

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. Master Sargeant Dieter Koelling led in the Pledge of Allegiance. 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

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

PROCLAMATION: RECOGNITION OF VALARIE KIMEL – PASCACK HILLS HS

JR. POLICE ACADEMY – *Sgt. Brian Lamendola gave a brief explanation about the Jr. Police Academy and the students that are attending; the program runs for 10 weeks; some of the students ask councilmembers questions*

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2025-1578 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385, "VEHICLES AND TRAFFIC," OF THE BOROUGH CODE TO DESIGNATE NEW "STOP INTERSECTIONS

WHEREAS, in the interest of safety, the Chief of Police of the Montvale Police Department has recommended that additional intersections be designated as "Stop Intersections" and that stop signs be placed at such intersections; and

WHEREAS, the Mayor and Council are desirous of adopting the recommendations of the Chief of Police and amending the Borough Code to implement same.

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

Section 1. Chapter 385 of the Borough Code, Section 41, entitled "Schedule VIII – Stop Intersections," shall be amended and supplemented by adding the following locations of stop intersections:

§385-41 Schedule VIII – Stop Intersections.

Intersection	Stop Sign On
Bramble Way and Bayberry Drive	Bramble Way, southbound
Shady Trail and Bayberry Drive	Shady Trail, southbound

Woodland Road and Magnolia Avenue	Woodland Road, northbound Woodland Road, southbound

Section 2. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Section 6. Installation.

The Borough Administrator (or such person as directed by the Borough Administrator) is hereby directed, authorized and empowered to take all reasonable steps to acquire the necessary signage and to direct the Pascack Valley Department of Public Works to install same at the identified intersections.

*A motion Introduced for second reading **Ordinance No. 2025-1578** by Councilmember Russo-Vogelsang; seconded by Councilmember Cudequest; Clerk read by title only.*

Motion to open meeting to public by Councilmember Roche; seconded by Councilmember Cudequest

- all ayes

No Public Comment

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

PUBLIC HEARING OF ORDINANCE NO. 2025-1579 AN ORDINANCE APPROPRIATING \$25,000 FROM THE CAPITAL FUND BALANCE FOR THE ACQUISITION OF AN ALCOHOL BREATH TESTING DEVICE FOR THE POLICE DEPARTMENT

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

SECTION 1. The Borough of Montvale hereby appropriates the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Capital Fund Balance for the acquisition of an alcohol breath testing device for the Borough Police Department.

SECTION 2. The appropriation authorized herein shall be used to fund the purchase of the alcohol breath testing device, together with all accessories, equipment, training, installation, and any related expenses necessary to place the unit into service.

SECTION 3. The Chief of Police, the Borough Administrator, the Chief Financial Officer, and such other officials as may be required are hereby authorized and

directed to take all actions necessary to effectuate the acquisition authorized by this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

*A motion Introduced for second reading **Ordinance No. 2025-1579** by Councilmember Russo-Vogelsang; seconded by Councilmember Roche; Clerk read by title only.*

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

No Public Comment

Motion to close meeting to the public by Councilmember Koelling; seconded by Councilmember Roche- all ayes Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Roche; seconded by Councilmember Koelling; Clerk read by title only - All ayes on a roll call vote

PUBLIC HEARING OF ORDINANCE NO. 2025-1580 AN ORDINANCE APPROPRIATING \$144,000 FOR IMPROVEMENTS TO HUFF PARK, INCLUDING CONSTRUCTION OF A SHADE STRUCTURE, AND PROVIDING FOR THE FUNDING THEREOF

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

SECTION 1. The Borough of Montvale has been awarded a Local Recreational Improvement Grant from the New Jersey Department of Community Affairs in the amount of Seventy-Eight Thousand Dollars (\$78,000.00) for improvements at Huff Park, including the construction of a shade structure.

SECTION 2. The total cost of said improvements, including construction, installation, materials, labor, engineering, and related expenses, is estimated to be One Hundred Forty-Four Thousand Dollars (\$144,000.00).

SECTION 3. To finance said appropriation, the sum of Seventy-Eight Thousand Dollars (\$78,000.00) shall be provided by the aforesaid grant, and the sum of Sixty-Six Thousand Dollars (\$66,000.00) is hereby appropriated from the Borough's Open Space Trust Fund.

SECTION 4. The improvements authorized herein include, but are not limited to, the construction of a shade structure pavilion at Huff Park, associated site work, electrical work, installation, engineering, and related expenses.

SECTION 5. The Borough hereby accepts the grant and authorizes the Mayor, Borough Administrator, Chief Financial Officer, and other appropriate Borough officials to execute all necessary documents, agreements, and certifications to effectuate the purposes of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon final passage and publication as required by law.

*A motion Introduced for second reading **Ordinance No. 2025-1580** by Councilmember Russo-Vogelsang; seconded by Councilmember Roche; Clerk read by title only.*

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

No Public Comment

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

PUBLIC HEARTING OF ORDINANCE NO. 2025- 1581 AN ORDINANCE APPROPRIATING \$30,000 FROM THE CAPITAL FUND BALANCE FOR RENOVATIONS AND REHABILITATION OF BUILDINGS AND GROUNDS AT DEPIERO FARM

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

- SECTION 1.** The Borough of Montvale hereby appropriates the sum of Thirty Thousand Dollars (\$30,000.00) from the Capital Fund Balance for the renovations and rehabilitation of buildings and grounds at DePiero Farm, a property acquired by the Borough in 2025.
- SECTION 2.** The appropriation authorized herein shall be used to fund improvements to Borough-owned buildings and grounds at DePiero Farm, including but not limited to rehabilitation, renovations, site work, and all related costs necessary to maintain and improve the property.
- SECTION 3.** The Mayor, Borough Administrator, Chief Financial Officer, and such other Borough officials as may be required are hereby authorized and directed to take all actions necessary to effectuate the purposes of this Ordinance.
- SECTION 4.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

*A motion Introduced for second reading **Ordinance No. 2025-1581** by Councilmember Russo-Vogelsang; seconded by Councilmember Roche; Clerk read by title only.*

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

No Public Comment

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

PUBLIC HEARING OF ORDINANCE NO. 2025-1582 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 326 OF THE BOROUGH CODE, ARTICLE II, TO REVISE CERTAIN PROVISIONS CONCERNING SITE PLAN WAIVERS

BE IT ORDAINED by the Mayor and Council of the Borough of Montvale as follows:

Section 1. Chapter 326, "Site Plans," Article II, "Site Plan Waiver Requirements and Use Permits," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§ 326-28 Violations and penalties.

A. Any person, persons, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity who in any manner knowingly fails to fully comply with the terms and covenants of this Article [chapter] shall be subject to the penalties provided herein.

1. The occupancy of commercial space without a Use Permit shall be deemed to be a violation of this Article by the individual or entity occupying said space.
2. The leasing of commercial space to a person or entity without a Use Permit shall be deemed to be a violation of this Article by the individual or entity owning the leased space.

3. The subleasing of commercial space to a person or entity without a Use Permit shall be deemed to be a violation of this Article by the individual or entity leasing the subleased space.
 4. It shall be a separate violation of this Article for any property manager, broker, real estate agent, or other legal representative to negotiate and/or execute a lease agreement or sublease agreement on behalf of an owner or occupant, and thereafter permit the occupancy of commercial space, knowing that no Use Permit has been obtained for said space.
 5. Each day that a violation continues after issuance of a notice of violation shall be deemed to be a separate violation for which a penalty shall be due.
- B. Any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as follows: [provided in Chapter 1, Article I, General Penalty.]
1. For a first violation: \$1000
 2. For a second violation: \$1,500
 3. For a third and subsequent violation: \$2,000

§ 326-29 Enforcement.

The provisions of this Article may be enforced by the Borough Zoning Officer and Fire Prevention Official, or their respective designees.

§ 326-30 Subleasing Prohibited.

Subleasing of existing commercial space within commercial or mixed-use buildings is prohibited unless the occupant has first complied with the provisions of this Article and obtained a Use Permit for said space.

Section 2. Severability.

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

Section 3. Effective date.

This Ordinance shall take effect immediately upon adoption and publication as required by law.

Section 4. Repeal of inconsistent ordinances.

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

Section 5. Transmittal to Planning Board.

Upon approval of this Ordinance upon First Reading by the Mayor and Council of the Borough of Montvale, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-26.

*A motion Introduced for second reading **Ordinance No. 2025-15820** by Councilmember Russo-Vogelsang; seconded by Councilmember Roche; Clerk read by title only.*

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

No Public Comment

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

PUBLIC HEARING OF ORDINANCE NO. 2025-1583 AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF THE BOROUGH OF MONTVALE ENTITLED "CLAIMS PROCEDURE" TO UPDATE THE PROCEDURES FOR CERTIFICATION AND PAYMENT OF CLAIMS

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

SECTION 1 Chapter 10, entitled "Claims Procedure," of the Code of the Borough of Montvale is hereby amended and supplemented in part as follows [**additions are underlined, deletions are between brackets**]:

§ 10-1 Bill of demand; certification.

Any person claiming payment from the Borough of Montvale shall present a detailed bill of demand to the Purchasing Agent, duly certified[, or, in the alternative, the governing body may by resolution require an affidavit in lieu of certification].

§ 10-2 Signature required.

It shall be the duty of the Purchasing Agent to see that the signature of [the officer or employee who has been duly designated by the Mayor and Council] the Department Head responsible for the goods or services to certify that the materials have been received by, or the services rendered to, the Borough of Montvale appears on every claim.

§ 10-3 Presentation of claims for approval.

[

- A. The Mayor and Council shall, by resolution, establish the threshold for which claims shall require the signature of Councilmember Liaison of the Department which placed the order, Finance Chairperson and the signature of only the Borough Administrator to be processed for payment and presented to the governing body for approval. Said resolution may be amended from time to time.
- B. Those claims which require the signature of the Councilmember Liaison of the department which placed the order shall then be presented to that Councilmember Liaison of the Department responsible for the placing of the order who, if satisfied
- C. that the claims are proper, shall approve the same. After such approval is given, the Councilmember Liaison shall file the claims with the Finance Chairperson, if required, who shall then file the claims with the Purchasing Agent, who shall then present these claims to the governing body for formal approval at a regular meeting.
- D. Claims which only require the approval of the Borough Administrator for presentation to the governing body for formal approval at a regular meeting, as prescribed by the Mayor and Council by adoption of the appropriate resolution, shall be presented to the Borough Administrator by the Purchasing Agent for approval. The Purchasing Agent shall then present these claims to the governing body for formal approval at a regular meeting.]
- A. All claims shall require the certification of the Department Head responsible for the goods or services received, attesting that the claim is proper and valid.
- B. Following Department Head certification, all claims shall require the review and approval of the Borough Administrator.

C. The Chief Financial Officer, Treasurer, or Deputy Treasurer shall review all claims for compliance with budgetary and fiscal requirements and certify the availability of funds as required by law.

D. Upon the certifications and approvals set forth above, the Purchasing Agent shall present the claims to the governing body for formal approval at a regular meeting.

§ 10-4 Action by the governing body.

Claims shall be considered by the governing body which shall approve the same, except that said governing body may reject any claims presented to it stating the reasons for such rejection. Any disapproved claims shall be referred back to the Borough Administrator with such instructions as the governing body may give at the time of disapproval.

§ 10-5 Record of claims.

It shall be the duty of the Borough Clerk to record all claims in the official minutes of the Borough, indicating that the governing body has by formal action approved the same, with the appropriate record as to any claims disapproved or rejected.

§ 10-6 Approval date noted; certificate of approval.

It shall be the duty of the Borough Clerk [or such other officer designated by resolution of the governing body] to indicate on said claims that they have been approved for payment, with the date of approval thereof noted on the claim.

§ 10-7 Preparation and recording of checks.

After the Borough Clerk has certified that the claims have been approved, the Clerk shall turn the same over to the Treasurer or other Chief Financial Officer, who shall forthwith prepare the necessary checks for the payment thereof, which said checks shall be signed by [the Mayor and Borough Clerk and thereafter countersigned by the Treasurer or other Chief Financial Officer who the governing body designates by resolution as a signatory] the Mayor, the Borough Administrator, and either the Treasurer, Deputy Treasurer, or Chief Financial Officer. After preparing checks for the payment of claims, the Treasurer, Deputy Treasurer, or Chief Financial Officer shall record them in a proper book of accounts and thereafter shall otherwise distribute the checks to the claimants. In the event of the absence of any of the above-named officials, those duly authorized by law to act in their absence shall sign the necessary checks.

§ 10-8 Payroll procedure.

In the case of payrolls, the Borough payment to the social security system (OASI), pension system, the group insurance plan for the employees and other mandated agency payments, the appropriate department heads [or such officer or employees as may be designated by resolution of the governing body] shall prepare the necessary payrolls, payments or deductions for all employees, which payrolls, payments or deductions shall be duly certified by the person authorized to certify that the services, payments or deductions have been rendered or are required and the amount specified is in fact due and owing to the employee or employees or to the social security system, pension system, to the established group insurance plan and other mandated agency payments for employees. Said payrolls, payments or deductions shall be approved by the Borough Administrator, paid by the Treasurer or other chief financial officer of the Borough and subsequently presented to the governing body for ratification and approval.

§ 10-9 Payroll account; payment of salaries.

This chapter shall provide for the establishment of a payroll account, and the governing body may thereafter by resolution prescript the manner in which payroll checks shall be drawn, who shall sign the same and the dates on which payment shall be made. In addition, the local unit may, if it so elects, adopt a resolution providing for biweekly payment of salaries, wages and compensation.

§ 10-10 Claims for travel expenses.

In case any officer or employee of the Borough presents a claim or voucher for reimbursement for actual and necessary travel expenses, the same shall be supported by receipts where available, setting forth said expenses and claims for reimbursement. Said procedure for reimbursement shall be established by the governing body by resolution.

[§ 10-11 Repealer.

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

§ 10-12 When effective.

This chapter shall take effect immediately upon publication in the manner provided by law.]

SECTION 2: Severability.

The phrases, clauses, sentences, paragraphs and subsections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or subsection of this section shall be declared unconstitutional or otherwise unlawful by the valid judgment, decree or injunction order of a court of competent jurisdiction, such ruling shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and subsections of this section.

SECTION 3. Repealer.

All ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon passage and publication according to law.

*A motion Introduced for second reading **Ordinance No. 2025-1583** by Councilmember Russo-Vogelsang; seconded by Councilmember Roche; Clerk read by title only.*

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

No Public Comment

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

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

No Public Comment

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

October 9, 2025

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

CLOSED/EXECUTIVE MINUTES:

September 30, 2025

A motion to accept the closed session minutes by Councilmember Roche; seconded by Councilmember Russo-Vogelsang - all ayes

October 9, 2025

A motion to accept the closed session minutes by Councilmember Koelling; seconded by Councilmember Russo-Vogelsang - all ayes with the exception of Councilmember Roche abstaining

RESOLUTIONS: (CONSENT AGENDA*)

194-2025 Authorizing Refund of Redemption of Tax Sale Certificate #20-00001 for Block 1501; Lot 19.08, 6 Quail Ridge Road

WHEREAS, at the Municipal Tax Sale held on October 28, 2021, a lien was sold on Block 1501, Lot 19.08, also known as 6 Quail Ridge Road for 2020 property taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #20-00001, was sold to C & E Fund Trust 1 PO Box 5021, Philadelphia, PA 19111 at 0% interest rate and a premium in the amount of \$30,500.00; and

WHEREAS, the owner of the property Calvin & Deborah Soh has affected redemption of Tax Sale Certificate #20-00001 in the amount of \$54,901.65; 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 Tax Collector be and is hereby authorized to Redeem Certificate #20-00001 in the amount of \$54,901.65 plus \$30,500.00 premium for a total amount of \$85,401.65 to C & E Fund Trust 1, PO Box 5021, Philadelphia, PA 19111

195-2025 RE: Appointment of Regular Member, Montvale Fire Department – Matthew S. Worgul

WHEREAS, the Montvale Fire Department is desirous of adding a regular member; and

WHEREAS, Matthew Worgul 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 Matthew S. Worgul, as a Regular Member of the Montvale Fire Department, is hereby approved.

196-2025 A Resolution Authorizing a Contract with Motorola Solutions for Seven (7) All-Band Portable Radios Pursuant to State Contract #83909 T0109 for the Montvale Fire Department

WHEREAS, the Montvale Fire Department has a need to acquire an all-band portable radios to allow communications on additional frequencies with nearby municipalities; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.C.A. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough did solicit a quote from Motorola Solutions, Inc. for this equipment under State Contract #83909 T0109; and

WHEREAS, Motorola submitted a proposal to the Borough, a copy of which is attached hereto, in the total amount of \$70,0062.04; and

WHEREAS, the Borough's Fire Chief has recommended that the Borough award this contract pursuant to the Motorola Proposal; and

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

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Montvale does approve the attached Quote from Motorola Solutions, Inc., 123 Tice Boulevard, Woodcliff Lake, New Jersey 07677 for Seven (7) All-Band Portable Radios and related equipment and services for use by the Montvale Fire Department.
2. The Mayor, Borough Clerk and/or Borough Administrator are hereby directed, authorized and empowered to execute an agreement with Motorola Solutions, Inc., consistent with this resolution.
3. This resolution shall take effect immediately.

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

RESOLUTIONS: (NON-CONSENT)

197-2025 A Resolution Awarding A Lease Of Municipal Property Designated As Block 1903, Lot 3.01 On The Tax Map Of The Borough Of Montvale Pursuant To Public Bid

WHEREAS, the Borough of Montvale ("Borough") owns the property designated as Block 1903, Lot 3.01 on the Tax Map of the Borough of Montvale, consisting of approximately 8.393 acres situated as the corner of Summit Avenue and Craig Road, formerly known as DePiero Farm; and **WHEREAS**, the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-14(a) sets forth in relevant part that a municipality may lease any real property not needed for public use; and **WHEREAS**, N.J.S.A. 40A:12-14(a) sets forth, in relevant part, that in the case of a lease to a private person or entity said lease shall be made to the highest bidder by open public bidding at auction or by the submission of sealed bids; and **WHEREAS**, in September of 2025, the Borough caused an advertisement to be published for the solicitation of sealed bids for the lease of the Property designated at Block 1903, Lot 3.01 on the Tax Map of the Borough of Montvale for the purposes of operating a retail farm and the preservation of open space; and **WHEREAS**, on September 17, 2025 and September 28, 2025, the Borough published a notice of the bid solicitation in The Record; and **WHEREAS**, the Borough received three (3) bids in response to its Notice to Bidders as follows, with the required bid being a minimum of \$10,000.00 for annual rent to be paid to the Borough of Montvale for the first year of the lease, with annual increases of two percent (2%) for each successive year:

Demarest Farm:	\$12,000.00
Epstein/Wergul:	\$12,000.00
D'Agostino Landscaping Inc.	\$43,200.00

WHEREAS, the Borough wishes to accept the bid by D'Agostino Landscaping Inc., 738 West Nyack Road, West Nyack, New York 10894; and

WHEREAS, the Borough finds that the waiver of the bid condition that the bidder operate a retail farm within ten (10) miles of the Property serves the public interest and that D'Agostino Landscaping Inc. operates an agricultural business located approximately 7 miles from the Borough of Montvale and that this bidder has demonstrated sufficient experience in the agricultural business and agrees to abide by all conditions set forth in the form of lease accompanying the bid specifications regarding the operation of a retail farm in the Borough of Montvale.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that a lease for a term of twenty (20) years is hereby awarded to D'Agostino Landscaping, Inc. in accordance with the prices set forth in its bid, the bid specifications and the form of lease as follows:

Lessee:
D'Agostino Landscaping, Inc.
738 West Nyack Road, West Nyack, New York 10894

D'Agostino Landscaping, Inc..	Annual Rent
Year 1	\$43,200.00
1/1/26– 12/31/26	
Total	\$43,200.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents necessary to effectuate the purposes of this Resolution, consistent with the Borough's bid specifications and applicable law, subject to approval as to the form by the Borough Attorney.

BE IT FURTHER RESOLVED that said contract shall be for a term of twenty (20) years, with an increase of two percent (2%) in rent on the first day of each successive year.

Introduced by: Councilmember Koelling; seconded by Councilmember Roche - a roll call was taken - all ayes Councilmember Cudequest asked for clarification, Borough Attorney explained this is to approve the bid received for the Farm

BILLS: Municipal Clerk read the Bill Report

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

ENGINEER'S REPORT: Nick Chelius

No Report

ATTORNEY REPORT: David Lafferty, Esq.

Following up on the Farm – D'Agostino will take over the Farm as of December 1st; mediation is scheduled for this Thursday on our affordable housing numbers.

ADMINISTRATOR REPORT: Joe Voytus

No Report

UNFINISHED BUSINESS:

- Discussion – Blue Angels Program – lock boxes

Councilmember Cudequest mentioned about the seniors are asking about the lock boxes and wanted the borough to cover the expense; after a brief discussion, councilmembers decided to have Councilmember Cudequest find out how much interest from the seniors to see how many boxes would be needed; Councilmember Koelling will speak to the Police Chief as well.

- Discussion – Senior/Community Center - capacity

Councilmember Cudequest stated that the capacity for the room is 152 people, currently they have 141 members; they need a larger space or they will have to start to limit their membership

- Discussion – E-Bikes Safety

The BA stated that there was an article the Wayne is cracking down on e-bike safety and introduced an ordinance; Joe spoke with the Police Chief and he agrees that something should be done; Councilmembers all agreed

NEW BUSINESS:

- Discussion – Employee Health Benefits and HSA funding

Council President Lane stated recommended the Borough keep the employee contribution the same as year 2025

199-2025 A Resolution Establishing the Health Benefits Levels for the Borough of Montvale for Plan Year 2026

WHEREAS, the Borough must annually determine the level of health benefits offered to its non-contractual employees, as well as certain aspects of the health benefits offered to contractual employees; and

WHEREAS, the Borough must also determine annually the amount offered to employees who opt out of the Borough's health coverage.

NOW, THEREFORE, BE IT RESOLVED that the Borough does hereby establish the following health benefits for the year 2026 for all employees.

1. The dental, medical and prescription plans offered to all employees and the premiums therefor shall be as set forth on the attached rate schedule.
2. Employee contributions shall be as follows:
 - a. For those employees who select the HDHP, 10% of the total premium cost
 - b. For those employees who select all other plans, 15% of the total premium cost
3. For those employees who select the HDHP, the Borough shall contribute towards a durable Health Savings Account (HSA) for said employee in the total amount of \$4,000/single, or \$8,000/family.
4. Vision benefits shall be a maximum of \$500 per family as a processed reimbursement.
5. Opt-out payment
 - a. For those employees who opt out of all health benefits from the Borough, the employee shall be entitled to a payment of 25% of the net savings to the Borough as a result of such opt-out, capped at a maximum of \$5,000.
 - b. For the plan year 2026, the determination of the amount saved by the Borough shall be calculated based on the lowest cost plan offered by the Borough. If an employee was enrolled in a Borough Health Plan the prior year, the opt-out calculation is based on the cost of the plan the employee had been enrolled in.
 - c. All employees who opt out must complete and timely submit the opt-out form attached hereto.

BE IT FURTHER RESOLVED that to the extent any of the foregoing provisions may conflict with an existing contractual provision, the terms of such contract shall prevail.

Introduced by: Councilmember Roche; seconded by Councilmember Cudequest - all ayes

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 Roche; seconded by Councilmember Russo-Vogelsang – all ayes

No Public Comment

A motion to close meeting to the public by Councilmember Roche; seconded by Councilmember Russo-Vogelsang – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Koelling; seconded by Councilmember Russo-Vogelsang – all ayes

Meeting adjourned at 8:34pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, November 13, 2025

Respectfully submitted, Frances Scordo, Municipal Clerk