

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:38 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Clint Miller led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

Also Present: Mayor Mike Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Arendacs - absent
Councilmember Curry
Councilmember Gloeggler

Councilmember Koelling left at 8pm due to illness
Councilmember Lane
Councilmember Weaver

SWEARING IN: Montvale Probationary Police Officer Andrew Boman

MONTVALE RECREATION:

RECOGNATION: Winners of the Holiday House Decorating Contest:

Best Use of Lights: The Manole Family

Best Theme: The Evans Family

Best Neighborhood: The Keel Family, The Varian Family, The Gungil Family

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2018-1440 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 109 OF THE BOROUGH CODE TO ESTABLISH REQUIREMENTS FOR REPAVING ROADS IN THE EVENT OF CERTAIN STREET OPENINGS

(Public Hearing 1/30/18)

A motion to Introduce Ordinance **2017-1440** for first reading was made by Councilmember Weaver; 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 Ridgewood News; seconded by Councilmember Curry - A roll call was taken,

INTRODUCTION OF ORDINANCE NO. 2018-1441 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 128 OF THE CODE OF THE BOROUGH OF MONTVALE TO REVISE STANDARDS CONCERNING TEMPORARY WALL SIGNS IN THE AH-26 AFFORDABLE HOUSING DISTRICT

(Public Hearing 1/30/18)

A motion to Introduce Ordinance **2017-1441** for first reading was made by Councilmember Weaver; 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 Ridgewood News; seconded by Councilmember Curry - A roll call was taken,

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry
– all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry
– all ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

December 26, 2017

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Weaver
– all ayes

Sine Die January 1, 2018

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Gloeggler
– all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

December 26, 2017

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Gloeggler
– all ayes

RESOLUTIONS:

35-2018 Appointing Probationary Montvale Police Officer/Andrew Boman

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Michael Boman be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

BE IT RESOLVED, the effective date of employment is January 10, 2018.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

36-2018 Authorize Change Order # 5 Montvale Intersection Improvements/Widening of Chestnut Ridge Road New Price Construction Co., Inc.

WHEREAS, the Borough of Montvale awarded a contract on April 11, 2017 in connection with the Montvale Intersection Improvements Project throughout the Borough of Montvale; and

WHEREAS, base bid was awarded in the amount of \$2,064,244.05 to the following:

New Prince Concrete, 215 Eileen Terrace, Hackensack, New Jersey 07601

WHEREAS, this contract was awarded via Resolution #92-2017; and

WHEREAS, the Borough Engineer in a detailed letter dated December 21, 2017 recommends Change Order #5 in the amount of 8,928.00 as an increase to the contract for the removal of additional tree stumps along Summit Avenue and a six foot high fence; and

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WHEREAS, Change Order #5 is hereby authorized to be issued to New Prince Concrete Construction Co., Inc. in the amount of \$8,928.00; and

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

Total Contract Base Bid Amount	\$2,064,244.05
Change Order #1	\$ 485,445.54
Change Order #2	\$ 20,000.00
Change Order #3	\$ 80,000.00
Change Order #4	\$ (25,819.34)
Change Order #5	\$ 8,928.00
New Project Total	\$ 2,632,798.25

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

37-2018 Hiring Full Time Recreation Director/Administrative Floater/Field Scheduling/ L. Dent

WHEREAS, the Borough of Montvale is desirous of hiring a Full Time Recreation Director/Administrative Floater/Field Scheduling Coordinator in the Borough of Montvale; and

WHEREAS, Lisa Dent, meets the qualifications for this position, agrees to the terms and conditions of employment as directed by the Mayor and Council by Ordinance and letter of employment; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to these full time positions effective January 1, 2018.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes
Councilmember Weaver asked if the job description has been updated

38-2018 Appointing / Permanent Montvale Police Officer /Ryan Dubelbeiss

WHEREAS, Ryan Dubelbeiss has successfully completed the required probationary time period; and

WHEREAS, Chief Abrams has recommended Officer Dubelbeiss for permanent Police Officer appointment.

NOW, THEREFOR BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Ryan Dubelbeiss is hereby permanently appointed to the Montvale Police Department, effective January 10, 2018.

Introduced by: Councilmember Lane; seconded by Councilmember Weaver - All ayes

39-2018 A Resolution Approving a Temporary Construction and Access Easement Agreement to Address Invasive Bamboo in and around Montvale Avenue – Block 712, Lot 10

WHEREAS, Edip Dema and Ejup Dema ("Owners") are the owners of certain real property located on Montvale Avenue, Montvale, New Jersey, also known as Block 712, Lot 10 on the official Tax Map of the Borough (the "Property"); and

WHEREAS, there is presently located on certain property in and around Montvale Avenue in the Borough of Montvale, including the Property, a species of invasive bamboo that both the Borough and Owners would like to have removed; and

WHEREAS, the Borough and the Owners have negotiated a Temporary Construction and Access Easement Agreement (the "Easement Agreement"), a copy of which is attached hereto, in order to

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allow the Borough to enter upon the Property and to permanently remove the bamboo from the Property, subject to certain terms and conditions set forth therein; and

WHEREAS, the Borough is desirous of approving the Easement Agreement in order to proceed with the scope of work set forth therein.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the Temporary Construction and Access Easement Agreement previously negotiated with the Owners.

BE IT FURTHER RESOLVED that all other appropriate officials are authorized and empowered to take all steps necessary to effectuate the purposes of this Resolution.

Introduced by: Councilmember ; seconded by Councilmember

- All ayes

THIS RESOLUTION WAS TABLED

40-2018 A Resolution Approving a Temporary Construction and Access Easement Agreement to Address Invasive Bamboo in and around Montvale Avenue – Block 713, Lot 3

WHEREAS, Adam Donikowski and Monika Donikowski (“Owners”) are the owners of certain real property located at 66 Montvale Avenue, Montvale, New Jersey, also known as Block 713, Lot 3 on the official Tax Map of the Borough (the “Property”); and

WHEREAS, there is presently located on certain property in and around Montvale Avenue in the Borough of Montvale, including the Property, a species of invasive bamboo that both the Borough and Owners would like to have removed; and

WHEREAS, the Borough and the Owners have negotiated a Temporary Construction and Access Easement Agreement (the “Easement Agreement”), a copy of which is attached hereto, in order to allow the Borough to enter upon the Property and to permanently remove the bamboo from the Property, subject to certain terms and conditions set forth therein; and

WHEREAS, the Borough is desirous of approving the Easement Agreement in order to proceed with the scope of work set forth therein.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the Temporary Construction and Access Easement Agreement previously negotiated with the Owners.

BE IT FURTHER RESOLVED that all other appropriate officials are authorized and empowered to take all steps necessary to effectuate the purposes of this Resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

41-2018 A Resolution Approving a Temporary Construction and Access Easement Agreement to Address Invasive Bamboo in and around Montvale Avenue – Block 712, Lot 9

WHEREAS, Thomas D. Polifroni and Donna F. Polifroni (“Owners”) are the owners of certain real property located at 69 Montvale Avenue, Montvale, New Jersey, also known as Block 712, Lot 9 on the official Tax Map of the Borough (the “Property”); and

WHEREAS, there is presently located on certain property in and around Montvale Avenue in the Borough of Montvale, including the Property, a species of invasive bamboo that both the Borough and Owners would like to have removed; and

WHEREAS, the Borough and the Owners have negotiated a Temporary Construction and Access Easement Agreement (the “Easement Agreement”), a copy of which is attached hereto, in order to allow the Borough to enter upon the Property and to permanently remove the bamboo from the Property, subject to certain terms and conditions set forth therein; and

WHEREAS, the Borough is desirous of approving the Easement Agreement in order to proceed with the scope of work set forth therein.

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NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the Temporary Construction and Access Easement Agreement previously negotiated with the Owners.

BE IT FURTHER RESOLVED that all other appropriate officials are authorized and empowered to take all steps necessary to effectuate the purposes of this Resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

42-2018 Appointment/Permanent Montvale Police Officer/Russell DiLauri

WHEREAS, Russell DiLauri has successfully completed the required probationary time period; and

WHEREAS, Chief Abrams has recommended Officer DiLauri for permanent Police Officer appointment.

NOW, THEREFOR BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Russell DiLauri is hereby permanently appointed to the Montvale Police Department, effective January 10, 2018.

Introduced by: Councilmember Lane; seconded by Councilmember Weaver - All ayes

43-2018 A Resolution Authorizing the Borough Attorney to Commence Proceedings to Take Possession of the Property Located at 79 West Grand Avenue, Identified as Block 2305, Lot 20, for the Purpose of Rehabilitating the Property

WHEREAS, the following Property has been determined by the designated Public Officer of the Borough of Montvale, County of Bergen, State of New Jersey, pursuant to Borough Code § 120-10, to be abandoned according to the criteria set forth in N.J.S.A. 55:19-81:

Street Address:	79 West Grand Avenue, Montvale, New Jersey
Tax Lot and Block:	Block 2305, Lot 20
Owner of Record:	Michael & Maureen Culhane, 732 Roemer Avenue, Teaneck, New Jersey 07666

WHEREAS, the factual basis for the Public Officer's finding that the Property is abandoned was set forth in a Notice sent to the Owners of Record in July of 2016; and a revised Notice was sent to the Owners of Record in September of 2016; and

WHEREAS, the Public Officer's finding was appealed by the Owners of Record by letter dated August 15, 2016; and

WHEREAS, an appeal hearing was held on December 12, 2016, concerning the inclusion of the Property on the Abandoned Property List, during which the Owners of Record were represented by Richard D. Koppenaal, Esq.; and

WHEREAS, a Decision was rendered by letter dated January 4, 2017, which sets forth the Public Officer's conclusion that the Property is abandoned, a copy of which was provided to the Owners of Record and their counsel; and

WHEREAS, pursuant to said Decision, the Owners of Record were granted until January 4, 2018 to obtain a perform all necessary remediation work and to obtain a Certificate of Occupancy for the Property in order to remove the Property from the Abandoned Property List; and

WHEREAS, the Owners of Record have failed to comply with the conditions of the Decision, and have in fact not even yet submitted complete and compliant plans for any rehabilitation work.

NOW, THEREFORE, BE IT RESOLVED that the Borough Attorney is hereby directed, authorized and empowered to commence a summary action in Superior Court pursuant to the Abandoned

Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq. in order to take possession of the following property for the purposes of rehabilitating the abandoned property:

Street Address: 79 West Grand Avenue, Montvale, New Jersey
Tax Lot and Block: Block 2305, Lot 20
Owner of Record: Michael & Maureen Culhane, 732 Roemer Avenue, Teaneck, New Jersey 07666

BE IT FURTHER RESOLVED that prior to commencing such summary action, the Borough Attorney is directed, authorized and empowered to send to the Owners of Record the statutory Notice of Intention to Take Possession, pursuant to N.J.S.A. 55:19-86.

BE IT FURTHER RESOLVED that all other appropriate Borough officials, officers and employees are directed, authorized and empowered to take all steps necessary to effectuate the purposes and provisions of this Resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes
The attorney gave an explanation stating that this property was placed on the abandoned property list in 2016; a hearing was held in 2016 stating the owners had a year to rehabilitate the home; to date, no permits have been issued to start the rehabilitation; this resolution authorizes the attorney to take the next step

44-2018 A Resolution Amending a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough's Affordable Housing Litigation to Increase the Amount of the Contract

WHEREAS, the Governing Body previously adopted Resolution No. 155-2017, which awarded a professional services contract to Jeffrey R. Surenian, Esq. of Jeffrey R. Surenian & Associates, LLC, 707 Union Avenue, Suite 301, Brielle, New Jersey 08730, to represent the Borough of Montvale and to perform all services necessary and appropriate in connection with the Borough's affordable housing litigation, Docket No. BER-L-6141-15; and

WHEREAS, that contract included an initial "Not To Exceed" figure of \$25,000.00; and

WHEREAS, Mr. Surenian has advised that his firm is approaching the Not To Exceed figure and needs authorization from the Borough of Montvale to proceed with additional work; and

WHEREAS, the Governing Body previously adopted Resolution 221-2017, which amended the not to exceed amount to \$75,000; and

WHEREAS, the Governing Body is desirous of authorizing same; 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 the professional services contract with Jeffrey R. Surenian and Associates, LLC is hereby amended to increase the "Not To Exceed" value to a total of \$100,000.00.

BE IT FURTHER RESOLVED that all other terms and conditions of said contract shall remain the same.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute an amended 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.

Introduced by: Councilmember Lane; seconded by Councilmember Weaver - All ayes
Councilmember Curry asked for clarification; it's an increase of \$25,000 not to exceed \$100,000

RESOLUTIONS: (CONSENT AGENDA*)

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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.

21-2018 Awarding Professional Service Contract/Records Management Services/Narita Maraj, LLC

WHEREAS, the Borough of Montvale is in need to hire a Records Management Service as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, it is the desire of the Mayor and Borough Council to award a professional service contract to Narita Maraj, LLC, 79 Washington Avenue, Apt 3R, Kearny, NJ 07032, for the management of the Borough of Montvale's Records; and

WHEREAS, The State of New Jersey mandates a local records management program for all municipalities; and

WHEREAS, The Records Management Services and the Open Public Records Act (OPRA) has mandated the process of records management required by the State of New Jersey and the Records Management Services (R.M.S.); and

WHEREAS, the contract is hereby awarded in an amount not to exceed \$15,000.00; and

WHEREAS, any expenditures exceeding \$15,000.00 must be approved by Mayor and Council by resolution; and

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

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:111 et seq.*) requires that the Resolution authorizing the award of contract for "Professional Services" without competitive bids and the Contract itself 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 the services are to be performed are specific in nature, required by law to maintain, legal disposal and appropriate preservation of public records .

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

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

22-2018 Award Professional Service Contract / Borough Attorney / Boggia & Boggia

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Boggia & Boggia, 71 Mt. Vernon Street, Ridgefield Park, NJ 07660 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2018; 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, Philip Boggia, 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 Philip Boggia, 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;

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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 Boggia & Boggia.
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.

23-2018 Award Professional Service Contract / Borough Auditor / Lerch, Vinci & Higgins

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2018; 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 & Higgins, 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 & Higgins, 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 & Higgins
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.

24-2018 Award Professional Service Contract / Engineering Services / Maser Consulting P.A. Andrew R. Hipolit, P.E., PP., C.M.E.

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting P.A., 200 Valley Road, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2018; 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, Maser Consulting. 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

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prohibit Maser Consulting 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 Maser Consulting.

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.

25-2018 Award Professional Service Contract / Borough Planner / Maser Consulting, P.A. / Darlene Green

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting, P.A. was appointed at the Re-Organization Meeting of the Governing Body on January 1, 2018; and

WHEREAS, it is the desire of the Mayor and Borough Council to appoint Darlene Green, P.P., AICP/Associate/Senior Project Planner of Maser Consulting, P.A., Perryville III Corporate Park, 53 Frontage Road, Suite 120, Clinton, NJ 08809 for planning services for the Borough for this period; 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, Maser Consulting, P.A. 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 Maser Consulting, P.A. 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;

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

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

26-2018 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, 2018 through December 31, 2018; and

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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 442 Lafayette Avenue, Hawthorne, New Jersey 07506 in the amount of \$8,500.00 for the period January 1, 2018 through December 31, 2018, as described in the Service Agreement;

WHEREAS, the Certified Municipal Finance Officer has provided funds to be available subject to the adoption of the year 2018 Municipal Budget; 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 Mercedes Drive, Montvale, NJ 07645.

27-2018 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, 2018/Professional Insurance Associates, (P.I.A), Inc.

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 Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc.** 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 advertised in the official newspaper in accordance with NJSA 40A:11-5 (1) (a) (i).

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

28-2018 Award Professional Service Contract/Prosecutor/Alternate Prosecutor/Public Defender/Alternate Public Defender/Pascack Joint Municipal Court

WHEREAS, the Pascack Joint Municipal Court has a need to contract for the services of various professionals to serve as the municipal prosecutor or alternate prosecutor, pursuant to N.J.S.A. 2B:25-1, et seq., and to serve as the municipal public defender or alternate public defender, pursuant to N.J.S.A. 2B:24-1, et seq.; and

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WHEREAS, these services are being solicited under the non-fair and open procedures of N.J.S.A. 19:44A-20.4 and -20.5; and

WHEREAS, the Attorney General of the State of New Jersey has advised municipalities that without formal appointment of an alternate municipal prosecutors, the municipality and/or the prosecutor may lose immunity conferred by the New Jersey Municipal Tort Claims Act; 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:

Prosecutor: Christopher C. Botta, Esq.

Alternate Prosecutor: Natalia Angeli, Esq.

Alternate Prosecutor: Richard Rosa, Esq.

Public Defender: Gerald R. Salerno, Esq.

Alternate Public Defender: Salvatore Sclafani, Esq.

WHEREAS, the salary of the Prosecutor shall be \$27,000, and the salary of the Public Defender shall be \$7,500.00; 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 Prosecutor and/or Alternate Public Defender shall be paid by the Prosecutor or Public Defender, as appropriate; and

WHEREAS, the term of these contracts shall commence on January 1, 2018, and shall continue for the remainder of the calendar year 2018; and

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

WHEREAS, all of the aforementioned professionals have completed and submitted a Business Entity Disclosure Certification which certifies that he/she 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 professionals from making any reportable contributions through the term of their contract; 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. These Contracts are 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. The Business Disclosure Entity Certification and 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.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale confirm these appointments

29-2018 Authorize Contract NorthWest Bergen Regional Health Commission

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 two year (2) contract has been reviewed and approved by the Board of Health; and

WHEREAS, the 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 year 2017 and 2018 Budgets for these contracts in the Borough of Montvale's Board of Health Budget; and

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contracts for Health Services for 2017 and Year 2018 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, 2017, copy of which is attached to this resolution for the base amount of \$55,923.71 annually for 2017 and 2018 as outlined in the attached proposal.

30-2018 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 2018 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 2018 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2018, copy of which is attached to this resolution for the base amount of \$9,900.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal.

31-2018 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 Michael Ghassali and Borough Clerk/Administrator Maureen Iarossi-Alwan be and are hereby authorized to execute the Contract on behalf of the Borough.

32-2018 Mutual Aid Plan & Rapid Deployment Force Interlocal Service Agreement

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., manmade causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chiefs Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and,

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Montvale to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the plan submitted by the Bergen County Police Chiefs Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Police Department of the Borough of Montvale, under the direction of the Chief of Police, cooperate with the Bergen County Police Chiefs Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; a

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, the County Chief of Police, and all Bergen County Municipalities.

33-2018 A Resolution of the Borough of Montvale Renewing the Contract to GovSites (formally Flanagan Productions, LLC), as an Extraordinary Unspecifiable Service for Website Design, 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 2018 to provide such services from John Flanagan of GovSites (formally 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 GovSites to perform the above-referenced services for the prices and on the terms set forth in the GovSites 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 GovSites for website design, hosting and support, and related services, for the prices and on the terms set forth in the Proposal submitted by GovSites; and

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BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the GovSites Proposal but shall not exceed \$25,000 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.

34-2018 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, 2018

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 Board of Fund Commissioners for the BMED established a fee for such services based upon the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

WHEREAS, the Municipality has conducted a solicitation process to review and evaluate the credentials, services, performance and integrity of several professional firms experienced in these types of services; and

WHEREAS, the judgmental nature of the Health Benefits Consulting duties and the fact the service will be performed by personnel authorized by law to practice a recognized profession that is regulated by law, renders comparative bidding impractical;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **PIA Security Programs Inc.** as its Health Benefits Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that in accordance 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 NJSA 40A:11-5 (1) (a) (i).

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

Introduced by: Councilmember Lane; seconded by Councilmember Weaver - All ayes

BILLS: Municipal Clerk read the Bill Report.

Motion to pass bills by Councilmember Lane; seconded by Councilmember Curry - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue - December

Councilmember Weaver

Regional High School Board

Due to the snow storm, the re-organization meeting was rescheduled to January 9;

Economic Development

Hosting an event at the Senior Community Center on Healthcare Industry Session, March 14th 6-9pm

Councilmember Curry

Board of Health

Re-elected Joyce Cohen as President; rabies clinic was held on January 6; thank you to the Fire Dept for hosting the rabies clinic at the DPW building;

Seniors

Business meeting is scheduled for January 11

Website

February newsletter is in production;

Chamber of Commerce

First event of the year will be held on January 24th at the Courtyard by Marriot from 5:30-7:30pm; welcome all who are interested in attending their board meetings held on the first Wednesday of the month at borough hall from 4-6pm

Councilmember Gloeggler

Local BOE

Attended the re-organization meeting, three new board members were sworn in; Currently 1,002 students enrolled;

TV Access

Thanked team for fixing the technical issues; second interview show is scheduled for January 31

Councilmember Lane

Fire Department

22 calls; 1 Chief call; 6 extra credits; 2 drills

Firehouse Update

Looking forward to opening

Finance

Budget meetings will be held on January 30, February 13 and February 27 at 6pm at borough hall and encourages residents to attend

MAYOR

Library

Circulation 8,497; 4,009 patron visits; 14 cards issued;

Report

Working with the borough attorney and ERUV Association to agree on a settlement; first snow storm of the year, DPW did excellent job; there was some confusion about the sidewalk from the red shed to the school; the school has a contract with Montvale landscaping; after a brief discussion, councilmembers decided to leave it to the responsibility of the school;

Mayor's Advisory Committee

Working on a town wide survey, they are compiling information as to what questions to ask

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. Suez United Water Update/Montvale Fire House

Right now the firehouse building doesn't have water; due to new regulations, a water main will be installed along with a fire hydrant by Memorial School;

- b. HVAC System Montvale Municipal Building

Issues are still happening, Air Group will supply information of what needs to be repaired or replaced

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

The attorney asked for authorization to prepare documents to go out for bids for the TV studio; a motion by Councilmember Lane; seconded by Councilmember Curry – all ayes

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Letter of Resignation/M. Leposky/Tax Assessor

Last day is January 11

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.

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

Bob Zitelli, Olde Woods Lane

Wanted an update on the ERUV; the Mayor responded by stating that the borough is in talks with the ERUV Association to settle out of court;

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

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Weaver
- all ayes

Meeting was adjourned at 8:43pm

The next Meeting of the Mayor and Council will be held January 30, 2018 at 7:30 p.m.

2018 SCHEDULED BUDGET MEETINGS:

January 30th, 2018 6:00 p.m.
February 13th, 2018 6:00 p.m.
February 27th, 2018 6:00 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk