

**WORK SESSION  
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:33pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

**OPEN PUBLIC MEETING STATEMENT**

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

**ROLL CALL:**

Councilmember Arendacs - absent  
Councilmember Cudequest  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

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

**ORDINANCES:**

**INTRODUCTION OF BOND ORDINANCE NO. 2024-1552** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,643,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,560,850 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF  
(public hearing 4-30-24)

*A motion to Introduce Ordinance **2024-1552** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Koelling; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

**INTRODUCTION OF ORDINANCE NO. 2024-1553** AN ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE CHAPTER 400 "ZONING", ARTICLE VIII "OFF-STREET PARKING AND LOADING" TO AUTHORIZE AND ENCOURAGE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES  
(public hearing 4-11-24)

*A motion to Introduce Ordinance **2024-1553** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

**INTRODUCTION OF ORDINANCE NO. 2024-1554 CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

*A motion to Introduce Ordinance **2024-1554** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

**Resolution 86-2024 Introduction of 2024 Municipal Budget**

**BE IT RESOLVED**, that the following statement of revenues and appropriations attached hereto constitute the local budget of the Borough of Montvale, Bergen County, New Jersey for the year 2024.

**BE IT FURTHER RESOLVED** that said budget be published in The Bergen Record in the issue of March 31, 2024 and that a hearing on the budget will be held at the Municipal Building on April 30, 2024 at 7:30 P.M.

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

*Councilmember Lane stated our goal is to continue to minimize a tax increase on the municipal portion of the budget and to focus on a reserve or fund towards the acquisition of properties that become available that are appropriate for the town. Average home increase would be approximately \$45.00*

**MINUTES:**

**March 14, 2024**

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

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

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

**79-2024 Temporary Emergency Appropriations For Operating Purposes**

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

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

**WHEREAS**, the Township has deemed certain emergency temporary appropriations to be

necessary and such appropriations are conforming to the provisions of *N.J.S.A. 40A:4-20*. **NOW, THEREFORE, BE IT RESOLVED** that pursuant to *N.J.S.A. 40A:4-20* an emergency temporary appropriation be and the same is hereby made for:

**Current Fund: \$ 1,800,000**

**BE IT FURTHER RESOLVED** the said emergency temporary appropriations will be provided for in the 2024 Budget under the title of same.

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

**80-2024 Authorize Tax Court Settlement for KPMG, LLP – 1 Chestnut Ridge Road and 75 Chestnut Ridge Road – Block 3102, Lot 1.01 and Block 2701, Lot 2**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by KPMG, LLP, formerly known as KPMG Peat Marwick Co. (hereinafter the “Tax Appeal”), under Docket Numbers 005895-2021, 004496-2022 and 003035-2023, and;

**WHEREAS**, the aforesaid tax appeal involves two adjacent commercial properties located at 1 Chestnut Ridge Road and 75 Chestnut Ridge Road, and are otherwise referred to as Block 3102 Lot 1.01 and Block 2701 Lot 2 on the tax assessment map of the Borough (hereinafter the “subject property”), and;

**WHEREAS**, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Borough Tax Assessor and the Borough Appraiser, and;

**WHEREAS**, the terms of the proposed settlement are set forth in the Schedule “A” attached herein, and;

**WHEREAS**, the provisions of *N.J.S.A. 54:51A-8* (the “Freeze Act”) shall be applicable to the terms of this settlement, and;

**WHEREAS**, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, in accordance with the terms set forth in the attached Schedule “A”, and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Borough Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

**SCHEDULE “A”**

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

**1 Chestnut Ridge Road**

**(Block 3102 Lot 1.01)**

2021 Appeal: Withdrawn

2022 Appeal: \$44,000,000

2023 Appeal: \$41,000,000

**75 Chestnut Ridge Road**

**(Block 2701 Lot 2)**

2022 Appeal: Withdrawn

2023 Appeal: \$8,000,000

B. The provisions of *N.J.S.A. 54:51A-8* (the “Freeze Act”) shall be applicable to the terms of this settlement.

C. The total assessment of Block 3102 Lot 1.01 shall not exceed \$35,000,000 in the 2024 tax year.

D. The total assessment of Block 2701 Lot 2 shall not exceed \$8,000,000 in the 2024 tax year.

**81-2024 Tax Collector To Charge Fee For Returned Checks**

**WHEREAS**, P.L. 1990, Chapter 105 supplementing Title 40 of the New Jersey State Revised Statutes has been enacted allowing a Municipality to impose a service charge to be added on an account which was by a check or other written instrument returned for insufficient funds; and **WHEREAS**, whenever an account is owing a municipality for a tax or special assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the Tax Collector be authorized to charge the above-mentioned fee at a rate of \$25.00 per check or other written instrument for all checks returned for insufficient funds;

**BE IT FURTHER RESOLVED** that the Tax Collector may require further payments to be tendered in cash or by certified or cashier's check; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be given to the CFO and Tax Collector.

**82-2024 A Resolution Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MonTVale Studio Management, Content Production and Related Services**

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

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

**WHEREAS**, the Borough has received a proposal to provide such services from Media Consultants, LLC (the "MC Proposal") it has been determined that Media Consultants is essential to the Montvale Cable Access Studio; and

**WHEREAS** Media Consultants demonstrates the expertise and has proven its reputation in the specialty of television studio management, content production and related services which is essential during this time of the global pandemic; and

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

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

**BE IT FURTHER RESOLVED** that the pricing for this contract shall be for a total of \$50,392.00 as set forth in the proposal and shall be for a term of one (1) year commencing May 1<sup>st</sup> 2024 through April 30, 2025.

**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.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Media Consultants, LLC for of television studio management, consent production and related services, for the prices and on the terms set forth in the Proposal submitted by Media Consultants, LLC entitled "Borough of MonTVale Studio Management Proposal" for the Borough of Montvale which is hereto attached to the original of his resolution.

**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

**BOROUGH OF MONTVALE**

**MARCH 26, 2024**

newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

**83-2024 Appointment of Regular Member, Montvale Fire Department - G. Joseph Alim**

**WHEREAS**, the Montvale Fire Department is desirous of adding a regular member; and **WHEREAS**, G. Joseph Alim of Montvale, NJ has been approved by the Board of Fire Commissioners and has undergone a satisfactory physical, pursuant to the attached application which has been made part of this resolution; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the appointment of G. Joseph Alim, as a Regular Member of the Montvale Fire Department, is hereby approved.

**84-2024 Authorize Tax Court Settlement for Block 2601, Lot 32.02 – 1 Cider Mill Court Amerjit & Gurbaksh Sandhu**

**WHEREAS**, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Amerjit & Gurbaksh Sandhu (hereinafter the "Tax Appeal"), under Docket Numbers 001985-2022, 000997-2023 and 001811-2024; and;

**WHEREAS**, the aforesaid tax appeal involves a residential property located at 1 Cider Mill Court, which is otherwise referred to as Block 2601 Lot 32.02 on the tax assessment map of the Borough (hereinafter the "Subject Property"), and;

**WHEREAS**, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Borough Tax Assessor, and;

**WHEREAS**, the terms of the proposed settlement would reduce the subject properties' 2024 assessment from \$1,270,400 to \$1,245,400, in exchange for a withdrawal of Plaintiff's 2022 and 2023 tax appeals, and;

**WHEREAS**, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall apply to the terms of this proposed settlement, and;

**WHEREAS**, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, in accordance with the terms set forth herein, and;

**BE IT FURTHER RESOLVED**, that with respect to same, the Mayor, Borough Administrator, Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

**87-2024 A Resolution Authorizing the Chief of Police to Commence a Hiring Process for a Police Officer for the Montvale Police Department**

**WHEREAS**, the Borough of Montvale Police Department is in need of an additional officer to protect and serve the public; and

**WHEREAS**, the Mayor and Council are desirous of authorizing the Chief of Police to commence a hiring process consistent with the Borough Code and Departmental Rules and Regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief of Police is hereby directed, authorized and empowered to commence a hiring process for a new police officer, with the goal of appointing a candidate in sufficient time to attend the next session of the Bergen County Police Academy in

July, 2024; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

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

**85-2024 Supporting Bergen County Commissioners Initiative to Place Narcan at Various AED Boxes throughout the Borough of Montvale**

**WHEREAS**, opioid overdose is a major public health crisis in the United States that affects countless individuals, families, and communities; and  
**WHEREAS**, on average 130 Americans die every day as a result of the opioid crisis that was declared a national Public Health Emergency; and  
**WHEREAS**, in New Jersey, the drug overdose mortality rate per 100,000 capita is 32.1% totaling nearly 3,000 deaths annually; and  
**WHEREAS**, the use of opioid overdose-reversing drugs such as Narcan have been proven to be a vital part of the public health response to combat the opioid crisis; and  
**WHEREAS**, the probabilities of Narcan successfully preventing an overdose drastically increase when it is administered as quickly and efficiently as possible; and  
**WHEREAS**, Narcan is readily available without a prescription at many locations across New Jersey, and Governor Murphy has made Narcan available at no-cost to eligible agencies; and  
**WHEREAS**, the Bergen County Board of Commissioners has encouraged County and Municipal facilities and parks to be equipped with Narcan to help prevent the loss of life from an opioid overdose; and  
**WHEREAS**, the County Commissioners have also encouraged increased training to administer Narcan for employees of the Department of Public Safety and other County and Municipal personnel; and  
**WHEREAS**, through the County’s initiative, Narcan is available at no cost to the Borough through the County of Bergen, and training is available from Children’s Aid and Family Services at a flat fee of \$500 for up to 20 trainees.  
**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Montvale hereby expresses its support of the County Commissioners’ initiative and commits to place Narcan at various AED boxes throughout the Borough of Montvale and to provide public outreach to ensure Montvale residents are aware of this potentially life-saving drug; and  
**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby directed to request training from Children’s Aid and Family Services, Center for Alcohol and Drug Resources, for appropriate personnel within the Borough; and  
**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a copy of this Resolution to the County of Bergen and to Children’s Aid and Family Services.

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

*Councilmember Cudequest asked how will the word get out to the public. Ellen Elias along with Tom Sullivan from Bergen County explained, it would be through Law Enforcement, local websites, through the Board of Health and through the schools. They will be placed in our current AED boxes. Councilmember Russo-Vogelsang stated she spoke with Dr. Petersen at the school is to is on board to have it in the schools.*

**BILLS: Administrator read the Bill Report**

*Motion to pay bills by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes*

**ENGINEER’S REPORT:**

Jamie Giurintano

Report/Update

*Riverside Co-op bids were received today. Will review and have recommendation for award for next meeting. Received 3<sup>rd</sup> quote for the video service for Valley View pump station.*

**ATTORNEY REPORT:**

David Lafferty, Esq.

Report/Update

*Closed with Veolia on 127 Summit Ave*

**ADMINISTRATOR REPORT:**

Joe Voytus

Report/Update

*No report*

**UNFINISHED BUSINESS:**

Discussion – Draft Resolution

Authorizing an Agreement with Livingston Energy Group for Four (4) 180kW DCFC Electric Vehicle Charging Units and Five (5) Years of Operation of Said Units at No Cost to the Borough

**88-2024 Authorizing an Agreement with Livingston Energy Group for Four (4) 180kW DCFC Electric Vehicle Charging Units and Five (5) Years of Operation of Said Units at No Cost to the Borough**

**WHEREAS**, the Borough of Montvale is committed to supporting the use of electric vehicles and increasing the EV charging infrastructure within the Borough; and

**WHEREAS**, though Livingston Energy Group, 2345 Maxon Road Ext., Suite 1, Schenectady, New York, the Borough has been able to procure four (4) 180 kW DCFC Electric Vehicle Charging Units, and necessary electrical upgrades, at no cost to the Borough due to rebates from Livingston and Orange and Rockland Utilities; and

**WHEREAS**, Livingston shall operate the units for an initial period of five (5) years, also at no cost to the Borough, except to the extent that the Borough utilizes the units to charge Borough-owned electric vehicles for which the Borough will pay the prevailing rates to utilize said units; and

**WHEREAS**, the Borough is desirous of approving this agreement with Livingston.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough does hereby approve an agreement with Livingston Energy Group for installation and operation of four (4) 180 kW DCFC Electric Vehicle Charging Units at the location identified on the attached Site Plan, for a period of five (5) years, at no cost to the Borough of Montvale.

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

*Councilmember Koelling mentioned the Police Chief is fine with installing the chargers; Bob Hanrahan had some concerns about cybersecurity; suggested type 2 chargers, which are less expensive; what about software and modem upgrades, which may close the chargers for quite some time. Bob suggested for the borough to lower the cost to residents for permit fees for putting chargers in their homes. Councilmember Lane wanted to know what are intention was to use these chargers. The borough administrator stated the contract states it must be for public use for 5 years which includes maintenance of the chargers.*

**NEW BUSINESS:**

*None*

**COMMUNICATION CORRESPONDENCE:**

*None*

**MEETING OPEN TO THE PUBLIC:**

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

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

*A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Cudequest – all ayes*

*No Public Comment*

*A motion to close meeting to the public by Councilmember Lane; seconded by Councilmember – all ayes*

**ADJOURNMENT:**

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

Meeting adjourned at 8:10pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, April 11, 2024  
Public Hearing and Presentation of Municipal Budget will be held at 7:30pm on April 30, 2024

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