

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:30PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Carolee Adams 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 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, Dave Lafferty; Borough Engineer, Andy Hipolit; Administrator, Joe Voytus; Municipal Clerk, Fran Scordo and Deputy Clerk, Carol Manhart

**ROLL CALL:**

Councilmember Arendacs

Councilmember Lane - absent

Councilmember Cudequest

Councilmember Roche

Councilmember Koelling

Councilmember Russo-Vogelsang

**Proclamation: Declaring May 17, 2023 World Neurofibromatosis (NF) Awareness Day**

Original included with minutes

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE NO. 2023-1536** AN ORDINANCE AUTHORIZING THE BOROUGH OF MONTVALE TO ACQUIRE CERTAIN REAL PROPERTY FOR PUBLIC PURPOSES CONSISTING OF APPROXIMATELY 8.393 ACRES KNOWN AS 53 CRAIG ROAD AND A PORTION OF SUMMIT AVENUE, MONTVALE, NEW JERSEY, IDENTIFIED AS BLOCK 1903, LOT 5 (2.67 ACRES) AND A PORTION OF BLOCK 1903, LOT 3 (5.723 ACRES), PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1, ET SEQ.

**WHEREAS**, N.J.S.A. 40A:12-5 authorizes municipalities to acquire real property by way of negotiated purchase; and

**WHEREAS**, in order to effect such a purchase, a municipality must adopt an ordinance authorizing same; and

**WHEREAS**, the Governing Body of the Borough of Montvale has deemed it necessary and advisable to acquire certain real property in the Borough known as 53 Craig Road and a portion of Summit Avenue consisting of approximately 8.393 acres and, and identified as Block 1903, Lot 5 (2.67 acres) and a portion of Block 1903, Lot 3 (5.723 acres) on the Official Tax Map of the Borough (the "Property"); and

**WHEREAS**, the Property consists of both vacant land and improvements and is situated in a location suitable for passive or active recreation purposes; and

**WHEREAS**, the Property is available for purchase and has been the subject of negotiations between the Owner of the Property and the Borough; and

**WHEREAS**, the Borough subsequently issued a Letter of Intent to the Owners of the Property, which was accepted by the Seller and its attorney; and

**WHEREAS**, the funding for the purchase of the Property shall come from a Bond Ordinance to be adopted by the Borough, and the purchase shall be conditioned upon the Borough receiving funding from said Ordinance; and

**WHEREAS**, the Borough Council has determined that it is in the best interests of the Borough of Montvale to acquire the Property for the purposes set forth herein.

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

**Section 1.** The Mayor, Borough Clerk and all other appropriate officials, consultants, agents and employees of the Borough are hereby directed, authorized and empowered to execute all documents, and to take all steps necessary and appropriate to acquire, by way of negotiated purchase, the real property known as 53 Craig Road and a portion of Summit Avenue consisting of approximately 8.393 acres and, and identified as Block 1903, Lot 5 (2.67 acres) and a portion of Block 1903, Lot 3 (5.723 acres) on the Official Tax Map of the Borough (the "Property"); consistent or substantially consistent with the terms of the attached Purchase Agreement negotiated with the Estate of Elaine DePiero. Further, the Borough hereby authorizes the negotiation and execution of a Use and Occupancy Agreement by which the Seller and/or other parties may continue to operate the existing business at the Property for a period of up to one year following closing.

**Section 2.** The Borough Council hereby confirms its approval of the fair market value of the Property of \$4,982,091.00 as of the date of the adoption of this Ordinance, subject to usual and customary adjustments and as set forth in the Purchase Agreement.

**Section 3.** This purchase is authorized by the provisions of the Local Lands and Buildings Law, and specifically N.J.S.A. 40A:12-5, which permits a municipality, by ordinance, to purchase any real property for public purposes.

**Section 4.** If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

**Section 5.** All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 6.** This Ordinance shall take effect immediately.

A motion Introduced for second reading **Ordinance No. 2023-1536** by Councilmember Cudequest; seconded by Councilmember Roche; Clerk read by title only.

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

Carolee Adams

In favor of the ordinance and look forward to seeing what is done with the property.

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

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

**INTRODUCTION OF ORDINANCE NO. 2023-1538** AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2023-1529 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2023  
(public hearing 5-30-23)

A motion to Introduce Ordinance **2023-1538** 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 Cudequest - a roll call was taken – all ayes

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

Motion to open meeting to the public by Councilmember Roche; seconded by Councilmember Cudequest – all ayes

Carolee Adams

In reference to Resolution 118-2023 – Senate Bill 3739, would like to encourage the Democratic party to co-sponsor this bill as well.

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

**April 25, 2023**

A motion to accept minutes by Councilmember Cudequest; seconded by Councilmember Roche - all ayes

**CLOSED/EXECUTIVE MINUTES:**

None

**RESOLUTIONS:**

**114-2023 Authorize The Cancellation of 3<sup>rd</sup> & 4<sup>th</sup> quarter taxes year 2023 and All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs**

**WHEREAS**, this resolution authorizes the municipality to cancel property taxes for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2023 and for all future taxes due to the granting of totally disabled veteran status by the Department of Veterans Affairs per the Department's letter attached to the original resolution, for Dieter Koelling. Mr. Koelling is the owner of 12 Highland Road, Block 2203, Lot 2.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to cancel 3<sup>rd</sup> and 4<sup>th</sup> quarter property taxes and all future taxes as per the above.

Introduced by: Councilmember Cudequest; seconded by Councilmember Russo-Vogelsang  
- a roll call vote was taken - all ayes with the exception of Councilmember Koelling abstaining

**115-2023 Refund Overpayment of Taxes - Due to Veteran Exempt Status**

**WHEREAS**, a resolution authorizing the Borough of Montvale to refund the following overpayment of taxes; and

**WHEREAS**, the owner of 12 Highland Road, Dieter Koelling, is totally exempt from taxes due to his Veteran status; and

**WHEREAS**, Mr. Koelling paid the 1<sup>st</sup> and 2<sup>nd</sup> installments for the year 2023, which resulted in an overpayment of taxes in the amount of \$4,860.00; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund in the amount of \$4,860.00 to Dieter Koelling, 12 Highland Road, Montvale, NJ 07645

Introduced by: Councilmember Roche; seconded by Councilmember Cudequest - a roll call vote was taken - all ayes with the exception of Councilmember Koelling 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.

**116-2023 Authorize Hiring Full Time Technical Assistant – Carmen Stefano**

**WHEREAS**, Carmen Stefano meets the qualifications for the position of Technical Assistant and agrees to the terms and conditions of employment, and has previously completed a satisfactory background investigation; and

**NOW THEREFORE, BE IT RESOLEVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the above named individual is hereby appointed to the position of a full-time Technical Assistant, effective May 16, 2023.

**117-2023 Amending Resolution No. 45-2023 To Establish Recreational Fees for Year 2023**

**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:****Weekdays:**

8:00AM - 2:00PM Pickleball  
2:00PM - Dusk Roller/Street Hockey

**Weekends:**

8:00AM - 10:00AM Pickleball  
10:00AM - 2:00PM Roller/Street Hockey  
2:00PM - 5:00PM Pickleball  
5:00PM - Dusk Roller/Street Hockey

<b><u>Program Name</u></b>	<b><u>Session Length</u></b>	<b><u>Resident Fee</u></b>	<b><u>Non-Resident Fee</u></b>
<b>30+ Basketball</b>	Sept-May	\$75	\$95
	Jan-May	\$40	\$60
<b>Adult Soccer</b>	10 weeks	\$15	\$20
<b>Golf Instruction</b>	6 weeks	\$115	\$135
	8 weeks	\$150	\$170
<b>Pickleball Clinic</b>	3 weeks	\$50	\$65
<b>Pickleball Clinic Drop In Fee</b>	1 class	\$20	\$25
<b>Pickleball Program</b>	January-May	\$50	\$75
<b>Summer Camp: Grades 1-5</b>	4 weeks	\$450 per child \$1350 family max	\$500 per child \$1500 family max
<b>Adventure Camp: Grades 6-7</b>	4 weeks	\$550 per child	\$610 per child

<b>Summer Camp Resident/Non-Resident</b>	<p>\$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. Camp financial assistance fee amounts will be at the discretion of the Recreation Director.</p>		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
<b>Extended Day Multisport Camp by TGA</b> During Summer Camp Weeks Only	1 week (2:30-6:30pm)	\$220	\$250
<b>Multisport Camp by TGA</b> After Summer Camp Weeks Conclude and/or During School Breaks	1 week (Half Day)	\$245	\$255
	1 week (Full Day)	\$295	\$305
	1 week (Full Day + After Care)	\$375	\$395
<b>The Way- The Art of Life</b>	8 weeks (@ 2 classes per week)	\$120	\$180
<b>Tai Chi</b>	8 weeks	\$80	\$100
<b>Montvale Senior Club Tai Chi Discount:</b>	8 weeks	\$40	\$40
<b>Tennis Lessons</b>	6 weeks	\$115	\$145
	8 weeks	\$150	\$190
<b>Tennis Badges</b>			
Adult (Ages 18-61)	March-December	\$30	\$60
Child (Ages 17 & Younger)	March-December	\$10	\$20
Family Max	March-December	\$50	\$100
Seniors (Ages 62 & Up)	March-December	Free	\$10
		\$10 Fee for Replacement Tennis Badge	
<b>Basketball Badges</b>			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10

**BOROUGH OF MONTVALE****MAY 11, 2023**

		<b>\$5 Fee for Replacement Basketball Badge</b>	
<b>Pickleball Badges</b>			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		<b>\$5 Fee for Replacement Pickleball Badge</b>	
<b>Ultimate Frisbee</b>	6 weeks	\$75	\$95
	8 weeks	\$100	\$120
<b>Volleyball- Adult</b>	January-May	\$240	\$260
<b>Volleyball- Girls</b>	8 weeks	\$180	\$200
<b>Women's Softball- Adult</b>	April - August	\$60	\$70
<b>Yoga</b>	8 weeks	\$80	\$100
<b>Yoga Mini Session</b>	4 weeks	\$40	\$100
<b>Youth Theater</b>	September-December	\$10	\$50

**WHEREAS**, Borough Owned Recreational Fields and Facilities 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 1 and June 1 for the respective Spring and Fall seasons.

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

<b><u>Facilities</u></b>	<b><u>Fee</u></b>	<b><u>Resident Team/Corporation</u></b>	<b><u>Non-Resident Team/Corporation</u></b>
<b>Ballfields:</b> Baseball or Softball (Memorial, Fieldstone or LaTrenta)	Per Hour Per Field (2 hour minimum)	\$25	\$50
<b>Turf Fields:</b> Soccer or Lacrosse (Fieldstone)	Per 2 Hour Time Slot Per Field	\$75 (full field) \$50 (half field)	\$150 (full field) \$100 (half field)
<b>Basketball Courts:</b> (Memorial)	Per Hour: Court #2 Only	\$25	\$50
<b>Tennis Court Group Reservation</b> (Memorial or LaTrenta) *Two court maximum reservation at any one location	Per Day	\$25	\$50

<b>Corporation Event Field Reservation</b> (1 scheduled day plus 2 rain dates)	Per Day	\$200	\$400
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### **Field and Facility Permit Regulations**

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.

**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 or 2 hour time period or any part thereof, that a field/facility 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.

Field/Facility users who provide 7 days or more notice of changes in their scheduled use can receive a time credit if the scheduled hours are decreased. Any changes in field schedules without 7-day notice will not receive a time credit for unused field time. Time credits are only valid for the existing season and the following season.

**Lightning Detection Credit Policy:** If the lightning detector activates with less than 50% of scheduled time elapsed for that date, the organization shall receive a credit for that day's scheduled timeslot. If the lightning detector activates after 50% of the scheduled time has elapsed, no time credit will be granted.

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 1<sup>st</sup> for Spring season and June 1<sup>st</sup> for Fall season, 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.

### **118-2023 Resolution in Support of S3739**

**WHEREAS**, S3739/A5402 would delay the implementation of the fourth round of affordable housing obligations, including present and prospective need and related litigation, until July 1, 2028; and

**WHEREAS**, extending that obligation to 2028 will present a clearer picture of how each of the towns fared in meeting their goals, and give all parties additional time to assess the efficacy and local impacts of the 3rd round agreements; and

**WHEREAS**, NJ's Municipalities are still sorting out the ripple effects of COVID lockdowns on their tax base and land use plans; and  
**WHEREAS**, Post COVID record inflation has driven construction, debt financing and service costs to levels that incentivize builders to overreach, demanding more residential units than the infrastructure of fully developed communities can safely and responsibly absorb; and  
**WHEREAS**, working through the 3rd round obligations requires more time than had been allotted given the cascading effects of COVID; and  
**WHEREAS**, municipalities should be allowed to work towards appropriately meeting the 3rd round commitments before adding yet another layer that public health safety & welfare, limited infrastructure, hyper-local environmental and infrastructure challenges and fiscal realities may show to be unrealistic; and  
**WHEREAS**, and extension would also give the legislature and the Governor time to reestablish their proper roles in balancing the needs of all stakeholders in this process;  
**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Montvale hereby support S3739/A5402; and  
**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Governor Murphy; the members of the NJ Senate and Assembly; the League of Municipalities; and all NJ Municipalities.

**119-2023 Resolution Awarding Purchase Under New Jersey State Contract T3083 / 18- TELE – 00671 Montvale Police Department Livescan Fingerprinting System – IDEMIA**

**WHEREAS**, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and  
**WHEREAS**, attached is a detailed description of the purchase of Livescan Fingerprinting System reference # IDNJ-L110421-05A dated October 28, 2022 which is attached to the original of this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Montvale that the following purchase under New Jersey State Contract is hereby authorized:

**PURCHASE OF Livescan Fingerprinting System STATE CONTRACT T3083 / 18- TELE – 00671 IDEMIA**

5515 East La Palma Ave  
 Suite 100  
 Anaheim, CA 92807  
 Total \$25,758.00

**120-2023 Authorize Change Order No. 1 – LaTrenta Parking Lot Improvements – American Asphalt & Trucking**

**WHEREAS**, the Borough of Montvale awarded a contract via Resolution No. 113-2022 to American Asphalt & Trucking with offices located at 818 Summer Ave., Newark, NJ 07104 for LaTrenta Parking Lot Improvements; and

**WHEREAS**, the original contract amount including Alternate A and B was \$335,800.96; and

**WHEREAS**, the Borough Engineer, in a letter dated November 18, 2022, which is attached to the original of this resolution has been monitoring the project and recommends in full detail the proposed Change Order #1 in the amount of \$23,774.67 (see attached); and

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

**Contractor**

Total Contract Amount Base Bid	\$ 289,918.46
Alternate A	\$ 25,882.50
Alternate B	\$ 20,000.00



Change Order #1	\$ 23,774.67
Adjusted Total Contract Amount	\$ 359,575.63

**WHEREAS**, the Chief Financial Officer of the Borough has certified that funds have been appropriated and are available for this purpose, a copy of said certification attached to the original copy of this Resolution.

**NOW THEREFORE BE IT RESOLVED**, By the Governing Body of the Borough of Montvale authorize Change Order #1 in the amount of \$23,774.67; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the above reference change order #1 is hereby approved.

**121-2023 Award Professional Service Contract - Engineering Services – 2023 Bergen County Municipal Park Grant Application - Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for the preparation of a grant application to the 2023 Bergen County Open Space Trust Fund Municipal Park Improvement grant 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated April 6, 2023 to provide engineering 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 Colliers Engineering & Design.
- 2) That the following be provided: Preparation of grant application
- 3) The cost not to exceed shall be \$6,800.00. 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 DePiero Drive, Montvale, NJ 07645.

**122-2023 Resolution Awarding Purchase Under New Jersey State Contract #19-TELE-00656 Dell Marketing – Administration computers**

**WHEREAS**, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

**WHEREAS**, attached is a detailed description of the purchase of 6 desktop computers Quote # 3000151846650.1 dated May 4, 2023 which is attached to the original of this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Montvale that the following purchase under New Jersey State Contract is hereby authorized:

**PURCHASE OF 6 Desktop Computers -- STATE CONTRACT #19- TELE – 00656**

Dell Marketing  
One Dellway  
Round Rock, TX 78682  
Total \$7,609.86

**123-2023 Award Professional Service Contract - Engineering Services for NJDEP Pre-Application Meeting for 25 W Grand Ave - Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for the preparation of pre-application meeting with NJDEP for 25 W. Grand Ave; 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated May 8, 2023 to provide engineering 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 Colliers Engineering & Design.
- 2) That the following be provided: Pre Application Meeting with NJDEP
- 3) The cost not to exceed shall be \$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 DePiero Drive, Montvale, NJ 07645.

**124-2023 Award Professional Service Contract - Engineering Services and Construction Observation Services for 2023 Roadway Improvements Program - Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for Project design, Bidding and Construction Observation Services for the 2023 Road Improvements 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated May 8, 2023 to provide engineering 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 Colliers Engineering & Design.
- 2) That the following be provided: Project Design, Bidding and Construction Services for the 2023 Road Improvements Program.
- 3) The cost not to exceed shall be \$105,000.00. 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 DePiero Drive, Montvale, NJ 07645.

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

**ADD – ONS:**

**125-2023 Amending Resolution No. 92-2023, Awarding Professional Service Contract For the Position of Alternate 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 Stephen Wellinghorst serving as the alternate attorney; 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.

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

The administrator explained that this is to have another alternate prosecutor because the one we have is taking a leave of absence.

**126-2023 A Resolution Expressing Support for Recognizing “National Police Week”**

**WHEREAS**, Federal, State, local, and Tribal police officers, sheriffs, and other law enforcement officers across the United States serve with valor, dignity, and integrity; and

**WHEREAS**, law enforcement officers are charged with:

- (1) pursuing justice for all individuals; and
- (2) performing the duties of a law enforcement officer with fidelity to the constitutional and civil rights of the public the officers serve; and

**WHEREAS**, law enforcement officers swear an oath to uphold the public trust even though, through the performance of the duties of a law enforcement officer, the officers may become targets for senseless acts of violence; and

**WHEREAS**, in 1962, President John Fitzgerald Kennedy signed Public Law 87–726 (36 U.S.C. 136) (referred to herein as the “Joint Resolution”), which authorizes the President to proclaim May 15 of every year as “Peace Officers Memorial Day” in honor of the Federal, State, and local officers who have been killed, disabled, or otherwise injured in the line of duty; and

**WHEREAS**, the Joint Resolution also authorizes the President to designate the week in which Peace Officers Memorial Day falls as “National Police Week”; and

**WHEREAS**, the National Law Enforcement Officers Memorial, dedicated on October 15, 1991, is the national monument to honor those law enforcement officers who have died in the line of duty; and **WHEREAS**, Peace Officers Memorial Day, 2023, honors the 556 law enforcement officers killed in the line of duty and whose stories were recovered during 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Montvale hereby:

- (1) expresses support for recognizing “National Police Week”;
- (2) expresses unwavering support for law enforcement officers across the United States and herein Montvale in the pursuit of preserving safe and secure communities;
- (3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources that are necessary in order to protect the health and safety of the officers while the officers protect the public;
- (4) recognizes the law enforcement community for continual unseen acts of sacrifice and heroism;
- (5) acknowledges that police officers and other law enforcement personnel, especially those who have made the ultimate sacrifice, should be remembered and honored;
- (6) expresses condolences and solemn appreciation to the loved ones of each law enforcement officer who has made the ultimate sacrifice in the line of duty; and
- (7) encourages the people of the United States, and specifically those living in the Borough of Montvale, to observe “National Police Week” by honoring law enforcement personnel and promoting awareness of the essential mission that law enforcement personnel undertake in service to their communities and the United States.

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

**BILLS:** Administrator read the Bill Report.

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

**REPORT OF REVENUE:** Administrator read the Report of Revenue – April

**COMMITTEE REPORTS:**

**Council President Arendacs**

DPW

Status quo. Continuing with spring clean-ups.

Engineering

Deferred to Engineer

**Councilmember Koelling**

Police

Monthly report included in original minutes.

Planning Board

Flemings Steakhouse was approved to go by The District. The master plan review continues.

American Legion is currently planning for the Memorial Day parade. The ceremony will start 9am  
At the train station and parade will begin at 10am

**Councilmember Russo-Vogelsang****Local BOE**

Presented the school budget which is on their website; NJ School performance reports came out a couple of weeks ago, it is based on state testing. There were areas and grade levels that performed well and ones that didn't. They have already taken steps to improve students' performance. In the coming weeks HVAC will be installed at Memorial School. 3 R's day is tomorrow, May 12 (Respect, Reflect & Remember Day). Kindergarten enrollment for 2023-24 is at 96 students.

**Councilmember Cudequest****Library**

Reading garden renovation is completed, an official grand opening will be forthcoming. 3 concerts have been schedule to take place at the reading garden, also scheduled at the reading garden yoga classes, painting and much more. April 23-29 was National Library Week. Wegmans sponsored a lunch for the staff that week. 100 new library cards were issued.

**Board of Health**

Janet Russo, BOH secretary will be retiring after 25 years of service to the borough. Kasey Cibrowski will take over on June 5<sup>th</sup>. The board had several emergency calls, Steins bagels sprinkler system went off, in addition to spraying water there was a chemical included and all items needed to be thrown out. Thrive called with a complaint of expired food in the kitchen. Senior center refrigerator broke and food needed to be discarded. Members discussed the Flu clinic and seeing as how the vaccine is readily available in area locations, it was decided not to have it this year.

**TV access**

New tapings of Mayor Mike, Bob Hanrahan of the Environmental Commission and a member of the Senior Olympics

**Fire Department**

24 fires, 2 drills, 3 work details and 1 meeting;

**Councilmember Roche****Recreation**

Pride event will be held on June 3<sup>rd</sup> 3-5pm; working on Day in the Park; Summer camp hours were adjusted due to the construction at Memorial school; hours will 9:30-12:30 for grades 1-5. Adventure camp for grades 6 and 7, hours from 9am-2:30

**MAL**

Welcomed new officers to their board; Father/Son softball fundraiser will be held on June 11 at 3pm

**Environmental Commission**

Held their clean-up on April 22<sup>nd</sup>

**Chamber of Commerce**

Street Fair is scheduled for Sunday, June 11<sup>th</sup> 10-4pm

**MAYOR**

Working with the 10 towns in the Pascack Valley area regarding the brook flooding; trying to get a fund established that each town will fund every year and use those funds to mitigate the flooding. A town hall meeting with the senior is scheduled for June 12<sup>th</sup> at 6:30pm at the senior center. Will have a Borough table at the Street Fair. 20 potential businesses moving into town. Facilitating a meeting with the Rabbi's from Monsey and neighboring towns.

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

2023 Road program

Base bid includes Magnolia, Williams, Camron, Arthur, Rutherford and Hillcrest to Crest; Alternate bid includes Eucalyptus, Ellsworth Terrace and Maureen Court; preparing the bid documents.

Bocce Ball Court Update

DPW ordered the sand and will be re-surfacing the court

**ATTORNEY REPORT:**

David Lafferty, Esq.

Report/Update

Beginning the period of due diligence for the DePiero property; anticipating a closing date in late August early September

**ADMINISTRATOR REPORT:**

Joe Voytus

Report/Update

Reading garden was done by a local company, Creative Pavers, great job. The DPW re-surfaced the tables and chairs that are there currently. Huff Pond project is completed. We hired a new technical assistant in the construction department. Thanked RiverVale for donating chairs for our senior center. Working on the design for new entry signs into Montvale. Proceeding with the EMS study.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Councilmember Cudequest mentioned about the senior center during camp; Councilmember Roche stated outside of camp hours the seniors can use the center.

**COMMUNICATION CORRESPONDENCE:**

2022 Safety Award from BMED

**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 Roche; seconded by Councilmember Cudequest  
- all ayes

Carolee Adams

4 – M's : May – Mother's Day; Military Appreciation month; Medical facilities – we are blessed to have so many in the area; Montvale in general, our mayor and councilmembers – we have such a diverse group of wonderful people to lead our governance. Magnificent group.

Estelle Markowitz, 81 Valley View

A builder is building and water has ruined her driveway. After a brief discussion, the borough engineer will go and look at her property.

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT:**

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

Meeting was adjourned at 8:27pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on May 30, 2023

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