cigarettes are important to retail businesses like his; and it should not be included in the ordinance; it is not related to marijuana and the sale of e-cigarettes is not illegal anywhere in the country.

Bob Zitelli

Asked if this would prohibit medical marijuana; the attorney stated there would be an exception.

Dina

Ask for clarification about the entire marijuana plant including hemp and CBD oil; hemp and CBD oil is used in wellness programs and is sold at places like GNC; she feels that the council did not do any research in regards to what they are really trying to prohibit; suggested to change the verbiage in regards to hemp products

Jarret Schumacher

Asked if a store wanted to open selling clothes made out of hemp, would that be allowed under this ordinance, the attorney stated no; what about if Sloan Kettering wanted to open a small lab at their facility to study the effects of THC in relationships of certain strains of cancer would that be banned? The borough attorney stated the way it is currently written yes. There seems to be a lot of unintended consequences with the way it is written; Mr. Schumacher suggested not to vote on the current ordinance or maybe amend it;

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

After a brief discussion by councilmembers it was decided to withdraw this current ordinance and draft a new one for the next meeting, a motion by Councilmember Gloeggler; seconded by Councilmember Koelling – a roll call vote was taken with Councilmembers Arendacs, Curry, Gloeggler and Koelling voting yes and Councilmember Weaver voting No

APPOINTMENT ENVIRONMENTAL COMMISSION: Carly De La Hoz, 2nd Alternate
Mayor Ghassali appointed Ms. De La Hoz as 2nd alternate to the Environmental Commission

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Koelling; 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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:June 26, 2018

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

Councilmember Curry would like to amend the minutes under the discussion of the use of the basketball courts to include her statement of suggesting adult hours of use and also to encourage the police to do extra patrolling of the courts

MINUTES CLOSED/EXECUTIVE SESSION:June 26, 2018

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

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.

147-2018 Authorize Change Orders No. 14 New Montvale Firehouse/Unimak LLC**RE: Authorize Change Orders No. 14 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 June 27, 2018 which is attached to the original of this resolution; and

WHEREAS, Change Order 14 is hereby authorized in the amount of \$3,480.02 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	
Change Order 14	\$3,480.02	Final
AMOUNT \$3,480.02 / ACCOUNT # C-04-55-405-A00		

148-2018 Authorizing Upgrade Sound System/Gramco Business Communications

WHEREAS, the Borough of Montvale have deemed is necessary to obtain an upgrade sound system for Council Chambers, microphones stations, integrate system for digital recording, video feeds, upgrade for digital recordings in the Municipal Complex; and

WHEREAS, Borough of Montvale's Studio Management Company Media Consultants solicited proposals and reported two proposals had been received and reviewed; and

WHEREAS, Media Consultant's recommends the purchase of this equipment from Gramco Business Communications, 1149 Bloomfield Avenue, Clifton, NJ 07012 in the amount of \$17,649.35, which is made part of this Resolution and outlines the equipment ; and

WHEREAS, N.J.S.A. 40A:11-6.1 states the following: Award Of Purchases, Contracts Or Agreements: for all purchase/contracts that in the aggregate are less than the bid threshold but 15 percent or more of that amount, the contracting unit shall award the contract after soliciting at least two competitive quotations, if practicable.

WHEREAS, Borough of Montvale quotation threshold is in the amount of \$6,000; and

WHEREAS, the bidding threshold within the Borough of Montvale is currently \$40,000 which exempts this purchase from competitive bidding.

WHEREAS, the Municipal Finance Officer has certified funds are available as outlined in the Certification of Funds attached to the original of this Resolution.

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

That the contract for this equipment and services be awarded to Gramco Business Communications, 1149 Bloomfield Avenue, Clifton, NJ 07012 in the amount of \$17,649.35.

AMOUNT \$17,649.35 ACCOUNT # C-04-55-413-C00

149-2018 A Resolution of the Borough of Montvale Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MontVale Studio Management

WHEREAS, the Borough of Montvale is desirous of engaging the services of a professional and reputable company to manage, create content and provide related services concerning the MontVale Studio in order to better serve Borough officials and residents; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A.* 40A:11-5(a)(ii) and *N.J.A.C.* 5:34-2.1 as “extraordinary unspecifiable services”; and

WHEREAS, the Borough has received a renewal proposal to provide such services from Media Consultants, LLC (the “MC Proposal”) it has been determined that Media Consultants demonstrates the expertise and proven reputation in the specialty of television studio management, content production and related services which is essential to the Montale Cable Access Studio; and

WHEREAS, the Council is therefore desirous of awarding a contract to Media Consultants, LLC to perform the above-referenced services for a period of one (1) year, for the prices and on the terms set forth in the MC Proposal; and

WHEREAS, because the value of this contract exceeds the Borough’s applicable pay-to-play threshold, it shall be awarded pursuant to the “alternative” provisions of *N.J.S.A.* 19:44A-20.4, et seq., and Media Consultants has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Media Consultants, LLC for of television studio management, consent production and related services, for the prices and on the terms set forth in the Proposal submitted by Media Consultants, LLC entitled “Borough of MontVale Studio Management Proposal” for the Borough of Montvale.

BE IT FURTHER RESOLVED that the pricing for this contract shall be for a total of \$39,900.00 as set forth in the MC Proposal and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A.* 40A:11-5(1)(a)(ii), a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

Amount \$39,900.00 / Account # 8-01-20-701-028

150-2018 Providing For The Combination Of Certain Issues Of General Improvement Bonds Series 2018 Of the Borough of Montvale Into a Single Issue Of Bonds Aggregating \$9,770,000 In Principal Amount

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

Pursuant to the provisions of *N.J.S.A.* 40A:2-26(f), the Bonds of the Borough of Montvale, in the County of Bergen, New Jersey (the “Borough”) authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds, Series 2018, in the principal amount of \$9,770,000 (the “Bonds”).

The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
#2016-1409	\$4,855,000	Construction of a Fire House, finally adopted March 29, 2016.	30 years
#2016-1413	\$1,400,000	Various capital improvements, finally adopted May 10, 2016.	23.16 years
#2017-1425	\$1,187,500	Various capital improvements, finally adopted April 25, 2017.	15.40 years
#2017-1430	\$665,000	Acquisition of property, finally adopted July 11, 2017.	40 years
#2018-1447	\$1,662,500	Various capital improvements, finally adopted May 8, 2018.	15.71 years
TOTAL	\$9,770,000		25.49 years

The following matters are hereby determined with respect to the combined issue of Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 25.49 years.

The Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2018" and shall mature within the average period of usefulness herein determined.

The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

This resolution shall take effect immediately.

151-2018 Award Professional Service Contract / Environmental Services / Block 1601 Lot 1 / 25 West Grand Ave / Phase II Investigation & Tank Closure / Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to conduct a complete Environmental Investigation prior to the Borough of Montvale's acquisition of the property located at 25 West Grand Avenue; 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 12, 2018 to provide the Phase II ESA and Closing the

Underground Heating Oil Storage Tank the 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 environmental 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: Environmental Services/Phase II
- 3) The cost not to exceed the total amount of \$47,850.00. 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.

AMOUNT \$47,850.00 / ACCOUNT # C-04-55-430-A00

152-2018 Awarding Professional Service Contract/2018 Roadway & Storm Sewer Emergency Repairs Preparation of Bidding Specifications/Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to prepare specifications for emergency repairs to roadways, curving, sidewalks, inlets and any other items associated with roadway or storm sewer failure; 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 21, 2018 to bid specifications 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 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: Preparation of Bid Specifications 2018 Roadway and Storm Sewer Emergency Repairs
- 3) The cost not to exceed the total amount of \$5,000.00. 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.

AMOUNT \$5,000.00 / ACCOUNT #8-01-20-715-029

153-2018 Awarding Professional Service Contract/2018 Emergency Sanitary Sewer Repairs Preparation of Bidding Specifications/Maser Consulting, LLC

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to prepare specifications for emergency repairs to including piping network, man holes and pump stations; 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 21, 2018 to bid specifications 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 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: Preparation of Bid Specifications 2018 Emergency Sanitary Sewer Repairs
- 3) The cost not to exceed the total amount of \$8,500.00. 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.

AMOUNT \$8,500.00 ACCOUNT # 8-01-20-715-029

155-2018 Resolution Determining The Form And Other Details Of \$9,770,000 General Improvement Bonds, Series 2018 Of The Borough Of Montvale, In The County Of Bergen, New Jersey And Providing For Their Sale.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

Section 1. (a) The \$9,770,000 General Improvement Bonds, Series 2018 of the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough"), referred to and described in a resolution of the Borough adopted on July 10, 2018, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2018 of the Borough of Montvale, in the County of Bergen, New Jersey Into a Single Issue of Bonds Aggregating \$9,770,000 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds, Series 2018" (the "Bonds").

(b) The Bonds shall mature in the principal amounts on August 15 as follows:

Year	Principal Amount	Year	Principal Amount
2019	\$600,000	2025	\$800,000
2020	\$900,000	2026	\$800,000
2021	\$900,000	2027	\$800,000
2022	\$950,000	2028	\$800,000
2023	\$800,000	2029	\$800,000
2024	\$800,000	2030	\$820,000

(c) The actual principal amounts may be adjusted by the Borough, at its option, in accordance with N.J.S.A. 40A:2-26(g). Any such adjustment shall not exceed 10% of the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall issue.

(d) The Bonds shall be subject to redemption prior to their stated maturity in accordance with the Notice of Sale attached hereto as Exhibit A.

(e) The Bonds shall be twelve in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-12, inclusive.

(f) The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the fifteenth day of February and August in each year until maturity or earlier redemption, commencing on February 15, 2019, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

(g) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 2. (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000, or any integral multiple in excess thereof through book-entries made on the books and the records of the Securities Depository and its participants.

(b) The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding February 1 and August 1 (the "Record Dates" for the Bonds).

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of the Securities Depository:

Councilmember Weaver asked for clarification on Resolution 149-2018 for Media Consultants, the clerk stated this is for their annual contract which includes taping of the meetings, interviews and outside events

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

This resolution was pulled from the consent agenda for further discussion:

154-2018 Authorize 2018 Memorial School Paving Project/Borough of Montvale's Portion/Alternate

WHEREAS, the Montvale Board of Education is in the process of conducting a paving project behind Memorial School which involves widening the Kinderpath, shifting the location of the Community Path, and milling and paving the blacktop behind the school, in order to ensure the safety of students and their families; and

WHEREAS, the public bid package issued by the Board of Education included Alternate B, the scope of which included paving near the snack stand and the dumpster, which is an area owned by the Borough of Montvale; and

WHEREAS, N.J.S.A. 40A:11-10 authorizes municipalities to enter into "joint agreement[s] for the provision and performance of goods and services" with any other contracting entity, including a Board of Education; and

WHEREAS, the lowest bidder on the project included a price of \$8,245.20 for Alternate B, which the Montvale Board of Education has requested that the Borough of Montvale fund if the Borough would like the work set forth in Alternate B to be completed; and

WHEREAS, the Borough of Montvale is desirous of approving this agreement and authorizing the expenditure of \$8,245.20 to fund the work described herein.

NOW, THEREFORE, BE IT RESOLVED that the funding agreement with the Montvale Board of Education is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and all other appropriate officials are hereby directed, authorized and empowered to execute all documents and take all steps reasonably necessary to effectuate the purposes of this resolution and to provide \$8,245.20 in funding to the Montvale Board of Education for the above-referenced paving project.

Mr. Hipolit gave a brief explanation that the Montvale BOE will be paving the paths near and around Memorial School; in addition, there is a section near the snack stand and the dumpster which is owned by the borough, the BOE is asking the borough to fund that portion of the project at a cost of \$8,245.00; councilmembers agreed.

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Koelling; seconded by Councilmember Gloeggler - all ayes

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

COMMITTEE REPORTS:

Council President Koelling

Tri-Boro

Montvale logged: 52 calls; 618 miles; 65.12 crew hours

Police

Monthly report included in original minutes

Celebrated Lieutenant Don Boman's last shift

Environmental Commission

Huff pond check valve and clean up; Mayor Ghassali stated that a possible donation of \$100,000 will be forth coming; Mr. Hipolit asked if the borough budgeted for the repair of the check valve and the clean up and the clerk stated it was not included in the budget; also another topic of what to do with the swim club lot, some suggestions are a community garden, walking trail, pavilions, dog parks. Lastly, to add a sign at Huff Pond, "catch and release"

Councilmember Weaver

Regional School

End of the year newsletter is now available on the school website;

Economic Development Committee

The committee is working on hosting a gala, more information to follow

The school community set up a GoFundMe Page for a Fieldstone teacher, who has ALS, Donna Myhre;

Councilmember Arendacs

Recreation/Special Events

Day in the Park was well attended and fireworks were enjoyed by all; Lisa Dent would like to thank Mayor and Council, the special events committee, fire department, police department, tri-boro ambulance, fire prevention, Pascack Valley DPW, Montvale PBA, BT Specialties and Wegmans

Hosting Movie Under the Stars, showing Coco – July 20th at 8:45pm; The Jungle Book – August 3 at 8:30pm and Hook – August 17 at 8:15pm; field use permit applications for the Fall 2018 season are now being accepted.

Summer camp has 285 campers attending

Engineering

2017 road program is now complete; Chestnut Ridge Road project will begin in August; 2018 road program will go out to bid shortly;

Safety concern at Grand Ave and Woodland Road, Mr. Hipolit stated he met with the county and discussed about putting some temporary measures in the area, he will follow up with the county. Mr. Hipolit suggested passing a resolution to encourage the county to implement temporary measures to prevent the passing on the right and also to install a light at the intersection. A motion to draft a resolution by Councilmember Koelling; seconded by Councilmember Weaver – all ayes

Another safety concern is by the Dairy Queen, Mr. Hipolit stated it is private property, suggested speaking with the owners, Mayor Ghassali and Councilmember Arendacs will contact the owners

Councilmember Curry**Construction**

33 property maintenance violation were issued in June; brick pavers will be installed by the new digital sign; light bulb replacement at LaTrenta field has been completed; replacement chairs for the senior center have been ordered; security cameras and a key fob system will be installed at the senior center;

Board of Health

Next meeting is scheduled for September 4th; Flu clinic is scheduled for September 15th

Newsletter

Has been redesigned, go to the borough website to sign up to receive the newsletter;

Planning Board

There will be a change in how they post their agendas on the website, it will now include the minutes, resolutions, use permits and other related documents;

Senior Events/Activities

For all activities go to the borough website for more information; a picnic in the park is scheduled for September 20th

Chamber of Commerce

Street Fair had approximately 30,000 visitors; has a new website www.montvalechamber.com

Councilmember Gloeggler**TV Access**

All new equipment has been installed; and will be televising the council's workshop meeting as well

MAYOR**Library**

Circulation 9,281; 5,414 patron visits; 35 cards issued; hired a new director, Paul Shaver, he will start on July 24th;

Report

Attended a farewell meeting with Mercedes Benz, the CFO stated that the reason why they left because it was 40% less to operate in Georgia then New Jersey; attended the grand opening of Memorial Sloan Kettering; at the town hall meeting approximately 80 residents attended and some topics were roads, pot holes; met with KPMG new management team; attended the retirement luncheon for Lieutenant Don Boman; attended a round table discussion with Congressman's Josh Gottheimer and Tom Reid on how major issues in Washington effect local governments; a committee has been set up to have a Mayor's gala fundraiser for the teacher, Mrs. Myhre, more details to follow; the 9/11 committee started planning this year's ceremony; and lastly, the borough will be celebrating its 125th anniversary in August 2019, a committee will be formed to start the preparation of the celebration;

Councilmember Gloeggler added a special thank you to Mayor Ghassali in regards to KPMG, one of the reasons why they are staying in Montvale, is because of the sense and feel of the community and making them feel part of it; Councilmember Koelling agreed;

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Report Paving Sidewalks/Spring Valley Road

Being that some funds remain in the 2017 road program, as originally discussed, it was decided to remove the asphalt on the sidewalks by Spring Valley Road to make them smooth; when walking the site it has been determined that some portions of the area will not be conforming sidewalk; a conforming sidewalk is 4 feet wide; Councilmember Curry mentioned the intent was to just smooth it out, not to make it conforming; Councilmember Weaver asked why was it just noticed now about it not be conforming, and that we cannot do the work we were expecting to do, despite all the conversation we had about it? Mr. Hipolit answered that it was never a project which included a design plan; Mayor Ghassali asked what would we have to do to make it conforming, Mr. Hipolit stated you would have to go on private property and it would cost more money; it was decided to do it in kind for a cost of \$30,000, a motion by Councilmember Koelling; seconded by Councilmember Curry – a roll call was taken – all ayes

b. Update/Status Fieldstone Field Synthetic Turf

Mr. Hipolit stated Maser oversees the project and is not the contractor; when inspecting the project it was brought to the attention of the contractor that it was installed incorrectly and they continued to install it; in speaking with the contractor, they will be on site this week taking measurements and they stated the repair will take a day to do; payment has been withheld until the job is complete;

c. Lime Energy Update

They conducted their site visit which included the HVAC system and walked the building; should have their report in a few weeks;

d. Bamboo Removal Update

It has been removed by DPW for the second time; the process is to expose the roots so they can die; will be monitoring it, to see what happens;

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

Councilmember Weaver mentioned that at the last meeting it was voted unanimously by council to suggest the Planning Board televise their meetings; Mayor Ghassali stated he did mention this once again to the Planning Board and their position is still the same, they will not televise their meetings; the attorney stated you cannot compel the board to do so; Councilmember Weaver stated we did this for the BOE and stated we would pass a resolution, a motion to pass a resolution by Councilmember Weaver; seconded by Councilmember Arendacs – a roll call vote was taken with Councilmembers Arendacs, Gloeggler, Koelling and Weaver voting – yes and Councilmember Curry voting – no

Swim Club lot

Councilmember Weaver mentioned that a committee has been formed, discussions have been made, suggestions of what should go there have been made; what happens now, what is the process; do we need an architect first to see the cost; Councilmember Curry said we need to decide what is going there first before hiring an architect; Councilmember Weaver stated we need to work with someone to see what can be put there, get ideas, etc.

NEW BUSINESS:

a. Written Property Maintenance Protocol/Proposed Distribution Website & Newsletter/Property Maintenance Official/J. Fette

The clerk stated to councilmembers this is for informational purpose and to let the public know what the process is

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 Koelling; seconded by Councilmember Weaver - all ayes

Bob Zitelli

Suggested to use power point on the numbers being reported by councilmembers in their committee reports; put signs by the basketball court about etiquette; suggested about having someone issuing the badges at the courts; suggested adult court use hours;

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

ADJOURNMENT

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

Meeting was adjourned at 9:54pm

The next Workshop Session of the Mayor and Council will be held July 31, 2018 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk