

**WORK SESSION
MINUTES**

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

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:

Councilmember Arendacs
Councilmember Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang - absent

Also Present: Mayor Mike Ghassali; Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; and Municipal Clerk, Fran Scordo

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2024-1549 AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2023-1538 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE FOR THE YEAR 2024 ***(public hearing 2-27-24)***

A motion to Introduce Ordinance 2024-1549 for first reading was made by Councilmember Koelling; 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 Cudequest - a roll call was taken – all ayes

INTRODUCTION OF ORDINANCE NO. 2024-1550 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO AMEND CERTAIN SUBCODE FEES ***(public hearing 2-27-24)***

A motion to Introduce Ordinance 2024-1550 for first reading was made by Councilmember Cudequest; 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 Cudequest - a roll call was taken – all ayes

MEETING OPEN TO PUBLIC

Agenda Items Only

A motion to open the meeting to the public for agenda items only by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

No public comment

MEETING CLOSED TO PUBLIC

Agenda Items Only

A motion to close the meeting to the public for agenda items only by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

MINUTES:

January 11, 2024

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

Budget Meeting January 22, 2024

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

CLOSED/EXECUTIVE MINUTES:

None

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.

51-2024 Appointing Permanent Montvale Police Officer, Dan Wynohradnyk

WHEREAS, Dan Wynohradnyk has successfully completed the required probationary time period; and

WHEREAS, Chief McDowell has recommended Officer Wynohradnyk for permanent Police Officer appointment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Dan Wynohradnyk is hereby permanently appointed to the Montvale Police Department, effective December 16, 2023

52-2024 Appointing Permanent Montvale Police Officer, Josh Garran

WHEREAS, Josh Garran has successfully completed the required probationary time period; and

WHEREAS, Chief McDowell has recommended Officer Garran for permanent Police Officer appointment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Josh Garran is hereby permanently appointed to the Montvale Police Department, effective December 16, 2023

53-2024 Appointing Permanent Montvale Police Officer, Diego Salazar

WHEREAS, Diego Salazar has successfully completed the required probationary time period; and

WHEREAS, Chief McDowell has recommended Officer Salazar for permanent Police Officer appointment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Diego Salazar is hereby permanently appointed to the Montvale Police Department, effective December 16, 2023

54-2024 Appointing Permanent Montvale Police Officer, Glenn Moran

WHEREAS, Glenn Moran has successfully completed the required probationary time period; and

WHEREAS, Chief McDowell has recommended Officer Moran for permanent Police Officer appointment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Glenn Moran is hereby permanently appointed to the Montvale Police Department, effective December 16, 2023

55-2024 A Resolution Appointing William Betesh, Esq. Of Boggia, Boggia & Betesh To Represent The Borough Of Montvale In Tax Appeal Matters Pending As Of December 31, 2023

WHEREAS, pursuant to Resolution 24-2024, the Governing Body of the Borough of Montvale ("Borough") appointed David S. Lafferty, Esq. of Huntington Bailey, L.L.P. Borough Attorney for the 2024 calendar year; and

WHEREAS, as of December 31, 2023, William Betesh, Esq. of the law firm of Boggia, Boggia & Betesh was appointed as Borough Attorney for the Borough of Montvale, including representation of the Borough in tax appeals and matters before the New Jersey Tax Court;

WHEREAS, the Borough has determined that the law firm of Boggia, Boggia & Betesh should continue its representation of the Borough for tax appeals pending as of December 31, 2023;

WHEREAS, the anticipated term of this Contract is from January 1, 2024 through December 31, 2024;

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Montvale, County of Bergen, in the State of New Jersey that the office of Boggia, Boggia & Betesh will continue to represent the Borough of Montvale in the following tax appeals pending as of December 31, 2023:

Muhammet Erarsian
Mario Varano
1 Paragon Drive
Amerjit Sandhu
Roger Raj
Verizon
Lukoil North America
Grand Prix Montvale
Life Time Fitness
Fintan Seeley
Montvale Estates
KPMG
PRM Hospitality
Toll NJ, LLC
Trudie Weiser
Pranay Aiya
PLP Family Partnership
Richard Queen
Angela Aaron
Anthony Santarelli
Ridgecrest Realty
Frank Celli
20 Craig Rd, LLC
JD Montvale, LLC
Summit Property 1, LLC
Hornrock Properties
Rothman Realty, LLC
Rothman Realty I, LLC

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute a contract with Boggia, Boggia & Betesh; and

BE IT FURTHER RESOLVED, that William Betesh, Esq., shall complete and submit 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 shall prohibit William Betesh, Esq from making any reportable contributions through the term of this contract; and

BE IT FURTHER RESOLVED, that this Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the Determination of Value shall be on file with this Resolution; and

BE IT FURTHER RESOLVED, that David S. Lafferty, Esq. will represent the Borough of Montvale in any tax appeal matters filed on and after January 1, 2024.

56-2024 Authorize Release of Escrow – Mario Jacovino – 31 Terkuile Road – Block 505, Lot 3

WHEREAS, Mario Jacovino has requested release of escrow posted for 31 Terkuile Road, Block 505, Lot 3; and

WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release escrow to Mario Jacovino in the amount of \$3,380.05; and

BE IT FURTHER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

57-2024 Authorize Change Order #1 and #2 for the NJDOT FY2022 – Summit Ave Roadway Project

WHEREAS, the Borough of Montvale awarded a contract via Resolution No.151-2023 to American Asphalt & Trucking, LLC with offices located at 818 Summer Avenue, Floor 1, Newark, NJ 07104, for NJDOT FY2022 Summit Ave Roadway Improvements Project; and

WHEREAS, the original contract amount including Alternate A was \$223,099.49; and

WHEREAS, the Borough Engineer, in a letter dated January 16, 2024, which is attached to the original of this resolution has been monitoring the project and recommends in full detail the proposed Change Order #1 and #2 in the amount of \$(-28,759.25) and \$3,157.80; and

WHEREAS, Change Order #1 and #2 will result in a reduction of the original bid amount: and

Contractor

Total Contract Amount Base Bid	\$ 173,782.42
Alternate A	\$ 49,317.07
Change Order #1	\$ (28,759.25)
Change Order #2	\$ 3,157.80
Adjusted Total Contract Amount	\$ 197,498.04

NOW THEREFORE BE IT RESOLVED, By the Governing Body of the Borough of Montvale authorize Change Order #1 as a reduction (\$28,759.25) and Change Order #2 as an increase in the amount of \$3,157.80; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the above reference Change Order #1 and #2 is hereby approved:

58-2024 Authorizing to enter into Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund Grant Program for Memorial Field, New Synthetic Turf Field Including Drainage and New Fencing

BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$ 60,111.00 matching grant award from the 2023 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled Memorial Park: New Synthetic Turf Field including Drainage and New Fencing, located in the Borough of Montvale; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Michael Ghassali, Mayor to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 13, 2025; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant award's unexpended balance, should there be a balance.

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

59-2024 Resolution Approving Municipal Court Judge for The Pascack Joint Municipal Court

WHEREAS, the Pascack Joint Municipal Court is in need of a Municipal Court Judge; and

WHEREAS, the Pascack Joint Municipal Court Advisory Committee recommends the appointment of Anthony S. Bocci, Esq. as Municipal Court Judge for the Pascack Joint Municipal Court effective upon his appointment by the Governor and confirmation by the Senate; and

WHEREAS, the Municipal Court Judge shall be paid an annual salary of \$41,000.00 for 2024 (pro-rated) and increases for the following year as determined by the Pascack Joint Municipal Court Committee; and

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

WHEREAS, the Mayor and the Borough Clerk are authorized to hire Anthony S. Bocci as Municipal Court Judge, effective upon his appointment and confirmation.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale, County of Bergen and State of New Jersey hereby authorize the appointment and hiring of Anthony S. Bocci, Esq. as Municipal Court Judge effective upon his appointment by the Governor and confirmation by the Senate; and

BE IT FURTHER RESOLVED, the Boroughs of Woodcliff Lake and Park Ridge concur with the appointment of Anthony S. Bocci as Municipal Court Judge for the Pascack Joint Municipal Court; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Anthony S. Bocci, Esq. immediately upon the passage of same.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - a roll call was taken - all ayes Councilmember Lane asked for clarification regarding the three year term. The court administrator found out from the State that the Judge position is in fact a 3-year appointment not a lifetime appointment.

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Dave Lafferty, Esq.

Report/Update

March 15th is the proposed closing date on 127 Summit Ave with Veolia

ADMINISTRATOR REPORT:

Joe Voytus

Report/Update

Veolia will be on site next week to inspect the site for design work

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Discussion – Draft Pet Sales Ordinance

After a brief discussion, it was decided to introduce this ordinance at the next meeting

- b. Military Policy – Active Duty

Councilmember Koelling mentioned that currently, the policy states an employee will be paid for 90 working days, he would like to discuss if the policy can be changed. After a brief, discussion, it was decided to speak with the PBA for further discussion.

- c. Police Chiefs Contract

The contract stated he would receive a 3% increase for the next 3 years; all councilmembers agreed.

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 Roche – all ayes

Carolee Adams

NJ National Guard just deployed 15,000 to the Middle East; thanked Councilmember Roche for contacting the principal for volunteers for snow angels; thanked everyone for going ahead with the Veteran Banners. Wanted to mention to add additional activities around the playground at Huff Park, more climbing gear, mini splash pad or mini golf. Joe Voytus mentioned about the drainage issue at Memorial School and stated it will be worked on this week.

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

ADJOURNMENT:

*Motion to adjourn by Councilmember Lane; seconded by Councilmember Cudequest – all ayes
Meeting adjourned at 8:20pm*

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, February 8, 2024

Respectfully submitted, Frances Scordo, Municipal Clerk