

**WORK SESSION  
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:30pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

**OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting was provided to The Bergen Record informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

**ROLL CALL:**

Councilmember Arendacs	Councilmember Lane - absent
Councilmember Cudequest	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

Also Present: Mayor Ghassali; Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; Borough Engineer, Andy Hipolit; Municipal Clerk, Fran Scordo

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE NO. 2023-1531** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO INCREASE THE BUILDING SUBCODE FEES FOR NEW CONSTRUCTION AND ADDITIONS TO EXISTING STRUCTURES

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

**Section 1.** Chapter 170, "Construction Codes, Uniform," Section 10, "Construction permit," shall be amended to increase the fees for new construction and additions from \$0.0371 to \$0.055 per cubic foot, so that subsections A(1) and A(3) read as follows:

- (1) New construction: \$0.055 per cubic foot of building or structure volume.
- (3) Additions: \$0.055 per cubic foot of building or structure volume

**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All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.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or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.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.

A motion Introduced for second reading **Ordinance No. 2023-1531** by Councilmember Cudequest; seconded by Councilmember Roche; Clerk read by title only.

Motion to open meeting to public by Councilmember Koelling; seconded by Councilmember Russo-Vogelsang - all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Roche; seconded by Councilmember Cudequest - all ayes

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Roche; seconded by Councilmember Koelling; Clerk read by title only. - All ayes on a roll call vote

**INTRODUCTION OF ORDINANCE NO. 2023-1532** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 203 OF THE BOROUGH CODE TO CLARIFY AND EXPAND REQUIREMENTS FOR SMOKE-SENSITIVE ALARM DEVICES AND CARBON MONOXIDE ALARMS IN CERTAIN DWELLINGS AND TO REQUIRE CERTAIN INSPECTIONS THEREOF UPON THE SALE, LEASE OR CHANGE OF OCCUPANCY OF SUCH UNITS

(public hearing 4-13-23)

A motion to Introduce Ordinance **2023-1532** for first reading was made by Councilmember Cudequest; seconded by Councilmember Roche; Clerk read by title only; Councilmember Roche made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Koelling - a roll call was taken – all ayes

**INTRODUCTION ORDINANCE NO. 2023-1533** CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

(public hearing 4-13-23)

A motion to Introduce Ordinance **2023-1533** for first reading was made by Councilmember Cudequest; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Roche made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Koelling - a roll call was taken – all ayes

**INTRODUCTION OF ORDINANCE NO. 2023-1534** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385 OF THE BOROUGH CODE TO AMEND CERTAIN RESTRICTIONS ON AKERS AVENUE

(public hearing 4-13-23)

A motion to Introduce Ordinance **2023-1534** for first reading was made by Councilmember Cudequest; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Roche made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Cudequest - a roll call was taken – all ayes

**INTRODUCTION OF BOND ORDINANCE NO. 2023-1535** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,848,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,735,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

(public hearing 4-25-23)

A motion to Introduce Ordinance **2023-1535** for first reading was made by Councilmember Cudequest; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Roche made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Koelling - a roll call was taken – all ayes

**86-2023 RE: Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the governing body of the Borough of Montvale, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

**87-2023 Introduction 2023 Municipal Budget**

**BE IT RESOLVED**, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Montvale, Bergen County, New Jersey for the year 2023.

**BE IT FURTHER RESOLVED**, that the said budget be published in The Bergen Record in the issue of April 2, 2023 and that a hearing on the Budget will be held at the Montvale Municipal Complex, 12 DePiero Drive Council Chambers, Montvale NJ on April 25, 2023 at 7:30 o’clock p.m.

Introduced by: Councilmember Arendacs; seconded by Councilmember Roche - a roll call was taken - all ayes

**MINUTES:**

**March 14, 2023**

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

**CLOSED/EXECUTIVE MINUTES:**

**March 14, 2023**

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

**RESOLUTIONS: (CONSENT AGENDA\*)**

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

**88-2023 Temporary Appropriations For Operating Purposes – Pension Fund Obligations**

**WHEREAS**, N.J.S.A. 40A:4-20 provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make temporary emergency appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year and the date of the adoption of the budget for the current fiscal year; and

**WHEREAS**, the amount of such emergency temporary appropriations shall be included under corresponding headings in the budget as adopted or, if such appropriations are adopted after the introduction and approval of the budget and were not included in the budget as approved, such appropriations shall be included by an amendment in the budget as adopted without public advertisement or public hearing; and

**WHEREAS**, the Borough has deemed certain emergency temporary appropriations necessary, and such appropriations conform to the provisions of N.J.S.A. 40A:4-20.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all members thereof affirmatively concurring) that pursuant to N.J.S.A. 40A:4-20, an emergency temporary appropriation be, and the same is hereby made for:

Current Fund: \$ 1,531,273

**BE IT FURTHER RESOLVED** that the said temporary emergency appropriations will be provided for in the 2023 Budget under the title of same.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby directed to file a certified copy of the resolution with the Director of the Division of Local Government Services.

**89-2023 Amending Resolution 151-2022 A Resolution Authorizing Appointment Of Municipal Representatives To The Bergen County Community Development Regional Committee**

**WHEREAS**, the Municipality of Borough of Montvale has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the mayor appoint a representative and alternate for the FY 2022-2023 term starting July 1, 2022 and ending on June 30, 2023.

**NOW THEREFORE, BE IT RESOLVED** that the Municipal Council hereby appoints Joseph Voytus as its representative and Councilmember Dieter Koelling as its alternate and that the Mayor hereby appoints Councilmember Timothy Lane as his representative and Councilmember Douglas Arendacs as his alternate to serve on the Community Development Regional Committee for FY 2022-2023; and

**BE IT FURTHER RESOLVED** that an original, certified copy of this resolution be immediately emailed to Robert G. Esposito, Director; Bergen County Division of Community Development at [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us)

**90-2023 Mayor and Council Meeting Date Changes for remainder of the 2023 year**

**BE IT RESOLVED** that **ALL** meetings of the Mayor and Borough Council are **OPEN TO THE PUBLIC** and shall be held on the following dates for the remainder of the year 2023 at the location of Borough of Montvale, Municipal Complex, 12 DePiero Drive, 2<sup>ND</sup> Floor, Montvale, New Jersey.

April 13	Public Meeting
April 25	Workshop Session
May 11	Public Meeting
May 30	Workshop Session
June 8	Public Meeting
June 27	Workshop Session
July 13	Public Meeting
July 25	Workshop Session
August 10	Public Meeting
September 14	Public Meeting
September 26	Workshop Session
October 12	Public Meeting
October 24	Workshop Session
November 28	Workshop Session
December 14	Public Meeting

**ALL meetings will commence at 7:30pm and are OPEN TO THE PUBLIC.** Closed sessions of the Mayor and Council may commence before 7:30 pm as indicated on the agenda for that meeting.

Meeting dates are subject to change. 48-hour notification will be provided as per N.J.S.A. 10:4-18.

**ACTION MAY BE TAKEN AT BOTH PUBLIC AND WORKSHOP MEETINGS.**

**91-2023 A Resolution Approving a Developer’s Agreement with SHG Montvale MB, LLC Premises Identified as Block 2702, Lot 1.01 (Various Qualifiers) F/K/A Block 2702, Lot 1 and Block 2801, Lot 2 and Block 3201, Lot 6 in the Borough of Montvale**

**WHEREAS**, SHG Montvale MB, LLC (“Developer”) owner of the premises known as Block 2702, Lot 1.01 and Block 3201, Lot 6 made an application to the Planning Board for preliminary and final major subdivision approval, together with certain variances and waivers and a major soil movement permit; and

**WHEREAS**, the Planning Board approved the Development by resolution dated September 20, 2022; and

**WHEREAS**, pursuant thereto, the Borough, Planning Board and Developer are desirous of executing a Developer’s Agreement setting forth the parties’ respective rights and obligations concerning said approval; and

**WHEREAS**, a Developer’s Agreement has been negotiated by and between the parties and has been executed by the Developer and the Chairman of the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Developer’s Agreement dated March 21st 2023, between the Borough of Montvale, the Planning Board of the Borough of Montvale, and SHG Montvale MB, LLC is hereby approved; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the Developer’s Agreement with the Developer and to take all other steps reasonably necessary to effectuate the provisions and purposes of this resolution.

**92-2023 Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to Harwood Lloyd, LLC**

**WHEREAS**, the Pascack Joint Municipal Court has a need to contract with a licensed attorney or firm to serve as the municipal prosecutor pursuant to N.J.S.A. 2B:24-1, et seq.; and

**WHEREAS**, the Pascack Municipal Court Committee agreed to acquire Attorney Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

**WHEREAS**, it is the desire of the Pascack Joint Municipal Court to appoint the firm of Harwood Lloyd, LLC as the municipal prosecutor, with Peter A. Wojcik, Esq. serving as the lead attorney; and

**WHEREAS**, it is the desire of the Pascack Joint Municipal Court to appoint the firm of Harwood Lloyd, LLC as the municipal prosecutor, with Gregory J. Irwin serving as the alternate attorney; and

**WHEREAS**, it is expected that Peter A. Wojcik, Esq. will serve as the primary municipal prosecutor and will handle all matters and attend all sessions of the Pascack Joint Municipal Court barring exceptional circumstances; and

**WHEREAS**, the compensation of the municipal prosecutor shall be \$33,000 per year; and

**WHEREAS**, said compensation shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

**WHEREAS**, the term of this contract shall commence as of the date of this resolution, and shall continue for the remainder of the calendar year 2023; and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds; and,

**WHEREAS**, the Local Public Contracts Law (*N.J.S.A. 40A:11-1*, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale as follows:

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.
2. The Contracts, including the terms of compensation for each professional, shall be placed on file with this resolution.
3. A Notice of this action shall be printed once in the official newspaper of the Borough.

**93-2023 A Resolution Requesting Permission For The Dedication By Rider For Donations – Acceptance Of Bequests And Gifts – Public Improvements Pursuant To N.J.S.A. 40:5-29**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40:5-29 provides for receipt of Donations – Acceptance of Bequests and Gifts by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Donations – Acceptance of Bequests and Gifts are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, as follows:

The Governing Body requests permission from the Director of the Division of Local Government Services to pay expenditures of the Donations – Acceptance of Bequests and Gifts – Public Improvements pursuant to *N.J.S.A. 40:5-29*.

The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

**RESOLUTIONS:****94-2023 A Resolution Approving an Addendum to the Shared Services Agreement with the Township of River Vale Concerning the Pascack Valley Department of Public Works**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (*N.J.S.A. 40A:65-1 et seq.*) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

**WHEREAS**, the Mayor and Council of the Borough of Montvale are constantly exploring options available to the Borough to obtain cost savings for Borough residents in the performance of various services, while still maintaining quality of performance and a high level of professionalism; and

**WHEREAS**, in furtherance of this mission, in 2013 a mutually-supported feasibility study identified opportunities to further improve the efficacy of Public Works operations for the Municipalities, while reducing the costs of delivering Public Works services for the respective local governments; and

**WHEREAS**, the Municipalities previously determined it to be in their mutual best interests to provide for a shared Department of Public Works (DPW) to be known as the "Pascack Valley Department of Public Works" serving the Township of River Vale and the Borough of Montvale to provide services to their respective Municipalities, with River Vale as the Lead Agency; and

**WHEREAS**, the parties entered into a Shared Services Agreement ("SSA") in 2013, which was established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (*C.40A:65-1, et seq.*); and

**WHEREAS**, the parties renewed this SSA in 2019, in accordance with the Uniform Shared Services and Consolidation Act; and

**WHEREAS**, the parties have negotiated an Addendum to the SSA to amend certain provisions related to, *inter alia*, capital expenditures and the storm trust, and to further extend the agreement in furtherance of the parties' joint desire to continue a mutually-beneficial shared service; and

**WHEREAS**, *N.J.S.A. 40A:65-1 et seq.* requires that the Shared Services Agreement be approved by resolution of the governing body of each participating municipality; and

**WHEREAS**, the Mayor and Council are desirous of authorizing the attached Addendum to Shared Services Agreement with the Township of River Vale concerning the Pascack Valley Department of Public Works pursuant to *N.J.S.A. 40A:65-5(a)*; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:65-5(b)*, a copy of the Shared Services Agreement with the Addendum shall be available for public inspection at the Municipal Complex immediately after passage of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the Mayor and Borough Clerk are directed, authorized and empowered to execute the negotiated Addendum to Shared Services Agreement with the Township of River Vale concerning the operation of the Pascack Valley Department of Public Works, as well as all other documents necessary to effectuate the purposes of this Resolution.

**BE IT FURTHER RESOLVED** that pursuant to *N.J.S.A. 40A:65-5(b)*, the Borough Clerk shall make the Shared Services Agreement with Addendum available for public inspection at the Municipal Complex immediately after passage of this Resolution.

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

**95-2023 A Resolution Declaring an Emergency Affecting Public Health, Safety and Welfare and Awarding an Emergency Contract Pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 to All County Mechanical Contracting**

**WHEREAS**, the Borough's Buildings and Grounds Official, by memorandum dated March 28, 2023, advised the Borough Council, Administrator, CFO, Auditor and QPA that the Trane Air

Conditioning Unit at the Municipal Building is no longer operational and must be immediately replaced; and

**WHEREAS**, the Trane AC Unit supplies the air conditioning for the entire second floor of the Municipal Building, other than the Police Department, and in order to have the air conditioning function properly, it is necessary to install a new condenser, a new air handler, and connect this new unit to the existing system; and

**WHEREAS**, it would create an unsafe working environment and pose a danger to the health and safety of the general public and the Borough's employees if this unit is not fixed as soon as reasonably practicable; and

**WHEREAS**, due to the lead time for ordering and fabrication of a new condenser unit, it is necessary to immediately place an order for this equipment so that the work can be performed before the hot summer months; and

**WHEREAS**, the Buildings and Grounds Official submitted a memorandum to the Mayor and Council dated March 28, 2023, a copy of which is attached hereto, which detailed the risk to the public as a result of the non-operational AC unit, the efforts undertaken to solicit proposals from a variety of contractors, including those on State Contract, in-state co-ops, and other local, experienced vendors; and

**WHEREAS**, the Official was unable to obtain a single proposal from any contractor on a State Contract or an in-state co-op, despite numerous phone calls, on-site inspections and repeated follow-ups; and

**WHEREAS**, the Borough's Buildings and Grounds Official has advised that putting this project out for public bidding would prevent the ability to perform the work before the summer, and would exacerbate the risk to the public; and

**WHEREAS**, it is necessary to proceed immediately with a contract for the AC Unit replacement to protect the health and safety of the public; and

**WHEREAS**, this emergency situation could not have been reasonably foreseen by the Borough, and the need for this emergency procurement has arisen despite a good faith effort on the part of the Borough to plan for the procurement of these goods and services; and

**WHEREAS**, as a result of the Buildings and Grounds Official's March 28, 2023 Memorandum, the Borough Administrator is satisfied that the situation constitutes an "imminent emergency" for purposes of N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1; and

**WHEREAS**, the Buildings and Grounds Official did solicit proposals from more than ten (10) contractors, but was only able to obtain proposals from three (3) interested and qualified contractors to perform the work required; and

**WHEREAS**, the three quotes received by the Official were as follows:

All County Mechanical Contracting:	\$212,750.00
Air Systems Maintenance:	\$358,500.00
Bear Creek Heating and Cooling:	\$392,500.00

**WHEREAS**, All County Mechanical Contracting submitted the lowest proposal, in the total amount of \$212,750.00; and

**WHEREAS**, the scope of the contract to be awarded is intended only to meet the immediate needs of the emergency and does not include any extraneous work not necessary to address the immediate emergency; and

**WHEREAS**, the Borough Council is satisfied based upon the memorandum from the Buildings and Grounds Official dated March 28, 2023, that the condition at the Montvale Municipal Building concerning the non-operational Trane AC Unit represent a danger to the health and safety of the general public and thus constitute an "imminent emergency" for purposes of N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1; and

**WHEREAS**, the Borough Council is desirous of approving a contract to All County Mechanical Contracting as 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** by the Governing Body as follows:

1. The recitals set forth above are incorporated herein as if set forth at length.
2. The Borough Council hereby declares that the situation at the Montvale Municipal Complex concerning the non-operational Trane AC Unit constitutes an “imminent emergency” justifying the use of emergency procurement procedures.
3. The contract with All County Mechanical Contracting in the amount of \$212,750.00 pursuant to the March 24, 2023 proposal is hereby approved.
4. A copy of the March 28, 2023 memorandum from the Buildings and Grounds Official concerning the emergency and the receipt of proposals, shall be filed in the minutes along with this resolution.

Introduced by: Councilmember Roche; seconded by Councilmember Cudequest - all ayes

**BILLS: Administrator read the Bill Report**

Motion to pay bills by Councilmember Roche; seconded by Councilmember Arendacs - all ayes

**ENGINEER’S REPORT:**

Andrew Hipolit  
Report/Update

a. Update - Summit Ave

This is a NJDOT grant. Paving will be from Spring Valley Road to the NY border. Anticipating to start late summer.

b. Update - Grand Ave

PSEG will be doing gas main replacements along Grand Ave from the high school to Chestnut Ridge Road. This project will take approximately 3 months or so.

c. Bergen County Municipal Park Grant

This is a broad grant, possibly could receive about \$100,000. You can try to apply for lights at LaTrenta field but to replace all the lights would be upwards of 1 million dollars. Another grant available would be to install synthetic turf for the infield at LaTrenta, cost might be \$350,000 with a grant of \$130,000. The engineer stated the later grant would be beneficial because a lot of your maintenance of the field would go away. Councilmembers approved the engineer to apply for the grant for the synthetic turf.

d. Huff Park Playground

Joe mentioned about the prior grant for the playground for the re-surfacing. He spoke with the county in regards to the smaller playground is in need of improvement in addition to surfacing, the county agreed with the change. The engineer will provide the county with a scope of change letter to order to move forward.

e. Street Paving

Suggested roads will be entire length of Magnolia, Williams, Camron, Arthur, Rutherford and Hillcrest

**ATTORNEY REPORT:**

David Lafferty, Esq.  
Report/Update  
No Report

**ADMINISTRATOR REPORT:**

Joe Voytus

Report/Update

- a. Update on Library Reading Garden

Large stones were delivered and 2 stumps were removed

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- a. HVAC – Update - Proposals

Resolution 95-2023 was passed to award contract

**COMMUNICATION CORRESPONDENCE:**

None

**MEETING OPEN TO THE PUBLIC:**

**HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:**

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

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

Clint Miller

With the new convenience store at the gas station on Railroad Ave, he has concerns of the traffic flow onto Kinderkamack Road. The engineer stated to wait and see once it opens to evaluate the traffic.

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

**ADJOURNMENT:**

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

Meeting adjourned at 8:10pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, April 13, 2023  
Public Hearing and Presentation of Municipal Budget will be held at 7:30pm on April 25, 2023

**Respectfully submitted, Frances Scordo, Municipal Clerk**