

**AGENDA
PUBLIC MEETING
BOROUGH OF MONTVALE
Mayor and Council Meeting
May 9, 2024
Meeting to Commence 7:30PM**

ROLL CALL:

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

OR-ZONE ANALYSIS DISCUSSION:

Borough Planner, Darlene Green

PROCLAMATION: Declaring May 17, 2024 World Neurofibromatosis (NF) Awareness Day

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2024-1555 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 200 TO REVISE RESTRICTIONS RELATED TO HUNTING AND THE DISCHARGING OF WEAPONS
(public hearing 5-28-24)

MEETING OPEN TO PUBLIC:

Agenda Items Only

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

April 30, 2024

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.

- 103-2024 Refund Tax Overpayment / Block 806, Lot 4.01 – 13 Main Street
- 104-2024 Authorize the Cancellation of 2nd, 3rd & 4th quarter taxes of 2024 and All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs – Kathleen Carrillo – 5 Cardinal Court – Block 2502, Lot 4
- 105-2024 Calling for the Modernization of The Open Public Records Act (OPRA) And the Swift Passage Of S-2930/A-4045
- 106-2024 A Resolution Approving the Plan and Design for the NJDOT FY2023 – Terkuile Road Resurfacing Project and Authorizing the Receipt of Bids
- 107-2024 Borough of Montvale Fire Department LOSAP Eligible Individuals

BILLS:

REPORT OF REVENUE:

COMMITTEE REPORTS:

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

ATTORNEY'S REPORT:

Dave Lafferty, Esq.
Report/Update

ADMINISTRATOR'S REPORT:

Joe Voytus
Report/Update

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

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

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on May 28, 2024

*******Disclaimer***** Subject to Additions And/Or Deletions**

May 6, 2024

Mayor and Council
Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645

RE: OR District Permitted Use & Bulk Analysis – Executive Summary
Project No. MPP-0226

Dear Mayor and Council Members,

In 2022, the Planning Board requested an analysis of the OR-4 District be conducted. This office prepared the analysis, which included a discussion of the uses permitted in the District, a comparison with the former SED District, and recommendations for additional uses to be permitted. Thereafter, in December of 2023, the Board requested the 2022 work be expanded to include an analysis of the permitted principal and conditional uses of the OR-1, OR-2, and OR-3 Districts, potential bulk amendments, and recommendations for complementary uses. This office prepared an analysis of the aforementioned topics, which produced a Letter entitled "OR District Permitted Use & Bulk Regulations Analysis", dated March 20, 2024. This document serves as an executive summary of the recommendations offered by the Letter.

The following uses are identified as potential principal uses in the OR Districts that would complement the existing permitted uses in the Districts, result in minimal impacts, would not change the character of the area, and are supported by the Planning Board Master Plan Sub-committee:

- **Bank** – A retail facility that provides financial and brokerage services to the general public in person and on a walk-in basis.
- **Data Center** – A facility used to house computer systems and associated components, such as telecommunications and data storage and/or processing systems.
- **Daycare Center** – A facility providing for the care, supervision, and protection of preschool children.
- **Indoor recreation** – A building housing recreation facilities such as, but not limited to, indoor sports courts, sports fields, batting cages, skating and roller rinks, bowling alleys, climbing walls, trampoline parks, laser tag, pools and gymnasiums, gyms, and similar recreation activities.
- **Instructional Use** – Uses for the teaching and practice of dance, drama, art, language, martial arts, music, aerobics, sports, fitness, photography and the like. These uses may, from time to time, hold group events, such as birthday parties.

Additionally, the following uses were identified as potential conditional uses in the OR Districts that could coexist harmoniously with existing buildings and uses and are supported by the Planning Board Master Plan Sub-committee:

- **Light industry** – A building or structure used for the research, development, fabrication, reshaping, reworking, assembly or combining of products from previously prepared materials and which does not involve the synthesis of chemical or chemical products or the processing of any raw materials. The use does not involve any nuisance factors other than the noise of trucking and the congregation of employees. Light industry does not include heavy industrial operations such as automobile assembly or milling activities.
- **Maker spaces** – A place of work for small-scale machinists, woodworkers, craftsmen, or similar businesses engaged in working with raw materials to create finished products for sale, such as woodworking, metalworking, pottery, cabinetry, glass, musical instruments, theater sets, food products, or a similar creative or modern manufacturing use including persons engaged in the application, teaching, or performance of such endeavor; such space may include a very limited area for accessory office, gallery, and retail space.
- **Self-Storage Facility** – A building or group of buildings in single ownership containing separate spaces or compartments for the long-term storage of goods and are leased or rented on an individual basis.
- **Residential Cluster Development** – A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture.

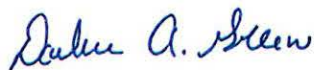
The March 20, 2024 Letter also includes an analysis of the bulk standards of the OR Districts. The following recommendations are offered:

- Consider increasing the maximum lot coverage from 50% to 55% for all four OR Districts.
- Consider eliminating the one-size-fits-all parking standard (a maximum of 1 space per 200SF and a minimum of 1 space per 300SF) and creating separate parking requirements for:
 - General office
 - Medical office
 - Research and development
 - Any new permitted uses with low parking requirements (e.g. data centers)

Should you have any questions concerning the above comments, please do not hesitate to contact my office.

Sincerely,

Colliers Engineering & Design, Inc.



Darlene A. Green, PP, AICP
Borough Planner

cc: Lorraine Hutter, Board Secretary (via email Lhutter@montvaleboro.org)

Borough of Montvale PROCLAMATION

Declaring May, 17 2024 World Neurofibromatosis (NF) Awareness Day

WHEREAS, the Children's Tumor Foundation is observing May 2024 as NF Awareness Month to educate the public about this rare genetic condition; and

WHEREAS, although over 4 million people around the world are living with NF and 1 in every 2,000 births is diagnosed with NF, it is still relatively unknown to the public; and

WHEREAS, NF affects all populations, regardless of race, ethnicity or gender; and

WHEREAS NF causes tumors to grow on nerves throughout the body and also can affect development of the brain, cardiovascular system, bones and skin; and

WHEREAS the disorder can lead to blindness, deafness, bone abnormalities, disfigurement, learning disabilities, disabling pain, and cancer; and

WHEREAS, the Children's Tumor Foundation leads efforts to promote and financially sponsor world-class medical research aimed at finding effective treatments and, ultimately, a cure for NF; and

WHEREAS, the Children's Tumor Foundation provides patient and family support through its information resources, youth programs, and local chapter activities; and

WHEREAS, much remains to be done in raising public awareness of NF to help promote early diagnosis, proper management and treatment, prevention of complications, and support for research;

NOW, THEREFORE, the Council and I, Michael N. Ghassali, Mayor of the Borough of Montvale, County of Bergen, State of New Jersey, in recognition of this important initiative do hereby proclaim May, 17 2024 as "World Neurofibromatosis (NF) Awareness Day".

Michael N. Ghassali, Mayor

Dated

**BOROUGH OF MONTVALE
ORDINANCE NO. 2024-1555**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on May 9, 2024 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on May 28, 2024 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

**AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING
CHAPTER 200 TO REVISE RESTRICTIONS RELATED TO HUNTING AND THE
DISCHARGING OF WEAPONS**

WHEREAS, the Borough recently became aware of a number of individuals who were hunting on Borough-owned property within Montvale; and

WHEREAS, the State Conservation Officer has made recommendations to the Borough to revise certain sections of the Borough Code to assist the Montvale Police Department and New Jersey Fish and Wildlife in deterring hunters and enforcing Borough ordinances.

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

Section 1. Chapter 200, "Firearms and Hunting," Section 1, "Hunting," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§200-1 Hunting.

It shall be unlawful for any person to hunt or pursue game or wild animals with firearms or any other type of weapon [within the municipal limits of] on municipal property within the Borough of Montvale.

Section 2. Chapter 200, "Firearms and Hunting," Section 2, "Discharging firearms," is hereby renamed "Discharging weapons" and is further amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§200-2 Discharging weapons.

Within the corporate limits of the Borough of Montvale, no person or persons shall [discharge, fire or set off any] shoot, fire or discharge any bow-and-arrow(s), crossbow, BB gun, spring gun, weapon, revolver, pistol, gun, rifle, shotgun, air gun or firearm of any description which propels with force a bullet, shot, pellet or other projectile. [using cartridges, gunpowder, air pressure or any other explosive substance.]

- A. Nothing herein contained shall be construed to extend such prohibition to law-enforcement officers or to qualified military personnel while in the legal and proper pursuit of their duties or to target practice in and upon a firing range or site approved by the Chief of Police and governing body of the Borough of Montvale.

Section 3. 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 4. 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 5. 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 6. Effective Date.

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

MICHAEL GHASSALI, Mayor

ATTEST:

FRANCES SCORDO, Municipal Clerk

INTRODUCTION: 5-09-24

Councilmember	Yes	No	Absent	Abstain
Arendacs				
Cudequest				
Koelling				
Lane				
Roche				
Russo-Vogelsang				

ADOPTED: 5-28-24

Councilmember	Yes	No	Absent	Abstain
Arendacs				
Cudequest				
Koelling				
Lane				
Roche				
Russo-Vogelsang				

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:32pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent 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; Administrator, Joe Voytus; Borough Engineer, Jamie Giurintano; Deputy Municipal Clerk, Carol Manhart

2024 BUDGET PRESENTATION: Councilmember Lane and Councilmember Roche**Resolution No. 92-2024 Permitting the 2024 Municipal Budget to be Read by Title Only**

WHEREAS, N.J.S.A. 40A:4-8 permits that the Municipal Budget as advertised may be read by its title, providing that at least one week prior to the date of the hearing, a complete copy of the approved budget shall be posted in a public place where public notices are customarily posted, and is made available to each person requesting the same during the said week and during the public hearing, and

WHEREAS, the Borough of Montvale has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2024.

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

PUBLIC HEARING 2024 MUNICIPAL BUDGET:**MEETING OPEN TO PUBLIC:**

Municipal Budget Only

A motion to open the meeting to the public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes

Carolee Adams

Thanked all for the budget presentation

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

A motion to close the meeting to the public by Councilmember Lane; seconded by Councilmember Cudequest - all ayes

Resolution No. 93a-2024 Self-Examination of 2024 Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and **WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and **WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Montvale has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2024 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Montvale that the 2024 annual budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

ADOPTION 2024 MUNICIPAL BUDGET:

Resolution No. 93-2024 Adoption of 2024 Municipal Budget

Resolution attached to minutes

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

PUBLIC HEARING:

On the Submission of a 2024 Bergen County Historic Preservation Trust Fund Grant Application – Octagon House Designation and Preservation

Borough Administrator, Joe Voytus gave a brief explanation regarding the grant, we received proposals to do a National Register nomination and to prepare a preservation plan; cost of the project is estimated to be \$90,000 of which half will be paid by the grant.

MEETING OPEN TO PUBLIC:

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

No Public Comment

MEETING CLOSED TO PUBLIC:

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

Resolution 94-2024 A Resolution Endorsing and Authorizing the Submission of a Grant Application for the Bergen County Historic Preservation Trust Fund for the J.J. Blauvelt (Octagon) House

WHEREAS, the Bergen County Historic Preservation Trust Fund of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund provides grants to municipalities for assistance in the preservation of historic buildings, districts, and sites; and

WHEREAS, part of the 2024 application by the *Borough of Montvale* to the County of Bergen is the requirement that the applying municipality must adopt a resolution supporting and approving the application; and

WHEREAS, the *Borough of Montvale* intends to apply for a Bergen County Historic Preservation Trust Fund for assistance in the historic preservation of the *J.J. Blauvelt (Octagon) House*, located at 13 West Grand Avenue, Montvale, New Jersey, also identified as Block 1601, Lot 22 on the tax map of the Borough of Montvale.

NOW, THEREFORE, BE IT RESOLVED that *Borough of Montvale* does hereby support and approve the Borough's application to the Bergen County Historic Preservation Trust Fund for the *J.J. Blauvelt (Octagon) House*.

BE IT FURTHER RESOLVED that the *Borough of Montvale* does hereby commit to the matching requirement set forth in the grant application.

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

PUBLIC HEARING:

On the Submission of a 2024 Bergen County Open Space Recreation Trust Fund Grant Application – Montvale Flag Field 2 Improvements

Borough Engineer, Jamie Giurintano, gave a brief explanation regarding the grant; the project consists of turfing the infield, upgrade the fences and the backstop, provide covers over the dugouts and to provided ADA accessibility; estimated total cost of the project is \$300,000 of which half would be paid by the grant. This project will be for the year 2025.

MEETING OPEN TO PUBLIC:

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

No Public Comment

MEETING CLOSED TO PUBLIC:

A motion to close the meeting to the public by Councilmember Cudequest; seconded by Councilmember Lane - all ayes

Resolution 95-2024 A Resolution Endorsing and Authorizing the Submission of a Grant Application for the Bergen County Open Space, Recreations, Floodplain Protections, Farmland & Historic Preservation Trust Fund for Improvements to Montvale Flag Field 2

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Montvale desires to further the public interest by obtaining a matching grant of \$150,000.00 from the County Trust Fund to fund the following project: Improvements to Montvale Flag Field 2, which includes significant improvements to the infield, fencing, backstop, and dugout, as well as comprehensive maintenance and remediation of the outfield grass; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on April 30, 2024; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of MAY 3rd, 2024, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Montvale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Mayor and Council of the Borough of Montvale is committed to providing a dollar-for-dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council of the Borough of Montvale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

ORDINANCES:

PUBLIC HEARING OF BOND ORDINANCE NO. 2024-1552 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,643,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,560,850 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,643,000, and further including the aggregate sum of \$82,150 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,560,850 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

BOROUGH OF MONTVALE**APRIL 30, 2024**

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
A) FIRE DEPARTMENT			
1) Acquisition utility vehicle with firefighting and rescue capability, including all related costs and expenditures incidental thereto.	\$60,000	\$57,000	5 years
2) Radio upgrades, including all related costs and expenditures incidental thereto.	\$12,000	\$11,400	10 years
3) Acquisition of generator and light tower, including all related costs and expenditures incidental thereto.	\$18,000	\$17,100	10 years
B) POLICE DEPARTMENT			
1) Acquisition of sport utility vehicles, including all related costs and expenditures incidental thereto.	\$108,000	\$102,600	5 years
C) ROADS			
1) Various road improvements, as described in a list in the office of the Clerk, which list is hereby incorporated herein by reference thereto, including all work and materials necessary therefor and incidental thereto.	\$900,000	\$855,000	10 years
D) PARKS/RECREATION			
1) Improvements and renovations to Memorial Major Field synthetic turf infield, including all work and materials necessary therefor or incidental thereto.	\$300,000	\$285,000	15 years
E) PUBLIC WORKS			
1) Acquisition of a truck with a plow, including all related costs and expenditures incidental thereto.	\$165,000	\$156,750	5 years
F) LIBRARY			
1) Improvements to the library, including recarpeting, including all work and materials necessary therefor or incidental thereto.	<u>\$80,000</u>	<u>\$76,000</u>	10 years
TOTALS	<u>\$1,643,000</u>	<u>\$1,560,850</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.89 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,560,850, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$135,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

*A motion Introduced for second reading **Ordinance No. 2024-1552** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only. Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Roche - all ayes*

Carolee Adams

Wanted to know what is the interest rates of the bonds; the CFO stated the rate is 3.3

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

MINUTES:

April 11, 2024

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

RESOLUTIONS: (CONSENT AGENDA*)

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

96-2024 A Resolution Endorsing and Supporting the Submission of a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Memorial Drive Pedestrian Safety Improvements Project

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, formally approves the grant application for the above-stated project; and

BE IT FURTHER RESOLVED that the Mayor, Administrator and Borough Clerk are hereby authorized to submit an electronic grant application identified as "Memorial Drive Pedestrian Safety Improvements" to the New Jersey Department of Transportation on behalf of the Borough of Montvale; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Montvale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

97-2024 A Resolution Awarding a Contract to Gates Flag & Banner Co., Inc. Pursuant to State Contract #CC-0049-22 for Veterans Banners

WHEREAS, the Borough of Montvale has a need to procure banners for the Montvale Proudly Salutes our Veterans program; and

WHEREAS, the Borough has determined that the most convenient and cost-effective way to procure said vehicle is by State Contract pursuant to N.J.S.A. 40A:11-12a, and 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 the Treasury; and

WHEREAS, the Borough did solicit a quote from Gates Flag & Banner Co., Inc. in the total amount of \$10,370.00 for fifty-seven (57) banners and hardware; and

WHEREAS, the Borough is desirous of awarding this contract to Gates pursuant to Order No. 77132 dated March 25, 2024; 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 that the Borough of Montvale hereby accepts the March 25, 2024 Quote from Gates Flag & Banner Co., Inc., 6 E. First Street, Clifton, New Jersey 07011-1002, for the aforementioned banners and hardware and directs, authorizes and empowers all appropriate officials to execute an agreement and/or purchase order for this contract, subject to all the conditions applicable to State Contract #CC-0049-22 and subject to approval by the Borough Attorney.

98-2024 Authorize Release Of Performance Guarantee, Montvale Family Apartments (aka) Walters Cornerstone Contracting LLC - Block 1002, Lots 3 & 5 and Posting Of Two Year Maintenance Bond

WHEREAS, Montvale Family Apartments (aka) Walters Cornerstone Contracting, LLC requested a release of their cash Performance Guarantee and Bond; and

WHEREAS, a completed inspection of the site has been conducted by Colliers Engineering & Design and in a letter dated February 12, 2024, Colliers recommends the Borough to release the Performance Guarantee of \$46,696.00 and cash bond in the amount of \$5,188.00; and

WHEREAS, A condition of the release of the Performance Guarantee and Cash Bond is the requirement to furnish a two-year Maintenance Guarantee in the amount of \$8,765.10; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that Treasurer is hereby authorized to release the cash performance guarantee for Montvale Family apartments (aka) Walters Cornerstone Contracting, LLC in the amount of \$5,188.00

99-2024 Authorize McNerney & Associates, Inc. for Appraisal Services on 50 Chestnut Ridge Road

WHEREAS, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal boundaries, and;

WHEREAS, the owner of real property located at 50 Chestnut Ridge Road and identified as Block 3004 Lot 2 (hereinafter the "Subject Property") has filed a property tax appeal challenging the assessment of the Subject Property for the 2022, 2023 and 2024 tax years, and;

WHEREAS, the Borough is seeking to retain the services of an appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified appraisal report that covers the aforementioned tax years, and,

WHEREAS, the Borough had received a proposal dated April 15, 2024 from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare the desired appraisal report for the total amount of \$7,500.00, and;

WHEREAS, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution, and;

WHEREAS, the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that McNerney & Associates, Inc. is hereby appointed to prepare an appraisal report for the property located at 50 Chestnut Ridge Road, at Block 3004 Lot 2 in the Borough of Montvale, in accordance with the terms set forth in the attached Proposal for the 2022, 2023 and 2024 tax years.

100-2024 A Resolution Awarding a Contract to GTBM for Outdoor HD License Plate Reader Cameras and Related Equipment and Services Pursuant to State Contract 17-FLEET-00716 and Bergen County Co-Op Contract BC-BID-23-17 For Use By The Montvale Police Department

WHEREAS, the Borough has a need to procure Outdoor HD License Plate Reader Cameras ("LPRs") and related equipment and services for use by the Police Department; and

WHEREAS, the Borough did previously approve a contract with a vendor who is no longer authorized to sell said cameras; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 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, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Montvale is a member of the Bergen County Co-Op; and

WHEREAS, the Borough did solicit a quote from Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07073, for these LPRs and related equipment and services under State Contract 17-FLEET-00716 and Bergen County Co-Op Contract BC-BID-23-17; and

WHEREAS, GTBM submitted a Quote to the Borough dated February 16, 2024, in the total amount of \$108,696.61, of which \$29,467.17 will be paid for out of forfeiture funds; and

WHEREAS, the Borough's Police Chief has recommended that the Borough award this contract pursuant to the GTBM 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 Gold Type Business
- 2.

3. Machines, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07073, for Outdoor HD License Plate Reader Cameras and Related Equipment and Services.
4. The Mayor, Borough Clerk and/or Borough Administrator are hereby directed, authorized and empowered to execute an agreement with GTBM consistent with this resolution.
5. The previously-adopted Resolution No. 242-2023 is hereby rescinded.
6. This resolution shall take effect immediately.

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

ADD-ON RESOLUTIONS:

101-2024 A Resolution Awarding a Contract to Motorola Solutions, Inc. for a Vehicle Camera System Pursuant to NJ State Contract 23-FLEET-33791 for Use by the Montvale Police Department

WHEREAS, the Borough of Montvale has authorized a contract to acquire a 2023 Dodge Charger (LDEE48) Police AWD for use by the Montvale Police Department to replace a police vehicle recently totaled in an accident; and

WHEREAS, the Borough of Montvale has a need to procure a new vehicle camera system to replace equipment that was also damaged in the accident; 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 camera system, a copy of which is attached hereto, in the total amount of \$7,568.00 under NJ State Contract 23-FLEET-33791; and

WHEREAS, the camera system shall be fully funded by proceeds directly paid by the Joint Insurance Fund as a result of the totaling of the other police vehicle; and

WHEREAS, the balance due from the Borough shall be zero dollars (\$0.00); and

WHEREAS, the Borough is desirous of awarding this contract and purchasing said camera system from Motorola Solutions pursuant to the April 1, 2024 Quote, a copy of which is attached hereto; 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:

The Borough of Montvale does approve the attached Quote from Motorola Solutions, Inc., 123 Tice Boulevard, Woodcliff Lake, New Jersey 07677 for one Vehicle Camera System for use by the Montvale Police Department.

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. This resolution shall take effect immediately.

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

102-2024 A Resolution Awarding a Contract to East Coast Emergency Lighting, Inc. Pursuant to State Contract #17-FLEET-00761 for the Purchase of Various Equipment for the Department's New 2023 Dodge Charger

WHEREAS, the Borough of Montvale has authorized a contract to acquire a 2023 Dodge Charger (LDEE48) Police AWD for use by the Montvale Police Department to replace a police vehicle recently totaled in an accident; and

WHEREAS, the Borough has a need to procure certain equipment that was also damaged in the accident; and

WHEREAS, the Borough has determined that the most convenient and cost-effective way to procure said vehicle is by State Contract pursuant to N.J.S.A. 40A:11-12a, and 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 the Treasury; and

WHEREAS, the Borough did solicit a quote from East Coast Emergency Lighting, Inc. pursuant to State Contract #17-FLEET-00761 for said equipment in the total amount of \$6,442.60; and

WHEREAS, this equipment shall be fully funded by proceeds directly paid by the Joint Insurance Fund as a result of the totaling of the other police vehicle; and

WHEREAS, the balance due from the Borough shall be zero dollars (\$0.00); and

WHEREAS, the Borough is desirous of awarding this contract and purchasing said equipment from East Coast pursuant to the April 18, 2024 Quote, a copy of which is attached hereto; 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:

The Borough of Montvale hereby accepts the April 18, 2024 Quote from East Coast Emergency Lighting, Inc., 200 Mecco Drive, Millstone Twp., New Jersey 08535, for the aforementioned equipment.

The Mayor, Borough Clerk and/or Borough Administrator are hereby directed, authorized and empowered to execute an agreement with East Coast Emergency Lighting consistent with this resolution and all the conditions applicable to State Contract #17-FLEET-00761 and subject to approval by the Borough Attorney.

This resolution shall take effect immediately.

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

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT:

Jamie Giurintano

Report/Update

Looking to schedule a pre-construction meeting for the road paving; received final authorization from the NJDOT for Terkuile Road; started video of Valley View pump station; 12 inch water main break on Grand Ave, it was an old water main.

ATTORNEY REPORT:

David Lafferty, Esq.

Report/Update

Application for the sub-division for the DePiero property was approved at the Planning Board.

ADMINISTRATOR REPORT:

Joe Voytus

Report/Update

10 "Welcome to Montvale" signs have been installed; Veterans banners have been ordered and hope to install them before Memorial Day.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

2024 Safety Award – Highest Award - Platinum - \$1,750 – Carol Manhart, Safety Coordinator

The Safety committee received the Platinum award which is the highest level of achievement from the Bergen JIF; we promote safety in our work environment while we perform our daily duties; the committee consists of Fire Chief, Geoff Gibbons, Police Captain, Alisha Foley, Fire Official, John Kurz and Recreation Director, Lisa Loranger; Carol would like to thank them for their timely, consistent and well-prepared monthly reports.

MEETING OPEN TO THE PUBLIC:

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

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

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

Carolee Adams

Thanked all involved with Hometown Hero Banners; wanted to know the update about the tree that leans over East Grand Ave, encouraged the Mayor and councilmembers to pressure Orange and Rockland; Thursday, is the National Day of Prayer.

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 Roche – all ayes
Meeting adjourned at 8:22pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, May 9, 2024

Respectfully submitted, Frances Scordo, Municipal Clerk

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 103-2024**

RE: Refund Tax Overpayment / Block 806, Lot 4.01 – 13 Main Street

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the property located at 13 Main Street, also known as Block 806, Lot 4.01;

WHEREAS, 2 duplicate payments were made by the mortgage company; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund \$7,767.25 to:

Visions Federal Credit Union
Attn: Laura Iessi, Mortgage Loan Processor
24 McKinley Ave
Endicott, NY 13760

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: May 9, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 104-2024**

RE: Authorize The Cancellation of 2nd, 3rd & 4th quarter taxes of 2024 and All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs – Kathleen Carrillo – 5 Cardinal Court – Block 2502, Lot 4

WHEREAS, this resolution authorizes the municipality to cancel property taxes for the 2nd, 3rd and 4th quarter of 2024 and for all future taxes due to the granting of totally disabled veteran status by the Department of Veterans Affairs per the Department's letter attached to the original resolution, for Kathleen M. Carrillo. Ms. Carrillo is the owner of 5 Cardinal Court, Block 2502, Lot 4.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to cancel 2nd, 3rd and 4th quarter property taxes and all future taxes as per the above.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: May 9, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 105-2024**

RE: Calling for the Modernization of The Open Public Records Act (OPRA) And the Swift Passage Of S-2930/A-4045

WHEREAS, in the 2002 "lame duck" session the Open Public Records Act (OPRA) was approved to make government records, "readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest" while protecting "a citizen's right to a reasonable expectation of privacy"; and

WHEREAS, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

WHEREAS, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

WHEREAS, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

WHEREAS, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney's fees, which impacts the taxpayers and municipalities who must pay these fees; and

WHEREAS, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

WHEREAS, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

WHEREAS, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don't want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

WHEREAS, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage

industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

WHEREAS, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Montvale in the County of Bergen respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

BE IT FURTHER RESOLVED, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator, Holly Schepisi, Assemblyman, Robert Auth and Assemblyman John Azzariti, Jr., Governor Murphy, and the New Jersey League of Municipalities.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: May 9, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 106-2024**

RE: A Resolution Approving the Plan and Design for the NJDOT FY2023 – Terkuile Road Resurfacing Project and Authorizing the Receipt of Bids

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the governing body or a public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with standards previously approved by the governing body; and

WHEREAS, certain improvements described herein have been designed by Colliers Engineering and Design; and

WHEREAS, the Borough of Montvale wishes to memorialize its approval of said design and authorize the receipt of bids for such project.

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

1. The plans and specifications entitled "NJDOT FY2023 – Terkuile Road Resurfacing Project," prepared by Colliers Engineering & Design, dated May 6, 2024, are hereby approved.
2. The Borough Clerk is hereby authorized to publish notice for the receipt of bids, pursuant to bid specifications prepared by the Design Professional.
3. Upon the completion of the improvements described herein above, the Design Professional shall inspect said improvements and certify to the Borough Council, before final payment is made for same, that said improvements have been constructed in accordance with the above-referenced plans, specifications and design.
4. The Borough Clerk shall archive this Resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: May 9, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 107-2024**

RE: Borough of Montvale Fire Department LOSAP Eligible Individuals

WHEREAS, The Borough of Montvale, has adopted a LOSAP program for the members of the Montvale Fire Department; and

WHEREAS, to be eligible for the annual \$1,617.00 stipend for 2023, totaling \$27,489.00 for the Department, the Montvale Fire Department must meet certain criteria; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Borough Treasurer initiate LOSAP payments in the name of those Fire Department members deemed eligible to receive them.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: May 9, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the following bills, having been referred to the Borough Council and found correct, be and the same hereby be paid:

<u>FUND</u>	<u>AMOUNT</u>	<u>NOTES</u>
Current	\$3,294,141.23	Bill List Wire 5/9/2024
	<u>320,650.38</u>	Wires/Manual Checks
Current TOTAL	3,614,791.61	
Capital	58,065.61	Bill List Wire 5/9/2024
Escrow	12,931.25	Bill List Wire 5/9/2024
Housing Trust	4,757.75	Bill List Wire 5/9/2024
Open Space Trust	28,811.75	Bill List Wire 5/9/2024
General Trust	2,160.00	Bill List Wire 5/9/2024
Recreation Trust	2,450.00	Bill List Wire 5/9/2024

*This resolution was adopted by the Mayor and Council of Montvale
at a meeting held on 5/9/24*

Introduced by: _____

Approved: 5/9/24

Seconded by: _____

Michael Ghassali, Mayor

ATTEST:

Frances Scordo, Municipal Clerk

MANUAL/VOID CHECKS - WIRES
May 9, 2024

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Vendor/Transaction</u>	<u>Amount</u>
WIRE		4/26/24	Payroll Account-Current	\$208,232.38
WIRE		4/26/24	Salary Deduction Account	\$112,343.00
WIRE		4/26/24	FSA Account	\$75.00
Total				<u><u>\$320,650.38</u></u>

May 7, 2024
10:15 AM

Borough of Montvale
Bill List By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed
Vendors: All
Rcvd Batch Id Range: First to Last
Include Non-Budgeted: Y
Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00019	MUNICIPAL CAPITAL CORPORATION								
	24-00072	01/11/24		WIDE FORMAT COPY MACHINE LEASE	Open	888.00	0.00		B
	24-00122	01/19/24		COPY MACHINE LEASE	Open	369.00	0.00		B
						1,257.00			
00061	CAMPBELL FOUNDRY CO.								
	23-01211	09/06/23		MANHOLE COVERS AND FRAMES	Open	15,120.00	0.00		
00065	GENERAL CODE PUBLISHERS,LLC								
	24-00628	05/06/24		eCODE 360 ANNUAL MAINTENANCE	Open	1,195.00	0.00		
00071	VEOLIA (SUEZ)								
	24-00623	05/06/24		10003825412222 VEOLIA MAY 2024	Open	15,645.82	0.00		
00097	CABLEVISION								
	24-00624	05/06/24		07873-218840-01-0 OPTIMUM	Open	25.48	0.00		
	24-00625	05/06/24		07873-240495-01-5 OPTIMUM	Open	235.64	0.00		
						261.12			
00098	SERVPRO OF PARAMUS								
	24-00511	04/10/24		CLEANING OF THE CELL	Open	290.00	0.00		
00104	MONTVALE BOARD OF EDUCATION								
	24-00022	01/03/24		2024 LOCAL SCHOOL TAXES	Open	1,503,812.00	0.00		B
00111	AACOM BUSINESS SOLUTIONS								
	24-00487	04/04/24		MEMORIAL FIELD CAMERAS	Open	1,136.75	0.00		
00112	MONTVALE SENIOR CLUB								
	24-00478	04/04/24		ST PATIRCK DAY LUNCHEON	Open	2,042.50	0.00		
00116	VERIZON								
	24-00614	05/02/24		651-285-414-0001-73 VERIZON	Open	407.77	0.00		
00125	NORTHWEST BERGEN REGIONAL								
	24-00050	01/08/24		2024 HEALTH SERVICES	Open	5,342.00	0.00		B
00137	PASCACK VALLEY REGIONAL HS DST								
	24-00021	01/03/24		2024 REGIONAL SCHOOL TAXES	Open	1,216,222.34	0.00		B
00192	BALLANCO PLUMBING AND								
	24-00450	03/29/24		HEATING & PLUMBING REPAIRS	Open	475.00	0.00		
00215	TOWNSHIP OF RIVER VALE								
	24-00023	01/04/24		2024 PASCACK VALLEY DPW	Open	162,020.07	0.00		B

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00225	MCELWEE & QUINN LLC						
24-00498	04/08/24	PRINTING OFFICIAL STATEMENT	Open	1,000.00	0.00		
00230	NIELSEN OF MORRISTOWN						
24-00530	04/15/24	2023 POLICE DODGE CHARGER	Open	22,853.25	0.00		
00258	ROCKLAND ELECTRIC COMPANY						
24-00622	05/06/24	ROCKLAND ELECTRIC APRIL 2024	Open	18,542.55	0.00		
00327	INTERNATIONAL ASSOCIATION						
24-00125	01/22/24	2024 MEMBERSHIP	Open	190.00	0.00		
00406	RUTGERS, STATE UNIVERSITY NJ						
24-00583	04/25/24	PROFESSIONAL DEVELOPMENT CLASS	Open	653.00	0.00		
00479	DRISCOLL'S LOCK & KEY						
24-00503	04/09/24	PD DESK KEY SGT HANNA	Open	15.00	0.00		
00554	BERGEN MUNI.EMPL.BENEFITS FUND						
24-00024	01/04/24	2024 HEALTH BENEFITS	Open	72,241.00	0.00		B
00578	TREASURER, STATE OF NJ DCA						
24-00495	04/05/24	FIRST QUARTER PAYMENT	Open	7,951.00	0.00		
00635	COW GOVERNMENT						
23-01473	11/03/23	3 LAPTOPS-CONSTRUCTION DEPT.	Open	5,656.59	0.00		
00731	COLLIER'S ENGINEERING & DESIGN						
23-00917	06/28/23	TERKUILE ROAD 2023 NJDOT GRANT	Open	1,083.75	0.00		B
23-01096	08/08/23	AFFORD. HOUSING COMPLIANCE '23	Open	190.00	0.00		B
23-01721	12/15/23	STORM SEWER OUTFALL INSPECTION	Open	480.00	0.00		B
24-00047	01/05/24	OR ZONES PERMITTED USE & BULK	Open	167.50	0.00		B
24-00155	01/24/24	MONTVALE MASTER PLAN	Open	1,791.25	0.00		B
24-00182	01/26/24	2024 GENERAL ENGINEERING	Open	14,183.75	0.00		B
24-00246	02/12/24	2024 BOROUGH PLANNER	Open	2,042.50	0.00		B
24-00331	03/05/24	4TH ROUND VACANT LAND ANALYSIS	Open	3,066.25	0.00		B
24-00431	03/27/24	2024 NJDCA LOCAL RECREATION	Open	1,662.50	0.00		B
24-00447	03/29/24	MUNICIPAL ENGINEERING REVIEW	Open	4,020.00	0.00		
24-00449	03/29/24	MUNICIPAL ENGINEERING REVIEW	Open	917.50	0.00		
24-00464	04/03/24	MUNICIPAL PLANNING REVIEW	Open	1,276.25	0.00		
24-00465	04/03/24	MUNICIPAL PLANNING REVIEW	Open	1,073.75	0.00		
24-00546	04/22/24	MUNICIPAL PLANNING REVIEW	Open	1,340.00	0.00		
24-00560	04/25/24	2024 CAPITAL ROAD PROGRAM/	Open	2,636.25	0.00		B
24-00561	04/25/24	VALLEY VIEW SMOKE TESTING	Open	1,986.25	0.00		
24-00592	04/30/24	MUNICIPAL PLANNING REVIEW	Open	92.50	0.00		
				38,010.00			
00756	HAERTSCH AND COMPANY						
24-00476	04/04/24	WELL PUMP INSPECTION	Open	2,347.00	0.00		
24-00518	04/11/24	REPLACE WELL PUMPS-LATR&SR.CTR	Open	12,800.00	0.00		
				15,147.00			

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00801	WESTPHAL WASTE SERVICES, INC.	24-00261	02/14/24	2024 GARBAGE COLLECTION	Open	151,657.50	0.00		B
00812	NJ STATE ASSOCIATION OF	24-00508	04/10/24	PD TRAINING 118 134	Open	598.00	0.00		
01020	WORLD INSURANCE ASSOCIATES, LLC	24-00517	04/11/24	ACCIDENT/SICK POLICY-Fire/OEM	Open	3,396.36	0.00		
01042	McMANIMON, SCOTLAND, BAUMANN LLC	24-00496	04/08/24	PROFESSIONAL SERVICES RELATED	Open	6,360.21	0.00		
01101	LEXIPOL, LLC	24-00509	04/10/24	PD ACCREDITATION & TRAINING	Open	15,262.64	0.00		
01120	GTBM INC.	24-00581	04/25/24	PD INFO-COP LICENSE	Open	1,200.00	0.00		
01151	GILL ID SYSTEMS	24-00435	03/28/24	PICKLEBALL BADGES	Open	320.00	0.00		
01186	BAKER, CHRISTINE	24-00612	05/02/24	2024 MONTVALE WELLNESS	Open	93.30	0.00		
01227	PIAZZA & ASSOCIATES, INC.	24-00108	01/18/24	2024 AFFORDABLE HOUSING SVCS	Open	400.00	0.00		B
01243	PHOENIX ADVISORS, LLC	24-00529	04/15/24	ADVISOR SERVICES BOND	Open	4,063.00	0.00		
01330	GHASSALI, MICHAEL	24-00069	01/11/24	MAILCHIMP	Open	75.00	0.00		B
01338	NJ MOTOR VEHICLE COMMISSION	24-00314	02/27/24	ANNUAL MEMBERSHIP DUES 2024	Open	150.00	0.00		
01464	SURENIAN, EDWARDS, BUZAK & NOLAN	24-00403	03/18/24	2024 SPECIAL COUNSEL	Open	1,033.89	0.00		B
		24-00516	04/11/24	PROFESSIONAL SERVICES COAH	Open	626.50	0.00		
						1,660.39			
01471	RICCIARDELLA ELECTRIC INC.	24-00474	04/04/24	HOT WATER DISCONNECT	Open	398.00	0.00		
01472	D.L.S.CONTRACTING, INC.	23-01178	08/29/23	2023 ROAD IMPROVEMENT PROGRAM	Open	25,184.41	0.00		B
01542	WICKERSHEIM & SONS	24-00506	04/09/24	4 THIER LANE CATCH BAS BACKUP	Open	5,358.50	0.00		
		24-00520	04/11/24	EMERGENCY TRAIN STATION HEAT	Open	1,720.32	0.00		
						7,078.82			

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01643	LORANGER, LISA						
24-00590	04/29/24	MAILCHIMP REIMBURSEMENT	Open	110.00	0.00		
01694	AFFORDABLE HOUSING PROF.OF NJ						
24-00537	04/17/24	REFORMS TO MUNICIPAL HOUSING	Open	25.00	0.00		
01697	FIREFIGHTER ONE LLC						
23-01657	12/08/23	EQUIPMENT FIRE DEPARTMENT	Open	3,100.80	0.00		
23-01658	12/08/23	EQUIPMENT FIRE DEPARTMENT	Open	<u>6,734.72</u>	0.00		
				9,835.52			
01702	MEDIA CONSULTANTS LLC						
24-00550	04/22/24	CAMERA REPAIR	Open	996.22	0.00		
01738	ARENDACS, DOUGLAS						
24-00414	03/21/24	TOWNHALL MTG 3-20/24 COFFEE	Open	51.16	0.00		
01752	DILAURI, RUSSEL						
24-00578	04/25/24	REIMB MEAL TRAINING	Open	66.86	0.00		
01767	VERIZON						
24-00556	04/24/24	156-951-896-0001-85 VERIZON	Open	79.00	0.00		
01788	TIGHE, RAYMOND						
24-00534	04/17/24	BC ASSESSOR'S SEMINAR 4/5/24	Open	81.88	0.00		
01828	CGP&H, LLC						
24-00276	02/16/24	PROFESSIONAL HOUSING REHAB SVC	Open	450.00	0.00		B
01856	MONTVALE FLORIST						
24-00500	04/09/24	PD BEREAVEMENT FLOWERS	Open	150.00	0.00		
24-00536	04/17/24	BEREAVEMENT FLOWERS-GHASSALI	Open	<u>159.95</u>	0.00		
				309.95			
01882	PRESTIGE BUSINESS PRODUCTS, INC						
24-00513	04/10/24	PD INK CARTRIDGE BLACK	Open	339.00	0.00		
01890	GREATAMERICA FINANCIAL SRVCS.						
24-00098	01/17/24	POSTAGE MACHINE LEASE	Open	578.00	0.00		B
01949	AT&T MOBILITY						
24-00505	04/09/24	PD PATROL PHONES	Open	863.54	0.00		
01993	GREG TANZER SPRINKLERS						
24-00538	04/17/24	SPRING SPRINKLER ACTIVATION	Open	1,950.00	0.00		
02004	MORAN, GLENN						
24-00575	04/25/24	REIMB CLOTHING ALLOWANCE	Open	97.86	0.00		
02019	UGI ENERGY SERVICES, LLC						
24-00545	04/19/24	UGI ENERGY SERVICES MARCH 2024	Open	2,697.40	0.00		

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02032	ALPHA OMEGA INVESTMENT GROUP						
24-00597	04/30/24	Affordable Housing Meeting	Open	142.85	0.00		
02043	LAKEVIEW MARINA & SKI INSTRUCT						
24-00586	04/29/24	7/17 TRIP DEPOSIT- 85 CAMPERS	Open	850.00	0.00		
02082	BRADY, RICHARD J.						
24-00519	04/11/24	JUDGE	Open	625.00	0.00		
02087	ROHSLER'S ALLENDALE NURSERY						
24-00300	02/22/24	CHRISTMAS TREE	Open	14,875.00	0.00		
02097	BLOODGOOD LAW ENFORCEMENT						
24-00421	03/21/24	PD TRAINING CLASS	Open	2,900.00	0.00		
02098	THE WAY FOUNDATION INC.						
24-00452	04/01/24	THE WAY JAN-MARCH SESSION	Open	1,600.00	0.00		
02106	BORBON, RANDOLPH						
24-00490	04/05/24	REFUND RD OPENING BOND(902/26)	Open	2,160.00	0.00		
02107	VISIONS FEDERAL CREDIT UNION						
24-00615	05/02/24	REFUND OVERPAYMENT OF TAXES	Open	7,767.25	0.00		
02108	HWANG, GRACE						
24-00591	04/30/24	REFUND OVERPAYMENT OF PERMIT	Open	7,434.00	0.00		
02141	REGAN, ROBERT T., ESQ.						
24-00441	03/29/24	ESCROW PAYMENTS	Open	1,680.00	0.00		
24-00442	03/29/24	ESCROW PAYMENTS	Open	2,383.75	0.00		
24-00472	04/03/24	ESCROW PAYMENT	Open	200.00	0.00		
24-00565	04/25/24	PROFESSIONAL SERVICES RENDERED	Open	40.00	0.00		
				4,303.75			
02987	DATA NETWORK SOLUTIONS						
24-00109	01/18/24	2024 BORO PHONE LINES	Open	1,096.29	0.00		B
03001	C. DOUGHERTY & CO., INC.						
23-01383	10/12/23	60-TON HVAC ROOF UNIT	Open	12,054.95	0.00		B
03060	TRI-STATE TECHNICAL SERVICES						
24-00060	01/10/24	2024 MICROSOFT WEB EXCHANGE	Open	460.00	0.00		B
24-00061	01/10/24	2024 COMPUTER MAINTENANCE	Open	814.17	0.00		B
24-00524	04/15/24	ZOOM MONTHLY CHARGES	Open	17.05	0.00		
24-00588	04/29/24	BOROUGH DOMAIN RENEWAL	Open	12.95	0.00		
				1,304.17			
03472	AAA EMERGENCY SUPPLY						
23-01633	12/06/23	EQUIPMENT	Open	1,198.00	0.00		
03682	CRUISE, E. K.						
24-00502	04/09/24	REIMB CRUISE	Open	247.23	0.00		

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03682	CRUISE, E. K.		Continued				
24-00577	04/25/24	REIMB OFFICE EQUIP	Open	<u>103.39</u>	0.00		
				350.62			
03727	STAPLES INC						
24-00470	04/03/24	Office Supplies	Open	501.32	0.00		
24-00491	04/05/24	office supplies	Open	<u>84.73</u>	0.00		
				586.05			
03797	HUTTER, LORRAINE						
24-00533	04/16/24	SYMPATHY ARRANGEMENT - MAYOR	Open	153.88	0.00		
Total Purchase Orders:		105	Total P.O. Line Items:	0	Total List Amount:	3,403,317.59	Total Void Amount: 0.00

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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 2023	3-01	40,023.36	0.00	40,023.36	0.00	0.00	40,023.36
CURRENT FUND 2024	4-01	3,254,117.87	0.00	3,254,117.87	0.00	0.00	3,254,117.87
CAPITAL FUND	C-04	58,065.61	0.00	58,065.61	0.00	0.00	58,065.61
BOA ESCROW ACCOUN	E-08	12,931.25	0.00	12,931.25	0.00	0.00	12,931.25
OTHER TRUST ACCOU	T-03	6,917.75	0.00	6,917.75	0.00	0.00	6,917.75
OPEN SPACE TRUST	T-14	28,811.75	0.00	28,811.75	0.00	0.00	28,811.75
RECREATION TRUST	T-19	2,450.00	0.00	2,450.00	0.00	0.00	2,450.00
Year Total:		38,179.50	0.00	38,179.50	0.00	0.00	38,179.50
Total of All Funds:		3,403,317.59	0.00	3,403,317.59	0.00	0.00	3,403,317.59