

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 730 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. 3rd grade girls basketball team led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

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

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

ROLL CALL:

Councilmember Arendacs - absent	Councilmember Lane
Councilmember Curry	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

Pascack Invitational Tournament Champions Girls Basketball 3rd grade

Jordana, Jaelyn, Erika, Regan, Romy, Addy, Nina and Kelly

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:**December 30, 2019**

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

Sine Die January 1, 2020

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Koelling - all ayes

Re-Organization January 1, 2020

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

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.

21-2020 Amending Resolution No. 177-2019 To Establish Recreational Fees for Year 2020

WHEREAS, The Recreation Department hereby establishes the programs, times and fees for various programs; and

WHEREAS, the Recreation Director has recommended that the following fees, programs, and times be revised as described; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following fees and programs and services be and are hereby established

TIME SCHEDULE FOR SKATING RINK:Weekdays:

8:00AM - 2:00PM Pickleball
2:00PM - Dusk Roller/Street Hockey

Weekends:

8:00AM - 10:00AM Pickleball
10:00AM - 2:00PM Roller/Street Hockey
2:00PM - 5:00PM Pickleball
5:00PM - Dusk Roller/Street Hockey

<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
30+ Basketball	Sept-May	\$75	\$95
Adult Soccer	10 weeks	\$15	\$20
Golf Instruction- TGA	6 weeks	\$105	\$125
Pickleball Clinic	3 weeks	\$50	\$65
Pickleball Clinic Drop In Fee	1 class	\$20	\$25
Pickleball Program	January-May	\$50	\$75
Summer Camp: Grades 1-5	4 weeks	\$348 per child \$1044 family max	\$408 per child \$1224 family max
Adventure Camp: Grades 6-7	4 weeks	\$450 per child	\$510 per child
Summer Camp Resident/Non-Resident	\$30 Additional Fee after Registration Period. \$25 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>

BOROUGH OF MONTVALE**JANUARY 14, 2020**

Extended Day Multisport Camp by TGA During Summer Camp Weeks Only	1 week (2:30-6:30pm)	\$220	\$250
Multisport Camp by TGA After Summer Camp Weeks Conclude and/or During School Breaks	1 week (Half Day)	\$245	\$255
	1 week (Full Day)	\$295	\$305
	1 week (Full Day + After Care)	\$375	\$395
TaeKwon-Do	8 weeks (@ 2 classes per week)	\$120	\$180
Tai Chi	8 weeks	\$80	\$100
Montvale Senior Club Tai Chi Discount:	8 weeks	\$40	\$40
Tennis Lessons	6 weeks	\$80	\$120
	5 weeks	\$65	\$100
Tennis Badges			
Adult (Ages 18-61)	March-December	\$30	\$60
Child (Ages 17 & Younger)	March-December	\$10	\$20
Family Max	March-December	\$50	\$100
Seniors (Ages 62 & Up)	March-December	Free	\$10
		\$10 Fee for Replacement Tennis Badge	
Ultimate Frisbee by TGA	6 weeks	\$100	\$120
Volleyball- Adult	January-May	\$50	\$75
Volleyball- Girls	8 weeks	\$80	\$100
Yoga	8 weeks	\$80	\$100
Yoga Mini Session	4 weeks	\$40	\$50

WHEREAS, Borough Owned Recreational Fields shall be scheduled by the Borough of Montvale Field Coordinator; and

WHEREAS, Montvale Athletic League ("MAL"), Montvale Recreation and Pascack Hills High School shall have first priority field scheduling use and shall be provide a schedule to the Field Coordinator no later than February 1st.

WHEREAS, MAL, Recreation, Pascack Hills High School and churches are exempt from payment of fees relating to field use.

<u>Fields</u>	<u>Fee</u>	<u>Resident Team/Corporation</u>	<u>Non-Resident Team/Corporation</u>
Ballfields: Baseball or Softball (Memorial, Fieldstone or LaTrenta)	Per Season	\$200	\$400
Daily Ballfield Use Only	Per Day	\$50	\$100

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Turf Fields: Soccer or Lacrosse (Fieldstone)	Per Hour	\$25	\$50
***MAL endorsed programs in sports that are not offered by MAL, and which have Montvale residents participating, shall be charged the resident fee for field use. Turf Field Fees shall not exceed \$7,000 per season for any one organization.			
Tennis Court Group Reservation (Memorial or LaTrenta) ***Two court maximum reservation at any one location	Per Day	\$25	\$25
Corporation Event Field Reservation (1 scheduled day plus 2 rain dates)	Per Day	\$200	\$400

Resident Corporation: Any company that owns or leases commercial within the borough.

Non-Resident Corporation: Any company that does not own or lease commercial space within the borough.

Residential Team: Any athletic team comprised of at least 75% of its roster with Montvale residents.

Non-Residential Team: Any team not having at least 75% of its roster filled with Montvale residents.

Time Slot: An uninterrupted 1 hour time period, or any part thereof, that a field is being used by an approved team.

Corporate Fees: Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

Season: Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

No credit for unused Field Time Slots

All organizational (i.e. club team) play will be considered a non-resident teams.

Payment is required prior to use on all fields or no field use will be granted.

Once field use requests are received in full by February 1st, field use will be established with the following order of preference:

1. Montvale Athletic League, Recreation and Pascack Hills High School
2. Resident: Not-For-Profit Entity
3. Resident: For Profit Entity
4. Non-Resident: Not-For-Profit Entity
5. Non-Resident: For-Profit Entity

WHEREAS, it is the Borough of Montvale's intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.

22-2020 Award Professional Service Contract / Borough Attorney / Boggia, Boggia, Betesh & Voytus, LLC

WHEREAS, the Borough of Montvale has a need to acquire Attorney Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Boggia, Boggia, Betesh & Voytus, LLC, 71 Mt. Vernon Street, Ridgefield Park, NJ 07660 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2020; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Joseph Voytus, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or

candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Philip Boggia, Esq. from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Boggia, Boggia, Betesh & Voytus, LLC
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

23-2020 Award Professional Service Contract / Borough Auditor / Lerch, Vinci & Higgins

WHEREAS, the Borough of Montvale has a need to acquire Auditor Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2020; and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Lerch, Vinci & Higgins
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough of Montvale.

24-2020 Award Professional Service Contract / Engineering Services / Maser Consulting P.A. Andrew R. Hipolit, P.E., PP., C.M.E.

WHEREAS, the Borough of Montvale has a need to acquire Engineering Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting P.A., 200 Valley Road, Mount Arlington, NJ 07856 were appointed at the Re-organization Meeting of the Governing Body on January 1, 2020; and

WHEREAS, Andrew R. Hipolit, shall be designated as Principal In Charge for all services provided to the Borough of Montvale, and

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Maser Consulting. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Maser Consulting from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor and Municipal Clerk of the Borough of Montvale are hereby authorized and directed to execute the attached Contract with Maser Consulting.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

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

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

25-2020 Award Professional Service Contract / Borough Planner / Maser Consulting, P.A. /

Darlene Green

WHEREAS, the Borough of Montvale has a need to acquire Municipal Planner through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, Maser Consulting, P.A. was appointed at the Re-Organization Meeting of the Governing Body on January 1, 2020; and

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

WHEREAS, the anticipated term of this contract is for 1 year; and

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

WHEREAS, Maser Consulting, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that the contract will prohibit Maser Consulting, P.A. from making any reportable contributions through the term of the contract; and

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

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

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

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

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

26-2020 Awarding Service Contract / Agreement Tri-State Technical Services / Computers & Peripherals

WHEREAS, the Borough of Montvale requires professional computer services and an extended service agreement for the computers and peripherals for the period January 1, 2020 through December 31, 2020; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding.

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

That a contract for professional computer services for an Service Agreement for Computers and Peripherals proposal which is attached and made part of this resolution be awarded to Tri-State Technical Computer Services, Inc., of 442 Lafayette Avenue, Hawthorne, New Jersey 07506 in the amount of \$8,875.00 for the period January 1, 2020 through December 31, 2020 for the service contract, and \$80.00 for labor rate as described in the Service Agreement;

WHEREAS, the Certified Municipal Finance Officer has provided funds to be available subject to the adoption of the year 2020 Municipal Budget; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in an Official Newspaper, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

27-2020 Appointment of A Risk Management Consultant In Accordance With The Requirements Set Forth By The Bergen County Municipal Joint Insurance Fund (BCMJIF) For The Borough Commencing January 1, 2020/Professional Insurance Associates, (P.I.A) McCarthy Forde

WHEREAS, the Borough Of Montvale (hereinafter, the Municipality) is a member of the **Bergen County Municipal Joint Insurance Fund (BCMJIF)** and the **Municipal Excess Liability Joint Insurance Fund (MEL)** collectively referred to as, the Funds, for property and casualty coverage's, which include property, general liability, crime, environmental, employee benefits liability, excess liability and workers compensation; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a RISK MANAGEMENT CONSULTANT to perform the various functions and professional services integral to the effective operation of the Municipality's Insurance Program and Loss Control efforts; and

WHEREAS, the Board of Fund Commissioners for the BCMJIF established a fee for such services equal to six percent (6%) of the Municipality's assessment, which expenditure represents reasonable compensation for the services required and is a part of the Municipal Assessment promulgated by the Fund's; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby appoint **Professional Insurance Associates Inc.** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a Risk Management Consultant's Agreement attached and to advertised in the official newspaper in accordance with NJSA 40A:11-5 (1) (a) (i).

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

28-2020 A Resolution To Appoint A Health Benefits Consultant Relative To The Borough's Membership In The Bergen Municipal Employee Benefits Fund (BMED) Commencing January 1, 2020/PIA McCarthy Forde

WHEREAS, the **BOROUGH OF MONTVALE** (hereinafter, the Municipality) is a member of the **Bergen Municipal Employee Benefits Fund (BMED)** and the **Municipal Reinsurance Health Insurance Fund (MRHIF)** collectively referred to as, the Funds, for the Borough's Employee Health Benefits Program, which includes medical, prescription and dental coverage's; and

WHEREAS, the bylaws of said Funds require the Municipality appoint a **HEALTH BENEFITS CONSULTANT** to perform the various functions and professional services integral to the effective operation of the Municipality's Employee Health Benefits Program; and

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

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

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

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

BE IT FURTHER RESOLVED, that in accordance the **HEALTH BENEFITS CONSULTANT** shall receive as compensation as outlined as indicated the attached agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the Health Benefits Consultant's Agreement attached to the original of this resolution and to cause a notice of this decision to be published in accordance with NJSA 40A:11-5 (1) (a) (i).

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

31-2020 A Resolution of the Borough of Montvale Awarding a Contract To Flanagan Productions, LLC, as an Extraordinary Unspecifiable Service for Montvale Graphic Design Borough Newsletter & Municipal Events Photography

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company for the graphic design of the Borough newsletter and eight (8) Municipal events for photography to better service the Borough's residents and visitors of the Borough; and

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

WHEREAS, the Borough has received a proposal for the year 2020 to provide such services from John Flanagan of Flanagan Productions, LLC, said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Flanagan Productions to perform the above-referenced services for the prices and on the terms set forth in the Flanagan Productions Proposal; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Flanagan Productions, for the prices and on the terms set forth in the Proposal submitted by Flanagan Productions; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Flanagan Productions proposal but shall not exceed \$3,300.00 without further authorization of the Borough Council, and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Municipal Clerk.

32-2020 A Resolution of the Borough of Montvale Awarding a Contract to Spatial Data Logic, Inc. (formally GovSites) as an Extraordinary Unspecifiable Service for Website Design, Web Manage, Hosting and Support and Related Services

WHEREAS, the Borough of Montvale is desirous of continuing the services of a professional company to redesign, host and support the Borough's website and related web applications and social media in order to better service the Borough's residents and visitors to the Borough's website; and

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

WHEREAS, the Borough has received a proposal for the year 2020 to provide such services from Spatial Data Logic, Inc. (formally GovSites), said proposal is attached to the original of this resolution; and

WHEREAS, the Council is therefore desirous of awarding a contract to Spatial Data Logic Inc. to perform the above-referenced services for the prices and on the terms set forth in the attached proposal; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Spatial Data Logic Inc. for website design, managing, hosting and support, and related services, for the prices and on the terms set forth in the Proposal submitted by Spatial Data Logic, Inc. ; and

BE IT FURTHER RESOLVED that the pricing for this contract shall be as set forth in the Spatial Data Logic, Inc. proposal but shall not exceed \$17,666 without further authorization of the Borough Council, and shall be for a term of one (1) year.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk, and all other appropriate officials, shall be and are hereby authorized to execute all contract documents necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Municipal Clerk.

33-2020 A Resolution Awarding a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough's Affordable Housing

WHEREAS, the Governing Body is desirous of hiring Special Counsel to represent the Borough in connection with the Borough's affordable housing; and

WHEREAS, the Borough has received a proposal from Jeffrey R. Surenian, Esq. of Jeffrey R. Surenian & Associates, LLC, 707 Union Avenue, Suite 301, Brielle, New Jersey 08730, to perform all services necessary and appropriate in connection with same; and

WHEREAS, Mr. Surenian's proposal sets forth the following rates:

- (a) \$200.00 per hour for all time spent by Jeffrey R. Surenian (over 30 years of experience);

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- (b) \$185.00 per hour for all time spent by an attorney with at least fifteen years of experience as a lawyer;
- (c) \$175.00 per hour for all time spent by an attorney with at least ten years of experience as a lawyer;
- (d) \$165.00 per hour for all time spent by an attorney with less than ten years of experience as a lawyer;
- (e) \$70.00 per hour for all paralegal work; and

WHEREAS, the Governing Body is satisfied that Mr. Surenian and his firm possess the requisite experience pertaining to such matters; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5(a)(i)*, a professional services contract is exempt from public bidding requirements; and

WHEREAS, because the value of this contract is anticipated to be in excess of \$15,000 (the Borough's local pay-to-play limit), this contract has been awarded under the "alternative process" pursuant to *N.J.S.A. 19:44A-20.4 et seq.* (the "Pay-to-Play Law"), and has been awarded to the contractor based upon the merits and abilities of the contractor to provide the services necessary; and

WHEREAS, because this contract has been awarded under the "alternative process," Mr. Surenian has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has made any reportable contributions (\$300 or more) to a political or candidate committee in the Borough of Montvale with the elected officials in the previous one year, and that the contract will prohibit said persons and entities from making any reportable contributions (\$300 or more) through the term of the contract; and

WHEREAS, the Governing Body is desirous of awarding a contract to Jeffrey R. Surenian and Associates, LLC, in an amount not to exceed \$15,000.00 without further authorization of the Governing Body, at the hourly rates set forth above; and

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

NOW, THEREFORE, BE IT RESOLVED that a contract is hereby awarded to Jeffrey R. Surenian and Associates, LLC to serve as Special Counsel in connection with the Borough's Affordable Housing Litigation, pursuant to the terms and conditions set forth herein.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute a contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with *N.J.S.A. 40A:11-5*.

34-2020 Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to Dario, Albert, Metz & Eyerman, LLC

WHEREAS, the Pascack Joint Municipal Court has a need to contract with a licensed attorney or firm to serve as the municipal prosecutor pursuant to *N.J.S.A. 2B:24-1*, et seq.; and

WHEREAS, the Pascack Municipal Court Committee agreed to acquire Attorney Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the firm of Dario, Albert, Metz & Eyerman, LLC as the municipal prosecutor, with Brian E Eyerman, Esq. serving as the lead attorney; and

WHEREAS, it is expected that Brian E. Eyerman Esq. will serve as the primary municipal prosecutor and will handle all matters and attend all sessions of the Pascack Joint Municipal Court barring exceptional circumstances; and

WHEREAS, the compensation of the municipal prosecutor shall be \$27,000 per year; and

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

WHEREAS, the term of this contracts shall commence as of the date of this resolution, and shall continue for the remainder of the calendar year 2020; and

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

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

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.

2. The Contracts, including the terms of compensation for each professional, shall be placed on file with this resolution.

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

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

35-2020 Award Professional Service Contract/Public Defender/Alternate Public Defender/Pascack Joint Municipal Court

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

WHEREAS, the Pascack Municipal Court Committee agreed to acquire Public Defender Services through the alternate process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, there are occasions when the appointed municipal public defender may have a conflict of interest, thus creating a need for an alternate public defender; and

WHEREAS, it is the desire of the Pascack Joint Municipal Court to appoint the following individuals to the positions set forth below:

Public Defender: Gerald R. Salerno, Esq.

Alternate Public Defender: Salvatore Sciafani, Esq.

WHEREAS, the salary of the Public Defender shall be \$7,500.00; and

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

WHEREAS, any compensation to be paid to the Alternate Public Defender shall be paid by the Public Defender, as appropriate; and

WHEREAS, the term of these contracts shall commence on January 1, 2020, and shall continue for the remainder of the calendar year 2020; and

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and Contracts must be available for public inspection.

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

1. These Contracts are awarded without competitive bidding as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.

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

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

36-2020 Appointing / Permanent Montvale Police Officer / Robert Klecha

WHEREAS, Robert Klecha has successfully completed the required probationary time period; and
WHEREAS, Chief Sanfilippo has recommended Officer Klecha for permanent Police Officer appointment

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Robert Klecha is hereby permanently appointed to the Montvale Police Department, effective January 8, 2020.

37-2020 Appointing / Permanent Montvale Police Officer / Nicholas DiSpoto

WHEREAS, Nicholas DiSpoto has successfully completed the required probationary time period; and
WHEREAS, Chief Sanfilippo has recommended Officer DiSpoto permanent Police Officer appointment

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Nicholas DiSpoto is hereby permanently appointed to the Montvale Police Department, effective January 8, 2020.

38-2020 Appointing / Permanent Montvale Police Officer / Scott Gaston

WHEREAS, Scott Gaston has successfully completed the required probationary time period; and
WHEREAS, Chief Sanfilippo has recommended Officer Gaston permanent Police Officer appointment

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey that Scott Gaston is hereby permanently appointed to the Montvale Police Department, effective January 8, 2020.

39-2020 A Resolution Rejecting All Bids Received and Authorizing a Negotiated Procurement Process Pursuant to N.J.S.A. 40A:11-5(3) for the Salt Shed Installation Project

WHEREAS, the Borough of Montvale did twice publicly advertise for bids for the project entitled "Salt Shed Installation"; and

WHEREAS, in response to the first solicitation, two (2) bids were received, with the lowest bid being \$131,925.00; and

WHEREAS, the Borough did reject all bids and authorize a re-bid, due to all bids being unreasonable as to price based upon the engineer's estimate for this work; and

WHEREAS, in response to the second solicitation, three (3) bids were received, with the lowest bid being \$98,000.00, which is not reasonable as to price based upon the engineer's estimate for this work; and

WHEREAS, the Borough of Montvale has now twice solicited public bids for this project, without receiving any bids that were reasonable as to price based upon the engineer's estimate for this work; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), after two unsuccessful attempts at obtaining reasonably-priced bids under a public bidding process, municipalities are authorized and empowered to negotiate and award a contract subject to certain requirements set forth in the applicable statute; and

WHEREAS, the Borough Engineer has requested that the Governing Body authorize a negotiated procurement process for this project, which will be subject to approval of any contract by adoption of a resolution of two-thirds of the full membership of the Governing Body; and

WHEREAS, the Governing Body is desirous of authorizing the Borough Engineer to solicit and negotiate a potential contract for this project with the assistance of the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale as follows:

1. All bids received in response to the second solicitation for the "Salt Shed Installation" Project are hereby rejected for being unreasonable as to price based upon the engineer's estimate for this Project.

2. The Borough Engineer is hereby authorized to proceed with negotiations with prospective contractors for this Project with the assistance of the Borough Attorney.
3. The negotiation process shall comply in all respects with the requirements of the Local Public Contracts Law, and specifically N.J.S.A. 40A:11-5(3).
4. The final contract negotiated by the Borough Engineer shall be presented to the Governing Body for approval by a two-thirds vote of the full membership of the Governing Body

40-2020 Mutual Aid Plan & Rapid Deployment Force Interlocal Service Agreement

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

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

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

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

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

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

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

41-2020 Authorizing Two Year (2) Field License Agreement with the Montvale Board of Education

BE RESOLVED, the Board of Education and the Borough of Montvale are the owners of certain land which is devoted to recreational uses more particularly know as Memorial School Fields and Fieldstone School Fields; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Montvale that the attached two year Field License Agreement with the Montvale Board of Education and the Borough of Montvale has been reviewed and will be provided to the Pascack Valley Department of Public Works Superintendent; and

NOW THEREFORE BE IT RESOLVED, that the Governing Body hereby authorizes the execution of the attached Agreement to commence on January 1, 2020 through December 31, 2021 which includes the Maintenance of Fields on behalf of the Borough of Montvale.

42-2020 Cancellation of Outstanding Checks / Prior Years / Pascack Joint Municipal Court

WHEREAS, there exists various outstanding checks from prior years drawn against certain accounts; and

WHEREAS, the Municipal Court Administrator provided a listing of outstanding checks that require cancellation (listing attached) from prior years.

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BE IT RESOLVED, the Chief Financial Officer is hereby authorized to deposit these funds to the respective reserve or surplus account;

BE IT FURTHER RESOLVED, the Municipal Court Administrator shall receive a copy of this resolution for record keeping; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the attached list of outstanding checks from prior years be cancelled;

43-2019 Authorize Refund of Recreation Program / Pickleball

BE IT RESOLVED, the below individual is hereby granted a refund for Pickleball

Online Registration: (NO Purchase Order Needed) Connie Hades **Address:** 1 Lewis Road, Montvale **Amount:** \$52.34 **Program:** Pickleball

Online Registration: (NO Purchase Order Needed) Eunhee Kim **Address:** 168 Knottingham Court, Montvale **Amount:** \$52.34 **Program:** Pickleball

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

29-2020 Authorize Contract Animal Control Services/Tyco

WHEREAS, the Board of Health of the Borough of Montvale has received a proposal from Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ.

WHEREAS, said proposal has been reviewed and approved by the Board of Health; and

WHEREAS, the Board of Health recommends this contract with Tyco Animal Control Service based upon prior services provided; and

WHEREAS, it is the intention of the Mayor and Council to provide funds in the year 2020 Budget for this contract, Other Expense Portion of the Animal Control Services Budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the contract for Animal Control Services for 2019 be and is hereby awarded to Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, NJ pursuant to the terms and conditions and rates as outlined in the attached contract effective January 1, 2019, copy of which is attached to this resolution for the base amount of \$10,200.00 annually payable monthly with additional costs charged per the rates as outlined in the attached proposal

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - a roll call was taken all ayes with the exception of Councilmember Roche abstaining

30-2020 Award Professional Service Contract Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale/Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, which is hereto attached to the original of this resolution; and

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WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor Michael Ghassali and Borough Clerk/Administrator Maureen Iarossi-Alwan be and are hereby authorized to execute the Contract on behalf of the Borough.

Resolution 30-2020 was withdrawn

BILLS: Municipal Clerk read the Bill Report.

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

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

COMMITTEE REPORTS:

Councilmember Koelling

Police

Monthly report included in original minutes

Board of Health

New policy for grease traps is in place and payments are due Feb 1

Congratulations to the appointments of permanent police officers Robert Klecha, Nicholas DiSpoto and Scott Gaston

Councilmember Russo-Vogelsang

Local BOE

Anita Bagdat and Alisha Foley were sworn in for another three-year term; congratulations to Debra-McGauley-Eichhorn for President and Anita Bagdat for Vice President; There will be a district-wide gathering on Monday, January 20 to learn more about cyber security and an update on our Strategic Plan. In addition, several of our staff members will be leading professional development on Social and Emotional Learning (SEL) as well as time dedicated for teachers to attend workshops on brain research, English Language Learners, scheduling, Orton-Gillingham literacy program, Response to Intervention (RTI), and more; Friday, January 17 is International Day at Memorial. This is a wonderful event to celebrate different world cultures and countries.

Historic Preservation

Re-org meeting is scheduled for February 6

Councilmember Curry

Website

In process of upgrading the website to be completed by February;

Planning Board

Various projects are ongoing which include The Alexa, Franklin Ave and Triboro development;

TV Access

Please contact Rose Curry for anyone that would like to be interviewed;

Councilmember Roche

Chamber of Commerce

First networking event to be held at KPMG on February 4;

Regional BOE

The principal will be retiring at the end of the school year June 2020

Special Events/Recreation

Looking for volunteers;

Environmental Commission

Looking for volunteers, for short periods, like for April town clean-up day, to clean up Pascack trail and for the plastic bag re-cycle program; to date collected over 2,000 pounds of plastic bags; looking for anyone with experience in grant writing;

Councilmember Lane

Fire Dept

31 calls, 2 drills

Finance

Working through the budget process; reminder all budget meetings are open to the public;

MAYOR

First town hall meeting of the year is scheduled for February 3 at 7pm; On January 23, Mayors and Councilmembers from the Pascack Valley area will be meeting with representatives from the town of Ramapo including the Hasidic community; A new bus service will be starting called HIP it is like Uber, first ride will be January 22 at 8am to NYC at the Montvale Park n Ride;

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

2019 DOT grant submission for Edgren Way has been completed, need authorization to go to bid 2020 DOT grant for Philips Parkway to include this with the 2020 road program; Bids for the senior center came in too high, recommends to reject them; a motion to reject bids by Councilmember Lane; seconded by Councilmember Russo-Vogelsang – all ayes; a motion to re-bid for the senior center bathroom renovations by Councilmember Curry; seconded by Councilmember Koelling – all ayes

Mayor Ghassali mentioned about the sidewalks on Chestnut Ridge Road near LaTrenta field, why are there gaps; the engineer will take a look and give an estimate on filling the gaps; Mayor Ghassali asked about paving Paragon Drive;

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

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.

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

Carolee Adams

Referenced an email regarding 3D crosswalks; with a recent local car theft, owner brought his key FOB into the house but tech-savvy thieves may have used a new key FOB signal/receiving device that can hack into an in-house FOB and unlock/start cars - adding that RFID boxes can be purchased to store in-house FOBs, etc. to break transmissions of such signals; the Governor in his State of the State address alluded to a recession and also offered granting a million dollars to houses of worship for security purposes; Montvale Evangelical Church had a service for all First Responders.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Curry
- all ayes
Meeting was adjourned at 8:16pm

ADJOURNMENT:

The next Meeting of the Mayor and Council will be held January 28, 2019 at 7:30 p.m.

2020 SCHEDULED BUDGET MEETINGS:

February 11th, 2020 6:00 p.m.
February 25th, 2020 6:00 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk