

**RE-ORGANIZATION MEETING
MINUTES**

The Re-Organization Meeting of the Mayor and Council was held in the Council Chambers and called to order at 12:05PM. Adequate notification was published in the official newspaper of the Borough of Montvale according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

OPENING PRAYER:

Pastor Sam Goertz – Montvale Evangelical Free Church

SWEARING IN OF MAYOR (4 YEAR TERM) – by Senator Holly Schepisi

Michael Ghassali

SWEARING IN OF COUNCILMEMBERS (3 YEAR TERM) – by Senator Holly Schepisi

Douglas Arendacs
Theresa Cudequest

SWEARING IN OF THE OFFICERS OF MONTVALE FIRE DEPARTMENT

Geoffry Gibbons – Chief
Bruce Hopper – Deputy Chief
Michael Cintineo - Captain
Rick Alton – Lieutenant Company #1
Daniel Demarest – Lieutenant Company #2

PRESENTATION by Bergen County Commissioner Tom Sullivan

MEETING CALLED TO ORDER: ROLL CALL

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

ELECTION OF COUNCIL PRESIDENT:

(Council Appointment)

Motion by Councilmember Arendacs to nominate Councilmember Roche for Council President; seconded by Councilmember Lane - all ayes on roll call vote

ELECTION OF PLANNING BOARD MEMBER:

(Council appointment)

Motion by Councilmember Lane to nominate Councilmember Koelling for Planning Board Liaison; seconded by Councilmember Russo-Vogelsang - all ayes on roll call vote

NON-CONSENT RESOLUTIONS

00-2024 RE: Temporary Appropriations

WHEREAS, N.J.S.A. 40A:4-19 provides that, where any contracts, commitments, or payments are to be made prior to the adoption of the 2024 budget, temporary appropriations be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2023 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, is the sum of \$19,769,296.00 for the Current Fund; and

WHEREAS, the temporary budget shall not exceed 26.25% of the total appropriations in the 2023 budget, exclusive of any appropriations made for principal and interest of debt service, public assistance, and capital improvement fund, which is the sum of \$5,189,440.20 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor & Council of the Borough of Montvale, County of Bergen, that the following temporary appropriations for 2024 operating purposes be made in the amount of \$5,189,000 for the Current Fund.

Introduced by Councilmember Cudequest; seconded by Councilmember Lane – a roll call was taken - all ayes

17-2024 Officers Fire Department

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the following Officers of the Montvale Fire Department be approved for the year 2024:

- Fire Chief - Geoffrey Gibbons
- Deputy Fire Chief - Bruce Hopper
- Captain - Michael Cintineo
- Lieutenant #1 - Rick Alton
- Lieutenant #2 - Daniel Demarest

Introduced by Councilmember Cudequest; seconded by Councilmember Lane – a roll call was taken - all ayes

18-2024 Professional Service Contract Appointments 2024 / New Jersey Local Unit Pay to Play”

Law, N.J.S.A. 19:44A-20.4

WHEREAS, on January 2006, the “New Jersey Local Unit Pay to Play” Law, N.J.S.A. 19:44A-20.4, et. seq., took effect; and

WHEREAS, the Borough of Montvale has a need to award certain professional contracts for services required by the municipality in calendar year 2024; and

WHEREAS, the Pay to Play Law permits such services to be acquired through the ‘non-fair and open” process as declined in N.J.S.A. 19:44A-20.4 or 20.5 on those contracts where it is anticipated that the total cost will exceed \$17,500.00; and

WHEREAS, the anticipated term of these contracts is 1 year; and

WHEREAS, the public good and interest of the citizens of the Borough of Montvale will best be served by the “alternative” process to secure experienced professional services, rather than the “fair and open” process awarding a contract to the lowest bidder; and

WHEREAS, each professional will be required to first complete and submit a Business Entity Disclosure Certification which certifies these professionals have not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that said professionals will be prohibited from making any reportable contributions through the term of the contract, and

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

The following professional 2024 contracts shall be awarded under the alternative process at the next regular meeting of the Governing Body:

Borough Attorney: David S. Lafferty, Esq.
Huntington Baily, L.L.P.
373 Kinderkamack Rd
Westwood, NJ 07675

Borough Engineer: Andrew Hipolit
Colliers Engineering & Design
400 Valley Road, Suite 304
Mount Arlington, NJ 07856

Auditor:

Jeff Bliss
Lerch, Vinci & Higgins
1717 Route 208
Fairlawn, NJ 07407

The said professionals, prior to securing such contract, shall execute and file with the Municipal Clerk, a 2024 *Business Entity Disclosure Certification* pursuant to N.J.S.A. 19:44A-20-8.

Introduced by Councilmember Cudequest; seconded by Councilmember Lane – a roll call was taken - 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 requests it, in which case, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESOLUTIONS 01-2024 THROUGH 16-2024, 19-2024 THROUGH 42-2024

01-2024 Cash Management Plan

WHEREAS, P. L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A:5-2, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit’s moni
NOW THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Borough of Montvale be and hereby is adopted:

A. **DESIGNATION OF OFFICIAL DEPOSITORIES:**

The following financial institutions are designated official depositories:

- Bank of America
- Wells Fargo
- N.J. Cash Management Fund
- TD Bank

2. Designated Official depositories are required to submit to the Chief Financial Officer of the Borough of Montvale a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.
3. Designated official depositories are required to submit to the Chief Financial Officer a copy of institution’s “Annual Report” on an annual basis.

B. **DEPOSIT OF FUNDS**

All funds shall be deposited within Forty-Eight (48) hours of receipt in accordance with State statute.

1. Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.
2. Capital and Debt service funds may be deposited into interest bearing accounts. Non-Interest bearing accounts shall be regularly monitored for the availability of funds for investment.

3. Trust funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developer's escrow deposits. Non-Interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal laws prohibit the earning of interest on such funds.
4. Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services.

C. DEFINITION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C.17:9-44) and other instruments specified below:

1. United States Treasury Bills (T-Bills)
2. Borough of Montvale Bonds or Notes
3. Commercial Bank Deposits and Certificates of Deposit (CD's)
4. Repurchase Agreements (Repo's)
5. Investments in Savings and Loan Association
6. United States Government Agency and Instrumentality Obligations
7. State of New Jersey Cash Management Fund
8. School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS

1. All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.
2. All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough Assets (Demand and Certificate of Deposit)
3. Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.
4. For pledges by depositories on Borough Funds, the following securities will be considered acceptable for pledges:
 - a. Any security backed by the U.S. Government
 - b. Any direct obligation of any taxing authority within the Borough of Montvale
 - c. Real Estate Mortgage Loans for Real Estate property located within the Montvale market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits
 - d. All pledges of collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer or Treasurer

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service. Said agreement shall be reviewed annually.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Mayor and Council of the Borough of Montvale the following investment reports:

1. MONTHLY REPORTING: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.
 2. QUARTERLY REPORTING: A detailed summary analysis of all investments by fund, specifying the quarterly interest rate earned, quarterly interest earned on NOW and Savings Accounts and Year-To-Date total interest earnings.
 3. The Treasurer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st of each year and at other such times as required by the auditors.
 4. The Treasurer shall also periodically provide analysis of average daily balances in interest bearing checking accounts vs. other investment vehicle potential.
 5. All such reports may include a comparison of current investment income vs. forecast, prior year or market conditions.
- G. DIVERSIFICATION REQUIREMENTS:
The Chief Financial Officer and Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.
- H. MAXIMUM MATURITY POLICY:
Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.
- I. INVESTMENT PROCEDURES:
Bids for Certificates of Deposit and Repurchase Agreements will be solicited of at least three (3) designated depositories only if the amount is \$100,000 or greater.
- Telephone bids will be solicited of designated depositories by the Chief Financial Officer or Treasurer or designated staff member.
- The depository shall specify the principal amount of the investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.
- Interest paid shall be from the date the bid was awarded to the date of maturity.
- All bidders may request the results of the bid after the bid is formally awarded.
- A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.
- Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.
- J. RETURN ON INVESTMENT:
Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer and/or Treasurer will not make the investment. The Chief Financial Officer and/or Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less

than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designed for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Treasurer shall review each day's activity.

L. BONDING:

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

- Tax Collector
- Treasurer
- Municipal Court Administrator
- Deputy Municipal Court Administrator
- Magistrate

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond in the minimum amount of \$50,000.00

M. COMPLIANCE:

The Cash Management Plan of the Borough of Montvale shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. The official charged with the custody of the monies of the Borough of Montvale shall deposit them as designated by the Cash Management Plan and shall thereafter be

O. relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

P. Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

Q. The Cash Management Plan shall be subject to the approval of the Borough Attorney.

02-2024 Authorizing payment to the United States Postal Service to affect the use of a Postal Machine

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Treasurer be authorized to issue payment through appropriate methods, to the United States Postal Service, not to exceed One Thousand Dollars (\$1,000.00) per month, to affect the use of a Postal Mailing System.

03-2024 Establish 2024 Holiday Schedule For Administrative Non-Contractual Employees

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following 2024 Holiday Schedule for eligible Administrative non-contractual employees be and is hereby established:

SECTION 1. Mandatory holidays during which Borough Hall Administrative Offices shall be closed:

HOLIDAY

- Martin Luther King Day
- President's Day
- Memorial Day

DAY OBSERVED

- Monday, January 15
- Monday, February 19
- Monday, May 27

Juneteenth	Wednesday, June 19
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veterans Day	Monday, November 11
Thanksgiving Day	Thursday, November 28
and the Day After	Friday, November 29
Christmas Eve	Tuesday, December 24 – ½ Day
Christmas Day	Wednesday, December 25
New Year’s Eve	Tuesday, December 31 – ½ Day
New Year’s Day	Wednesday, January 1, 2025

SECTION 2. Two Floating Holidays to be taken any time during the year. If not used during the calendar year, it will be lost with no ability to be carried or receive pay.

SECTION 3. If any of the above holidays fall on Saturday, the holiday shall be observed on Friday. If any of the above holidays fall on Sunday, the holiday shall be observed on Monday.

If Christmas Day and New Year’s Day fall on Saturday, these two holidays shall be observed on Friday. Therefore, the two-1/2 holidays shall be observed on the Thursday before the holidays.

If Christmas Day and New Year’s Day fall on Sunday, these two holidays shall be observed on Monday. Therefore, the two-1/2 holidays shall be observed on the Friday before the holidays.

SECTION 4. Pursuant to the Personnel Policy, those employees classified as full-time employees (working 35 hours or more each week) shall be entitled to all days, as outlined above in Section 1 through Section 3. Pursuant to the Personnel Policy, all employees classified as part-time employees (working less than 35 hours per week) and eligible to receive holidays, shall only be entitled to the holidays listed in Section 1, and only when the holidays fall on their regularly scheduled days of work.

04-2024 Designating the Mayor, Municipal Clerk, Administrator, Chief Municipal Financial Officer and Treasurer as Official signatories on Borough Warrants and the Judge, Municipal Court Administrator and Deputy Court Administrator as Official signatories on Municipal Court Accounts

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Municipal Clerk, Treasurer, Borough Administrator, Certified Municipal Finance Officer are hereby designated as the official signatories on Borough Warrants.

BE IT FURTHER RESOLVED, that the Judge, Municipal Court Administrator and Deputy Court Administrator are hereby designated as the official signatories on all Municipal Court accounts.

05-2024 Roll Call of the Council members to be called in alphabetical order

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J. that a Roll Call of the Council Members at the Council meetings is to be taken in alphabetical order.

06-2024 Authorizing the Mayor, Clerk and Collector to issue warrants for certain items with Ratification at the following meeting

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Clerk and Collector be authorized to issue warrants for the following purposes, with ratification at the following meeting, on due dates for the following items:

- Board of Education, Montvale, NJ
- Pascack Valley Regional Board of Education
- County Tax
- Bergen County Sewer Authority
- Medical Insurance
- Life Insurance
- Bond and Note Payments
- Interest on Bonds and Notes
- Payrolls
- Investments
- Gasoline
- Scavenger Service

07-2024 All bills to be presented in proper form to the Finance Department no later than the 25th of each month

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all bills must be presented in proper form to the Finance Department no later than the 25th of each month, and;
BE IT FURTHER RESOLVED that any bills received later than this date shall be held over for payment until the following month.

08-2024 01/01 Change Fund in the amount of \$150.00 front counter Administration; Municipal Clerk petty cash \$500.00; Municipal Court \$150.00 each for a total of \$450.00; and \$300.00 for the Police Department

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the governing body approves the establishment of “a general change fund at the front counter in the municipal building in the amount of \$150.00, the Municipal Clerk has a petty cash fund in the amount of \$500.00, the Joint Municipal Court have (3) change funds in the amount of \$150.00 each; and the Police Department has a petty cash fund in the amount of \$300.00.

09-2024 Designation of official newspapers for advertising for the Borough of Montvale

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the Borough of Montvale, NJ for the year 2024:

- The Bergen Record – Hackensack, N.J.
- The Ridgewood News – Hackensack, N.J.
- The Star Ledger – Newark, NJ

10-2024 Fixing the rate of interest to be charged for the nonpayment of taxes, assessments and excess sewer fees

WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes, assessments and excess sewer fees subject to any abatement or discount for the late payment of taxes, assessments and excess sewer fees as provided by law; and
WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum of the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00;
NOW THEREFORE, BE IT RESOLVED, by the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and excess sewer fees becoming delinquent after due date and 18% per annum on any amount of taxes and excess sewer fees in excess of \$1,500.00 becoming delinquent after due date, subject to any abatement or discount for the late payment of taxes and excess sewer fees as provided by law.
2. Re Chapter 72 laws of 94 CTC 94-3. If the new tax bills are not in the mail by June 14, interest will then be charged 25 calendar days after the bills were mailed. Interest shall be calculated from August 1.
3. No interest shall be charged if payment of any quarterly tax payment and bi-annual excess sewer fess is received within ten (10) days of the date upon which the same becomes payable.
4. In connection with any delinquency of taxes, assessments or municipal charges in excess of \$10,000 which has not been paid prior to the end of a calendar year, there shall be imposed a penalty in a sum equal to six (6%) percent of the delinquency in excess of \$10,000.
5. With respect to tax certificates in excess of the sum of \$200 the following additional penalties shall be charged: two (2%) percent on the amount due over \$200 up to \$5,000; four (4%) percent of the amount due over \$5,000 up to \$10,000; and six (6%) percent on the amount in excess of \$10,000; plus cost 2% and \$25.00 per Title 54.
6. Any payments not made in accordance with Paragraph Two of this resolution shall be charged interest from the due date, as set forth in Paragraph One of this resolution.
7. The Tax Collector is authorized to hold a tax sale for unpaid taxes and/or excess sewer charges.

- 8. This resolution shall be published in its entirety once in the newspaper.
- 9. A certified copy of this resolution shall be provided by the Office of the Municipal Clerk to each of the following officials: Tax Collector; Borough Attorney; Borough Auditor; Chief Financial Officer.

11-2024 Order of business to be followed at all regular meetings of the Mayor and Council

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, the agenda to the extent known will be established and printed for each regular meeting of the Council.

BE IT FURTHER RESOLVED, the agenda is subject to amendments by a majority vote of the council and action may be taken on issues that are not listed on the agenda, as authorized by the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the following order of business shall be followed at all public meetings of the Mayor and Council of the Borough of Montvale, N.J.

- 1. Roll Call
- 2. Reading and/or approval of all unapproved minutes
- 3. Second reading, public hearing and final passage of ordinances and introduction of ordinances
- 4. Presentation of resolutions/consent resolutions
- 5. Presentation of bills
- 6. Reports of committees, Mayor, Treasurer and Administrator
- 7. Old Business
- 8. New Business
- 9. Reading of all communications, petitions, etc.
- 10. Both Public and Workshop Meetings are opened to the public to speak
- 11. Adjournment

The Borough Council will conduct a meeting on the last Tuesday of each month, which will serve as workshop sessions. Action may be taken at this meeting.

The public is invited to attend all meetings and speak at all public and workshop sessions of the Mayor & Council.

12-2024 All monies collected by any Borough Official or Employee of the Borough shall be turned over the Borough Treasurer within 48 hours

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all monies collected by any Borough Official or Employee of the Borough of Montvale, N.J. shall be turned over to the Borough Treasurer, in full, within forty-eight (48) hours, without any fees being deducted; and

BE IT RESOLVED, the Tax Collector or Borough Treasurer shall deposit funds collected within forty-eight (48) hours, as required by law; and

BE IT RESOLVED, all cash receivables will be posted and recorded; and

BE IT FURTHER RESOLVED that any fees to which any Borough Official or Employee is entitled shall be set forth in detail on a regular Borough Voucher and presented for payment in the same manner as all bills are submitted.

13-2024 Establish Mayor & Council Meeting Schedule for the Year 2024

BE IT RESOLVED that public meetings of the Mayor and Borough Council shall be held on the following dates for the year 2024 at the location of Borough of Montvale, Municipal Complex, 12 DePiero Drive, 2ND Floor, Montvale, New Jersey.

* January 1 (Monday)	Organization Meeting
January 11	Public Meeting
January 30	Workshop Session
February 8	Public Meeting
February 27	Workshop Session
March 14	Public Meeting
March 26	Workshop Session

April 11	Public Meeting
April 30	Workshop Session
May 9	Public Meeting
May 28	Workshop Session
June 13	Public Meeting
June 25	Workshop Session
July 11	Public Meeting
August 8	Public Meeting
September 12	Public Meeting
September 24	Workshop Session
October 10	Public Meeting
October 29	Workshop Session
November 14	Public Meeting
November 26	Workshop Session
December 12	Public Meeting

All meetings will commence at 7:30 p.m. except where noted. Closed sessions of the Mayor and Council may commence before 7:30 p.m. as indicated on the agenda for the 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.

14-2024 Procedure for the Periodic Release of Closed Session Minutes

WHEREAS, the Borough Council of the Borough of Montvale periodically conducts executive session meetings pursuant to N.J.S.A. 10:4-12; and

WHEREAS, the Borough Council is desirous of establishing a procedure for the periodic release of minutes of executive session meetings.

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

- Borough Council Minutes Review Committee. There shall be a minutes review committee (MRC) consisting of the Borough Administrator, the Borough Attorney and the Municipal Clerk, whose job shall be to periodically review the minutes of closed sessions of the Borough Council and make recommendations to the Borough Council which minutes should be made public. The MRC shall have no power and shall not be a “public body” within the meaning of the Open Public Meetings Act.
- Meetings of MRC. The MRC shall meet on an as-needed basis. Meetings of the MRC shall be as scheduled at the convenience of the MRC members by the Borough Administrator.
- Preparatory staff work. Prior to each meeting of the MRC, the Borough Attorney shall prepare a list of all closed sessions minutes which have been prepared by the Borough Attorney that have not been made public. The list and the minutes listed shall be made available to the MRC at their meetings.
- Basis for recommendation. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining confidentiality set forth in N.J.S.A. 10:4-12 and the interest in prompt disclosure set forth in N.J.S.A. 10:4-14. The applicable guidelines set forth in paragraph 7 of this resolution may be considered as a general standard.
- Decision. The decision to make public the minutes of any closed session shall be made only by the Governing Body of the Borough of Montvale and shall be based on a finding that public disclosure of the matters discussed at such closed session will not be detrimental to the public interest. In making this finding, the public body shall take into consideration, but need not agree with, the recommendation of the MRC and the basis for the

recommendation as set forth in paragraph 4 above. In cases where more than one matter was discussed in closed session, the public body may elect to make public only the minutes pertaining to certain of those matters, and to keep the remaining portion(s) of the minutes confidential. Should the minutes contain any material entitled to protection, the public body shall excise or redact such protected matter, provided, that all materials required to be contained in the minutes by N.J.S.A. 10:4-14 shall be set forth.

- Once public, always public. Minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person in the same manner as minutes of open meetings.
- Guidelines. The following general guidelines pertaining to the nine purposes for closed meetings set forth in N.J.S.A. 10:4-12.B, may be considered in recommending and deciding when to make public minutes of closed session;
 - (a) Matters required by law to be confidential. When the need to preserve the secrecy of the confidential information discussed no longer exists; provided, that material entitled to court protection shall not be disclosed.
 - (b) Matters affecting the right to receive federal funds. When disclosure would no longer impair the right to receive funds or cause funds already received to be forfeited.
 - (c) Matters involving individual privacy. Such matters shall not be disclosed except as ordered by a court of competent jurisdiction, or with the written consent of all of the individual(s) concerned.
 - (d) Matters relating to collective bargaining agreements. When the collective bargaining agreement has been made, executed, and ratified.
 - (e) Certain matters involving public funds. After the transaction involving the public funds has been made.
 - (f) Matters affecting public safety and property. When the disclosure would no longer impair the safety and property of the public or the conduct of any investigation.
 - (g) Litigation, contract negotiation and certain privileged matters. As to litigation, when a final decision has been rendered and all rights of appeal are exhausted; as to anticipated litigation, when the statute of limitations has been made as to contract negotiation, when either the contract has been made and is binding on all parties or if not made, when negotiation is terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosure would not violate the attorney's ethical duties.
 - (h) Employment matters. When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.
 - (i) Deliberations after hearing in penalty matters. After the decision of whether to impose the penalty has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

15-2024 Open Public Meetings Act, Chapter 231 of Public Laws of the State of New Jersey - Closed Executive Sessions of the Montvale Governing Body

WHEREAS, it is necessary for the Mayor and Council of the Borough of Montvale to discuss matters relating to such matters and which matters are permitted by Section 7.b of the Open Public Meeting Act, Chapter 231 of the Public Laws of the State of New Jersey for 1975 to be discussed in closed session in the absence of the public from time to time:

- 1.) Any matter considered confidential by federal law, state statute, or court rule;
- 2.) Any matter in which the release of information would impair the receipt of federal funds;
- 3.) Any material which would constitute an unwarranted invasion of individual privacy if disclosed;
- 4.) Any collective bargaining agreements or other discussion of the terms and conditions of a collective bargaining agreement, including negotiations leading up to such an agreement.

- 5.) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where disclosure of such matter could adversely affect the public interest.
- 6.) Any tactics and techniques used in protecting the safety and property of the public and investigations of violations or possible violations of the law.
- 7.) Any pending or anticipated litigation or contract negotiations in which the public body is or may become a party, and any matter falling within the attorney-client privilege, to the extent that confidentiality is required to preserve the attorney-client relationship.
- 8) Personnel matters related to the employment, appointment or termination of current or prospective employees, unless all individuals who could be adversely affected request, in writing, that the matter be discussed at a public meeting.

9.) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a fine upon an individual or the suspension or the loss of license or permit belonging to an individual. **WHEREAS**, the Mayor and Council of the Borough of Montvale have determined that it is necessary in the public interest that the matters in fact be discussed in closed session, and has estimated that as nearly as can now be ascertained, the results of the discussion can be disclosed to the public at the conclusion of such matters; and

WHEREAS, any motion to go into closed session will be deemed to include a motion that the matters discussed at such closed session will be disclosed to the public when such matters are finally determined and there is no further reason to prohibit the public disclosure of information relating to such matters; and **NOW, THEREFORE BE IT RESOLVED**, that any motion to go into closed session shall have the same effect as this resolution being adopted; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the public be excluded from said portions of the meetings, when said closed session is deemed necessary and the appropriate motion adopted.

16-2024 Adoption of year 2024 By-Laws of the Mayor and Council of the Borough of Montvale

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the By-laws of the Mayor and Council of the Borough of Montvale are hereby adopted.

19-2024 Adoption Borough Policy & Procedures Manual - Administration

WHEREAS, the Municipality has a Policies & Procedures Manual which has been established to ensure Employees and prospective Employees are treated in a manner consistent with all applicable employment laws, regulations and protocols; and

WHEREAS, the Borough places great value and consideration in relation to the health, well-being and safety of its Employees.

WHEREAS, said Manual is also in accordance with the requirements promulgated by the Bergen County Municipal Joint Insurance Fund and under the auspices of the New Jersey Municipal Excess Liability Fund; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the Manual previously adopted by Resolution is hereby reaffirmed to serve as the Borough's Policies and Procedures serving and applying to every Employee, Volunteer, Elected & Appointed Official and Independent Contractor(s) serving the Municipality; and

BE IT FURTHER RESOLVED, the Borough will continue to monitor changes in Federal and State Statutes and Regulations to ensure continued compliance with applicable laws, regulations and policies that impact the employment practices of the Municipality; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be maintained on file in the Clerk's office and shall also be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Municipality.

20-2024 A Resolution Re-Affirming The Borough's Existing Policy For Eligible Municipal Employees To Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program For Calendar Year 2024

WHEREAS, the Borough of Montvale provides a comprehensive health benefits program comprised of medical, prescription, dental and vision coverages for eligible municipal employees, dependents and retirees; and

WHEREAS, the Governing Body desires the continuance of the program offering for the 2024 Calendar Year.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Montvale, County of Bergen, hereby re-authorizes the offering of the Borough’s “Opt – Out” Program to municipal employees/Plan participants eligible for health benefits coverage through the Borough Employee Health Benefit Program, whereby the employee/plan participant can voluntarily waive participation in consideration of an annual financial incentive; and **BE IT FURTHER RESOLVED**, the waiver of benefits financial incentive shall be set on an annual basis, such incentive set for the 2024 calendar year as follows:

**FOR THOSE EMPLOYEES/PLAN PARTICIPANTS PARTICIPATING IN THE OPT-OUT
AFTER MAY, 21, 2010**

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2024)
Single	25% of the Net Savings to the Borough of Montvale or \$5,000, whichever is less
Employee/Spouse	
Parent/Child	
Family	

BE IT FURTHER RESOLVED, the above schedules are consistent with the amounts set forth by the Borough and in accordance with the provisions set forth by the NJ Divisions of Local Government Services, as established by Chapter 2, P.L. 2010.

BE IT FURTHER RESOLVED, the specific terms and conditions of said waiver of coverage are contained within the “Waiver of Coverage Offer and Agreement,” a copy attached herewith and affirmed by this Resolution; and **BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be forwarded to the Borough Finance Officer, Health Benefits Consultant and Borough Attorney.

21-2024 A Resolution To Affirm The Borough Of Montvale’s Civil Rights Policy With Respect To All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, And Members Of The Public That Come Into Contact With Municipal Employees, Officials And Volunteers

WHEREAS, it is the policy of the Borough of Montvale to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Montvale has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Governing Body of the Borough of Montvale that:

Section 1: No official, employee, appointee or volunteer of the Borough of Montvale by whatever title known, or any entity that is in any way a part of the Borough of Montvale shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Montvale’s business or using the facilities or property of the Borough of Montvale.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Montvale to provide services that otherwise could be performed by the Borough of Montvale.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Governing Body shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Governing Body shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Montvale as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Governing Body shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Governing Body shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Montvale. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Montvale web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Montvale in order for the public to be made aware of this policy and the Borough of Montvale's commitment to the implementation and enforcement of this policy.

22-2024 Authorize Designation of Public Agency Compliance Officer (P.A.C.O.) - Christine Kalafut

WHEREAS, NJAC 17:27-1.1, regulates equal employment opportunity in the performance of contracts funded by the state; and

WHEREAS, NJAC 17:27-3.2 requires that a public agency annually designate a public agency compliance officer who shall be responsible for ensuring the agency's compliance with the regulations;

NOW, THEREFORE, BE IT RESOLVED that Christine Kalafut, Borough Treasurer and Qualified Purchasing Agent, is hereby designated as the Public Agency Compliance Officer for Equal Employment Opportunity pursuant to this action.

BE IT FURTHER RESOLVED that a copy of this resolution to the New Jersey Department of Treasury, Division of Contract Compliance & Equal Opportunity Office

23-2024 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.

24-2024 Award Professional Service Contract - Borough Attorney, Huntington Baily, L.L.P

WHEREAS, the Borough of Montvale has a need 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, Huntington Bailey, L.L.P., 373 Kinderkamack Road, Westwood, NJ 07675 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, David Lafferty, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit David Lafferty, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Huntington Bailey, L.L.P.
2. 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.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

25-2024 Award Professional Service Contract - Borough Auditor, Lerch, Vinci & Bliss, LLP

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Bliss, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Lerch, Vinci & Bliss, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Lerch, Vinci & Bliss, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Lerch, Vinci & Bliss
2. 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.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough of Montvale.

26-2024 Award Professional Service Contract - Engineering Services, Colliers Engineering & Design, Inc. Andrew R. Hipolit, P.E., PP., C.M.E.

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Colliers Engineering & Design, Inc. 400 Valley Road, Suite 304, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, Andrew R. Hipolit, shall be designated as Principal in Charge for all services provided to the Borough of Montvale, and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Colliers Engineering & Design, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Colliers Engineering & Design, Inc.

2. 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.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

27-2024 Award Professional Service Contract - Borough Planner, Colliers Engineering & Design, Inc. Darlene Green, P.P., AICP

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Colliers Engineering & Design, Inc. was appointed at the Re-Organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Darlene Green, P.P., AICP, Associate, Senior Project Planner of Colliers Engineering & Design, Inc., Shelbourne at Hunterdon, 53 Frontage Road, Suite 110, Hampton, NJ 08827 for planning services for the Borough; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Colliers Engineering & Design, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Colliers Engineering & Design, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Colliers Engineering & Design, Inc.

2. 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.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

28-2024 Awarding Service Contract - Agreement Tri-State Technical Services, Computers & Peripherals

WHEREAS, the Borough of Montvale requires professional computer services and an extended service agreement for the computers and peripherals for the period January 1, 2024 through December 31, 2024; 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.

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

That a contract for professional computer services for an Service Agreement for Computers and Peripherals proposal which is attached and made part of this resolution be awarded to Tri-State Technical Computer Services, Inc., of 180 Paramus Road, Paramus, New Jersey 07652 in the amount of \$9,770.00 for the period January 1, 2024 through December 31, 2024 for the service contract, and \$90.00 for labor rate as described in the Service Agreement;

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

BE IT FURTHER RESOLVED that a copy of this resolution be published in an Official Newspaper, be on file, available for public inspection, in the office of the Municipal Clerk, 12 DePiero Drive, Montvale, NJ 07645.

29-2024 Authorize Contract Animal Control Services – Tyco

WHEREAS, the Board of Health of the Borough of Montvale has received a proposal from Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ.

WHEREAS, said proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this contract with Tyco Animal Control Service based upon prior services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2024 Budget for this contract, Other Expense Portion of the Animal Control Services Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Animal Control Services for 2024 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ 07423 pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution for the base amount of \$11,040.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal.

30-2024 Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale - Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, which is hereto attached to the original of this resolution; and

WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor and Administrator be and are hereby authorized to execute the Contract on behalf of the Borough.

31-2024 A Resolution of the Borough of Montvale Awarding a Contract To Flanagan Productions, LLC, as an Extraordinary Unspecifiable Service for Montvale Graphic Design - Borough Newsletter

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company for the graphic design of the Borough newsletter to better service the Borough’s residents and visitors of the Borough; 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 proposal for the year 2024 to provide such services from John Flanagan of Flanagan Productions, LLC, said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions to perform the above-referenced services for the price and on the terms set forth in the Flanagan Productions 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 Flanagan Productions 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 Flanagan Productions, for the price and on the terms set forth in the Proposal submitted by Flanagan Productions; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Flanagan Productions proposal but shall not exceed \$1,599.00 without further authorization of the Borough Council, 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 Municipal Clerk.

32-2024 A Resolution of the Borough of Montvale Awarding a Contract to Spatial Data Logic, Inc. as an Extraordinary Unspecifiable Service for Website Design, Web Manage, Hosting and Support and Related Services

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company to redesign, host and support the Borough’s website and related web applications and social media in order to better service the Borough’s residents and visitors to the Borough’s website; 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 proposal for the year 2024 to provide such services from Spatial Data Logic, Inc., said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Spatial Data Logic Inc. to perform the above-referenced services for the prices and on the terms set forth in the attached 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 Spatial Data Logic, Inc. 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 Spatial Data Logic Inc. for website design, managing, hosting and support, and related services, for the prices and on the terms set forth in the Proposal submitted by Spatial Data Logic, Inc. ; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Spatial Data Logic, Inc. proposal but shall not exceed \$22,140.00 without further authorization of the Borough Council, 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 Municipal Clerk.

33-2024 A Resolution Awarding a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough's Affordable Housing

WHEREAS, the Governing Body is desirous of hiring Special Counsel to represent the Borough in connection with the Borough's affordable housing; and

WHEREAS, the Borough has received a proposal from. Surenian, Edwards & Nolan, LLC, 311 Broadway, Suite A, Point Pleasant Beach, NJ 08742, to perform all services necessary and appropriate in connection with same; and

WHEREAS Surenian, Edwards & Nolan proposal sets forth the following rates:

- (a) \$200.00 per hour for all time spent by Jeffrey R. Surenian;
- (b) \$200.00 per hour for all time spent by Michael J. Edwards
- (b) \$185.00 per hour for all time spent by other attorney's
- (e) \$90.00 per hour for all paralegal work; and

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

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

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

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

WHEREAS, the Governing Body is desirous of awarding a contract to Jeffrey R. Surenian and Associates, LLC, in an amount not to exceed \$15,000.00 without further authorization of the Governing Body, at the hourly rates set forth above; and

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

NOW, THEREFORE, BE IT RESOLVED that a contract is hereby awarded to L Surenian, Edwards & Nolan LC to serve as Special Counsel in connection with the Borough's Affordable Housing Litigation, pursuant to the terms and conditions set forth herein.

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

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

34-2024 Award Professional Service Contract - Public Defender and Alternate Public Defender - Pascack Joint Municipal Court to Aronsohn, Weiner, Salerno & Kaufman

WHEREAS, the Pascack Joint Municipal Court has a need to contract for the services of various professionals to serve as the municipal public defender or alternate public defender, pursuant to *N.J.S.A. 2B:24-1, et seq.*; and

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

WHEREAS, there are occasions when the appointed municipal public defender may have a conflict of interest, thus creating a need for an alternate public defender; and

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the following individuals to the positions set forth below:

Public Defender: Gerald R. Salerno, Esq.

Alternate Public Defender: Salvatore Sclafani, Esq.

WHEREAS, the salary of the Public Defender shall be \$15,000; and

WHEREAS, said salaries 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, any compensation to be paid to the Alternate Public Defender shall be paid by the Public Defender, as appropriate; and

WHEREAS, the term of this contract shall commence on January 1, 2024, and shall continue for the remainder of the calendar year 2024; and

WHEREAS, the Certified Municipal Finance Officer has 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 "Professional Services" 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. A Notice of this action shall be printed once in the official newspaper of the Borough.

35-2024 A Resolution Authorizing the Execution of the Continued Participation in the Interlocal Services Agreement with Northwest Bergen Central Dispatch for Emergency Dispatch Services

WHEREAS, N.J.S.A. 52:17C-6 requires all New Jersey municipalities to provide telephonic access to an appropriate Public Safety Answering Point (PSAP) serving the municipality; and

WHEREAS, regionalized provision of such services is a concept specifically endorsed by N.J.S.A. 52:17C-7; and

WHEREAS, Northwest Bergen Central Dispatch (hereafter referred to as "NWBCD") is a joint meeting established by the Borough of Glen Rock and the Village of Ridgewood pursuant to N.J.S.A. 40:48B-1, et seq. to provide, among other things, regional PSAP and dispatch services; and

WHEREAS, the Borough of Montvale is a New Jersey municipality with its offices at 12 DePiero Drive, Montvale, New Jersey; and

WHEREAS, due to increasing costs of operations, capital improvements and maintenance, the Borough of Montvale has determined that it is in the public interest of the communities it serves to have its duties and responsibilities performed by NWBCD; and

WHEREAS, each of the parties is a governmental entity authorized to provide jointly for PSAP and dispatch services pursuant to the provisions of the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS, each of the parties has independently concluded that implementation of the New Jersey mandated Emergency Enhanced 9-1-1 Telephone System program on a shared basis is in the best interests of the taxpayers of the respective entities; and

WHEREAS, Montvale and NWBCD have negotiated the terms of an Interlocal Services Agreement entitled "Interlocal Services Agreement for Enhanced 9-1-1 Service Between Northwest Bergen Central Dispatch, A Joint Meeting and The Borough of Montvale," a copy of which is on file with the Borough Clerk and which is expressly incorporated herein by reference pursuant to N.J.S.A. 40A:65-5(b); and

WHEREAS, the Uniform Shared Services and Consolidation Act requires that the Shared Services Agreement be approved by resolution of the governing body of each participating municipality; and

WHEREAS, the Borough of Montvale is desirous of approving this Agreement and authorizing the Mayor to execute same.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale, The Interlocal Services Agreement continued participation referenced herein between the Borough of Montvale and NWBCD is hereby approved.

36-2024 Authorize Contract Health Awareness Regional Program (HARP) Hackensack Meridian Health - Hackensack University Medical Center

WHEREAS, the Board of Health of the Borough of Montvale has received and reviewed the proposal from Hackensack Meridian Health, Hackensack University Medical Center (HARP) on Monday, December 4, 2023 at their regular meeting; and

WHEREAS, said attached proposal has been reviewed and approved by the Board of Health; and **WHEREAS**, the Board of Health recommends the Health Department Services of Hackensack Meridian Health, Hackensack University Medical Center based upon the services provided by the Agency; and **WHEREAS**, it is the intention of the Mayor and Council to provide funds in the year 2024 Budget for this contract for public health services, administrative services, health education, public health nursing and other related services as outlined in the attached contract; and **NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for 2024 be and is hereby awarded to Hackensack Meridian Health, Hackensack University Medical, Center, Hackensack, NJ 07601 pursuant to the terms and conditions as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution in the amount of \$2,468.50 quarterly payment as outlined in the attached proposal.

37-2024 Authorize Contract NorthWest Bergen Regional Health Commission – Years 2024-2026 - (3) year contract

WHEREAS, the Board of Health of the Borough of Montvale has received and reviewed the proposal from NorthWest Bergen Regional Health Commission; and **WHEREAS**, said attached proposal for a three-year (3) contract which has been reviewed and approved by the Board of Health on December 4, 2023; and **WHEREAS**, the Montvale Board of Health recommends this two-year Health Services contract with Northwest Regional Board of Health Commission based upon services provided; and **WHEREAS**, it is the intention of the Mayor and Council to provide funds in the years 2024, 2025 and 2026 budgets for this contract in the Borough of Montvale’s Board of Health Budget; and **NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the contract for Health Services for years 2024, 2025 and 2026 be and is hereby awarded to NorthWest Bergen Regional Health Commission, 20 West Prospect Street, Waldwick, NJ 07463, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2024, copy of which is attached to this resolution in the amount of \$64,104 for year 2024; \$65,388 for year 2024 and \$66,696 for year 2026 as outlined in the attached proposal.

38-2024 A Resolution Awarding a Professional Services Contract to Community Grants, Planning & Housing (“CGP&H”) for Professional Housing Rehabilitation Services

WHEREAS, the Borough of Montvale has a need to procure professional services to administer the Borough of Montvale’s rehabilitation program related to its ongoing affordable housing obligations; and **WHEREAS**, the Borough of Montvale has received a proposal (the “Proposal”) from Community Grants, Planning & Housing (“CGP&H”) to provide the necessary services to the Borough; and **WHEREAS**, the funding for said contract shall come from the Borough’s Affordable Housing Trust Fund; and **WHEREAS**, the Borough is desirous of awarding this contract to CGP&H in accordance with the terms set forth in the Proposal, subject to approval and execution of a formal contract acceptable to the Borough; and **WHEREAS**, because the value of this contract is anticipated to be in excess of \$15,000 (the Borough’s pay-to-play threshold), this contract has been awarded under the “alternative process” pursuant to *N.J.S.A. 19:44A-20.4 et seq.* (the “Pay-to-Play Law”), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and **WHEREAS**, because this contract has been awarded under the “alternative process,” CGP&H has completed and submitted a Business Entity Disclosure Certification which certifies that CGP&H has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit CGP&H from making any reportable contributions (\$300 or more) through the term of the contract; and **WHEREAS**, the *Local Public Contracts Law, N.J.S.A. 40A:11-5*, requires the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and **WHEREAS**, pursuant to *N.J.S.A. 40A:11-5*, public notice of this contract award shall be published in the official newspaper of the Borough in accordance with applicable law; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that a professional services contract is hereby awarded for housing rehabilitation services in accordance with the terms and conditions set forth in the Proposal and rates which are made a part and detailed in Schedule A Scope of Services and Compensation, as follows:

Contractor:

CGP&H
101 Interchange Plaza, Suite 301
Cranbury, New Jersey 08512

Total not to exceed for 12 months: \$19,500.00

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

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

39-2023 A Resolution Of The Borough Of Montvale Of The Borough Of Montvale Adopting A Form Required To Be Used For The Filing Of Notices Of Tort Claims Against The Borough Of Montvale In Accordance The Provisions Of The New Jersey Tort Claims Act, N.J.S.A. 59:8-6

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and **WHEREAS**, the Borough of Montvale is a public entity covered by the provisions of the New Jersey Tort Claims Act; and,

WHEREAS, the Borough of Montvale deems it advisable, necessary, and in the public interests to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, by Governing Body of the Borough of Montvale assembled in public session at the Re-Organization Meeting held 1st day of January, 2024, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Montvale; and,

BE IT FURTHER RESOLVED, that all persons making claims against the Borough of Montvale, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1, et. seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

40-2023 Award Professional Service Contract – Planning Board Attorney, Robert T. Regan

WHEREAS, the Borough of Montvale has a need 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, Robert T. Regan, 345 Kinderkamack Road, Westwood, NJ 07675 was appointed at the Re-organization Meeting of the Governing Body on January 1, 2024; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Robert T. Regan, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Robert T. Regan, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Robert T. Regan
2. 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.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

41-2024 Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2024 - Professional Insurance Associates, (P.I.A) A Division of World Insurance Associates, LLC

WHEREAS, the Borough of Montvale (hereinafter, the Municipality) is a member of the **Bergen County Municipal Joint Insurance Fund (BCMJIF)** and the **Municipal Excess Liability Joint Insurance Fund (MEL)** collectively referred to as, the Funds, for property and casualty coverage's, which include property, general liability, crime, environmental, employee benefits liability, excess liability and workers compensation; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a RISK MANAGEMENT CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Insurance Program and Loss Control efforts; and

WHEREAS, the Board of Fund Commissioners for the BCMJIF established a fee for such services equal to six percent (6%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Funds; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) empowers the governing body and its autonomous agencies to award contracts for extraordinary unspecifiable services without competitive bidding; and

WHEREAS, the Municipality has a need for extraordinary unspecifiable services for a RISK MANAGEMENT CONSULTANT which, by their nature, are not required or suitable to be awarded through a public bidding process pursuant to N.J.S.A. 40A:11-5, et seq., and which have been awarded through the "alternative process" set forth in N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders competitive bidding impractical.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc. (P.I.A.) A Division of World Insurance Associates, LLC** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Risk Management Consultant's Agreement attached and to advertise in the official newspaper in accordance with N.J.S.A. 40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, (P.I.A.) A Division of World Insurance Associates, LLC, 429 Hackensack Street, Carlstadt, New Jersey 07072.

42-2024 A Resolution To Appoint A Health Benefits Consultant Relative To The Borough's Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2024 - PIA, A Division of World Insurance Associates, LLC

WHEREAS, the **BOROUGH OF MONTVALE** (hereinafter, the Municipality) is a member of the **Bergen Municipal Employee Benefits Fund (BMED)** and the **Municipal Reinsurance Health Insurance Fund (MRHIF)** collectively referred to as, the Funds, for the Borough's Employee Health Benefits Program, which includes medical, prescription and dental coverage's; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a HEALTH BENEFITS CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Employee Health Benefits Program; and

WHEREAS, the vendor below has proposed a fixed annual fee of \$14,676 for these services; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) empowers the governing body and its autonomous agencies to award contracts for extraordinary unspecifiable services without competitive bidding; and

WHEREAS, the Municipality has a need for extraordinary unspecifiable services for a HEALTH BENEFITS CONSULTANT which, by their nature, are not required or suitable to be awarded through a public bidding process pursuant to N.J.S.A. 40A:11-5, et seq., and which have been awarded through the "alternative process" set forth in N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the judgmental nature of the Health Benefits Consulting duties renders competitive bidding impractical.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc. (P.I.A.) A Division of World Insurance Associates, LLC** as its Health Benefits Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the HEALTH BENEFITS CONSULTANT shall receive as compensation as outlined as indicated the attached agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the Health Benefits Consultant's Agreement attached to the original of this resolution and to cause a notice of this decision to be published in accordance with N.J.S.A. 40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to PIA, 429 Hackensack Street, Carlstadt, New Jersey 07072.

43-2024 Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to Rosario Presti, Jr.

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 Rosario Presti, Jr. as Municipal Prosecutor; 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 contracts shall commence as of the date of this resolution, and shall continue for the remainder of the calendar year 2024; and

WHEREAS, the Certified Municipal Finance Officer has 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.

Introduced by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all eyes on a roll call vote

MAYOR & GOVERNING BODY APPOINTMENTS, 2024 STAFF, BOARD AND COMMITTEE APPOINTMENTS

Mayor Ghassali read the staff, board and committee appointments into the record. (Listing attached to original minutes).

A motion by Councilmember Lane; seconded by Councilmember Cudequest - all eyes on a roll call vote

OPEN MEETING TO PUBLIC:

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

No public comment

CLOSE MEETING TO PUBLIC:

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

COUNCIL COMMENTS:

Councilmember President Roche

Happy New Year to all. Congratulations to Mayor, Theresa and Doug. Looking forward to a great year.

Councilmember Lane

Congratulations to Mayor, Theresa and Doug. Thanked Councilmember Arendacs for his service as Council President last year. Good luck to Councilmember Roche for taking on the roll this year. 2024 will be a big year with Elections. We are getting ready with budget meetings with our first scheduled for Monday, January 8th; all meetings are open to the public. Would like to congratulate all the officers from the Fire department; the Fire department turns 100 this year. Thanked all the professionals. We have a busy year ahead; we will be looking closely at the court. Asked the community to be engaged and would love to hear your thoughts and feedback. Happy New Year.

Councilmember Cudequest

Happy New Year. Thanked all who voted on the re-election of the Mayor, Doug and myself. Will act in the best interest of Montvale which has been my home for 35 years. Looking forward to continue working with the Library Board, Board of Health and Montvale TV Access and new board the Senior Club. Believe in open communication and reach out through email. Wishing all a Happy and Healthy New Year ahead.

Councilmember Russo-Vogelsang

Thank you to all the volunteers in the community and congratulations to the Mayor, Theresa and Doug; A re-election year for Dieter and myself; would like the community to engage more with them. Wished everyone a Happy and Healthy New Year.

Councilmember Koelling

Congratulations and Happy New Year. This is an amazing community, it's all about the volunteers. Thank you to all our professionals.

Councilmember Arendacs

Wished everyone a Happy & Healthy New Year. I would like to welcome, Senator Holly Schepisi and thank you for swearing me in as a councilmember as I am ready to fulfill my third term. Also congratulations to Mayor Ghassali and Councilmember Cudequest on the well-deserved victory, please running for re-election with the both of you. I would like to thank the residents of Montvale who supported me throughout the years and instilled your trust in me. I will continue to work hard for all our residents and make you proud of our wonderful community where we all live together. I'd like to thank my wife Tara and my family for their support over the last 6 years. It was an absolute honor to serve as the borough's Council President for the past year working closely with the Mayor and serving the people of Montvale in that capacity. Congratulations to our 2024 Council President, Chris Roche and I wish him the best in his new role. Congratulation to all the fire officers who were just sworn into their newly elected positions, as always, I thank and all the first responders for your dedication and service to Montvale.

DPW

I would like to thank, Pascack Valley DPW Superintendent Rich Campanelli and his crew for all their hard work and dedication throughout the year. They have always accomplished what is asked of them as we have a great working relationship with our crew and Administration. They continue to provide a high level of service to our residents as it is always in our best interest and will be our number one commitment. Just recently the staff has added an additional line of communication through their Facebook page where important information is relayed through various post and emails and phone numbers to contact them directly are located. Check it out at Pascack Valley DPW on facebook.

POLICE

As the Deputy Commissioner, it has been an honor working alongside our Police Commissioner Diter Koelling, Polce Chief Doug McDowell and his command staff as they are always searching for new ways to keep our community proactively safe. They continue to enforce motor vehicle laws making our roadways safer for pedestrian and vehicular traffic issuing over 5,000 violations. Anti-crime patrol in our business districts along with criminal patrol interdiction with 45 arrests being made in 2023. Also, our enhanced community oriented programs such as the Senior awareness luncheon, Junior Police Academy, National Night Out and DARE that's funded through various grants and donations. These are truly a well-rounded department. I thank you for your service and commend each member of the department for a job well done.

ENGINEERING

With the hard work of our Borough Engineer, Andy Hipolit, of Colliers Engineering; several key borough projects were completed this past year including paving 10 municipal roads, paved the municipal parking lot, received over a quarter million in grants for roads and parks. We improved Huff Park and playground area including the Memorial pickleball courts. It is truly a pleasure working the Mr. Hipolit and look forward to working with you and your staff in 2024.

COUNCIL ON AFFORDABLE HOUSING (COAH)

This board provides the best opportunity for a fair, equitable and constitutionally compliant process. However, the Borough continues to work on multiple fronts and is one of the front runners in the State that currently meets our obligation that prepares us for the future. We will always have our residents in mind and will do what is best for Montvale as overdevelopments seems to be crowding our roadways and placing stress on our infrastructures throughout the State. We have been and will always continue to ensure that the Brough maintains its immunity and is not overburdened by future obligations.

In closing, I would like to thank everyone, The Mayor, Councilmembers, our Administrator, Clerk and Borough Attorney, also to all our borough employees and our volunteers. Being a resident, I only expect the best and everyone has proven that to be rue. Like I have said in the past, we have a lot of specialties and talented working and volunteering here and know there is nothing that we all can't accomplish.

Happy, Healthy New Year to everyone and God Bless Montvale

Mayor Ghassali

I would like to congratulate my fellow Councilmembers Theresa Cudequest and Doug Arendacs. Many thanks to senator Holly Schepisi and Commissioner Tom Sullivan for being here today, thank you to those who represent us, Congressman Josh Gottheimer, our state legislators, Bergen County executive and commissioners, and thank you Pastor Sam and to all our friends who are always here with us in happy times and in challenging times. Thank you to all our volunteers, to the new volunteers who raised their hands and asked to serve, and a sincere thanks to our outgoing volunteers, Bob Zitelli and Kari Solomon.

Welcome to all of you attending today and a special welcome to the council members family. We all know that serving on the Council is not a personal commitment, it is a family commitment. So, thank you for sharing your loved ones with us. A big thank you to my wife Maryann and my sons as we go on this journey together. From running our own business, to volunteering and working with an international

none profit, to working with the feds and traveling the world, to being a mayor, yours truly admits he's a handful. Thank you to my wife Maryann of 30 years.

Looking at 2024 and beyond, despite a global pandemic that significantly affected our corporate real estate market, I'm amazed at what we accomplished. It's always a thrill to welcome new businesses and new residents to town, and this past year we saw a big influx of businesses to Montvale, 2024 will be no difference.

The state of the borough, both financially and operationally is strong. None of the services we provide or progress towards our goals would be possible without a cohesive borough Council and dedicated staff. I can't say enough how proud I am of our entire team. This team is hard at work throughout the year and often working after hours. They are dedicated to listening to residents and finding ways to meet the needs of our community. It's truly the quality of their work, not just in the quantity, that impresses me most. This team is passionate about what they do and enjoys helping those they serve.

Our first responders, in all three services, police, fire and tri-boro ambulance, are the best there is in the region, and in my book, they run a world class operation, I thank you for your service to our community.

This year we are going to mount a big campaign branding Montvale as a medical hub. Medical professionals, their suppliers, vendors and patients will see Montvale as a town that boasts a prime location, with access to shopping and dining options.

Studying the zoning of certain areas and mapping the wetlands in town will help us to better understand and plan ahead of what and where developers can build. We have and we will continue to make the case that regardless of what new affordable housing obligations come our way in 2025, we will fight to pause until 2028 while we assess our infrastructure and services deficit, if any, as a result of the population increase.

I am committed to working with the borough Council to continue our efforts in the new year. Together, we are excited to keep the momentum going when it comes to projects and events in the works. I am also very committed to working with residents. I believe residents provide a wealth of ideas and perspectives. Working in collaboration with the community is a major priority for me and the Council as this year moves forward. Montvale is a wonderful community because of the contributions of everyone who lives and works here, and I am very proud to represent this town we call home.

As I look ahead to this exciting year, it's my hope for all residents and businesses that 2024 is ultimately filled with opportunity and joy, and that we can celebrate another year together in this amazing town.

Have a happy, safe and healthy new year and may peace be on earth.

CLOSING PRAYER

Closing Prayer given by Pastor Sam Goertz – Montvale Evangelical Free Church

ADJOURNMENT:

Motion to adjourn Re-Organization meeting by Councilmember Lane; seconded by Councilmember Cudequest - all ayes

Meeting adjourned at 12:53PM

All Budget Meetings will be held on Zoom on the following Mondays, January 8, 22, and 29 at 6:00pm
Next scheduled Mayor and Council meeting will be held January 11, 2024 at 7:30pm

Respectfully submitted, Frances Scordo, Municipal Clerk