

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:33pm. 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, Nick Chelius and Municipal Clerk, Fran Scordo

2025 BUDGET PRESENTATION: *Councilmember Lane and Councilmember Roche***Resolution No. 114-2025 Permitting the 2025 Municipal Budget to be Read by Title Only**

WHEREAS, N.J.S. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Borough Clerk to person requiring them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

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

PUBLIC HEARING 2025 MUNICIPAL BUDGET:**MEETING OPEN TO PUBLIC:**

Municipal Budget Only

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

Carolee Adams

We are very blessed how mayor and council work well together; Curious about are we preparing for going forward with the cost of energy increasing; mentioned about the roads that were micro-paved will they be repaired; Mayor Ghassali stated the engineer will re-evaluate those roads

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

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

ADOPTION 2025 MUNICIPAL BUDGET:**Resolution No. 115-2025 Adoption of 2025 Municipal Budget**

Resolution attached to minutes

Introduced by: Councilmember Roche; seconded by Councilmember Lane - a roll call was taken - all ayes - Councilmembers agreed it is a responsible budget; Mayor Ghassali is very proud and fully support the budget.

ORDINANCES:

PUBLIC HEARING OF BOND ORDINANCE NO. 2025-1565 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,840,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,779,200 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 \$1,840,300, including a \$186,939 grant expected to be received from the New Jersey Department of Transportation for the purpose set forth in Section 3(E)(1) hereof (the "\$186,939 NJDOT Grant"), a \$209,055 grant expected to be received from the New Jersey Department of Transportation for the purpose set forth in Section 3(E)(2) hereof (the "\$209,055 Grant" and, together with the "\$186,939 NJDOT Grant, the "NJDOT Grants") and an \$84,277 Bergen County Open Space grant expected to be received (the "\$84,277 BCOS Grant") for the purpose set forth in Section 3(F) hereof, and further including the aggregate sum of \$61,100 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 and in anticipation of the receipt of the NJDOT Grants and the \$84,277 BCOS Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,779,200 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:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
A) ADMINISTRATION			
1) Acquisition of an ambulance, including all related costs and expenditures incidental thereto.	\$400,000	\$380,500	10 years
B) BUILDINGS AND GROUNDS			
1) Remediation and closure of underground storage tank, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	20 years
C) FIRE DEPARTMENT			
1) Acquisition of mobile and portable radios and accessories and all related items, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	5 years
2) Acquisition of thermal imaging cameras, including all related costs and expenditures incidental thereto.	\$32,000	\$30,400	10 years
3) Acquisition of SCBA and PPE and related equipment, including all related costs and expenditures incidental thereto.	\$64,000	\$60,900	5 years
D) POLICE DEPARTMENT			
Acquisition of sport utility vehicles and radios, including all related costs and expenditures incidental thereto.	\$115,000	\$109,500	5 years
2) Acquisition of car computers with routers, including all related costs and expenditures incidental thereto.	\$17,900	\$16,900	5 years
Acquisition of license plate reader cameras, including all related costs and expenditures incidental thereto.	\$28,400	\$26,900	10 years
Acquisition of fitness equipment, including all related costs and expenditures incidental thereto.	\$22,000	\$20,900	15 years

BOROUGH OF MONTVALE**APRIL 29, 2025**

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
E) ENGINEERING			
1) Resurfacing of Woodland Road, including all work and materials necessary therefor and incidental thereto.	\$364,000 (including the \$186,939 NJDOT Grant)	\$364,000	10 years
2) Resurfacing of Paragon Drive, including all work and materials necessary therefor and incidental thereto.	\$241,000 (including the \$209,055 NJDOT Grant)	\$241,000	10 years
F) RECREATION			
1) Improvements and renovations to fields at the Memorial Drive complex, including but not limited to a synthetic turf infield, including all work and materials necessary therefor or incidental thereto.	\$216,000 (including the \$84,277 BCOS Grant)	\$205,200	15 years
G) PUBLIC WORKS			
Acquisition of a truck with a plow, including all related costs and expenditures incidental thereto.	\$200,000	\$190,000	10 years
TOTALS:	\$1,840,300	\$1,779,200	

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 10.29 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 \$1,779,200, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$127,000 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. 2025-1565** 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 Cudequest - all ayes

No Public Comment

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

INTRODUCTION OF ORDINANCE NO. 2025-1570 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO REVISE THE "FLAT FEE" STRUCTURE
(public hearing 5-27-25)

*A motion to Introduce Ordinance **2025-1570** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Cudequest; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

INTRODUCTION OF ORDINANCE NO. 2025-1571 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385 OF THE BOROUGH CODE TO CHANGE THE PARKING RESTRICTIONS ON CERTAIN PORTIONS OF CRAIG ROAD
(public hearing 5-27-25)

*A motion to Introduce Ordinance **2025-1571** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

The BA explained that the current ordinance states no parking on both sides but there is only signage on one side of the road; Some residents at Valley View are asking for some parking to be allowed; there will be a little section allowed for Valley View residents; there will be more signage added.

MEETING OPEN TO PUBLIC

Agenda Items Only

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

No Public Comment

MEETING CLOSED TO PUBLIC

Agenda Items Only

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

MINUTES:

March 25, 2025

A motion to accept minutes by Councilmember Cudequest; seconded by Councilmember Roche – all ayes with the exception of Councilmember Arendacs abstaining

April 10, 2025

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

CLOSED/EXECUTIVE MINUTES:

March 13, 2025

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

March 25, 2025

A motion to accept closed minutes by Councilmember Cudequest; seconded by Councilmember Russo-Vogelsang – all ayes with the exception of Councilmember Arendacs abstaining

April 10, 2025

A motion to accept closed minutes by Councilmember Cudequest; seconded by Councilmember Russo-Vogelsang – all ayes with the exception of Councilmember Arendacs 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.

108-2025 A Resolution Awarding a Contract to DLS Contracting, Inc. for the 2025 Montvale Road Program Pursuant to the 2025 Riverside Cooperative Road Improvement Program Contract RC-35-25-01

WHEREAS, the Borough has a need to procure road paving services for the 2025 Montvale Road Program; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, pursuant to Section 11 of the Local Public Contracts Law, N.J.S.A. 40A:11-11, the Borough is a member of a cooperative pricing system for the provision of goods and services with the Riverside Cooperative (the “Co-op”) with the Borough of Northvale as the Lead Agency; and

WHEREAS, the Borough of Northvale did publicly advertise for bid for paving services for the participating members of the Co-op; and

WHEREAS, the Borough of Northvale on behalf of the Co-op did award a Master Contract to DLS Contracting, Inc., a copy of which is attached hereto, which provides for individual unit pricing to be utilized by the participating members, including Montvale; and

WHEREAS, the Borough is desirous of entering into a contract through the Co-op with DLS for paving services for the 2025 Montvale Road Program on an open-ended basis at the prices and on the terms and conditions of the Master Contract; and

WHEREAS, the Borough is desirous of utilizing DLS to pave a number of roads throughout the Borough, which may include but not be limited to the following roads:

- Terry Court (from West Grand to Terminus)
- Stag Hill Road (from Woodland Road to Terminus)
- Donnybrook Road
- Jules Court (from Woodland Road to Terminus)
- Train Station Parking Lot

WHEREAS, any and all contracts entered into pursuant to this resolution shall remain subject to review and approval as to form by the Borough Attorney; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough of Montvale does hereby award the above-referenced open-ended contract pursuant to Riverside Cooperative Contract RC-35-25-01, as follows:

Vendor	Contract Amount
DLS Contracting, Inc. 36 Montesano Road Fairfield, NJ 07004	\$149,455.53 (estimated)

BE IT FURTHER RESOLVED that the above contract price is estimated based on unit pricing and subject to change based on final quantities ordered on an open-ended basis, the CFO to provide an appropriate certification of the availability of funds at the time each Purchase Order is issued; and

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

109-2025 Resolution Authorizing a Refund of Overpaid Taxes Due to a Tax Court Judgement

WHEREAS, the owners of Block 53 - Lot 2, 28 Crestview Terrace has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value; and

WHEREAS, this has resulted in an overpayment of property tax for the year 2024 in the amount of **\$3,244.35**; and

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the Tax Collector be authorized to refund the overpayment of **\$3,244.35** for the year **2024** to Wolf Vespasiano LLC Attorney Trust Account on behalf of the owner of record Christopher & Melissa Rogan with offices located 331 Main Street, Chatham, NJ 07928

110-2025 Authorize Release of Escrow – JSM Construction Development – 78 Spring Valley Road, Block 1102, Lot 6

WHEREAS, Western Union has requested release of escrow posted for 78 Spring Valley Road, Block 1102, Lot 6; and

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release escrow to JSM Construction Development, to be mailed to P.O. Box 8296, Saddle Brook, NJ 07663, in the amount of \$4,910.15; and

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

111-2025 Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40a:4-87 – Recycling Tonnage Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law, and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2025 Municipal Budget in the sum of \$ 10,176.75, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that the like sum of \$ 10,176.75 is hereby appropriated under the caption: General Appropriations:

(A) Operations – Excluded from “CAPS”

Public and Private Revenues Offset by Revenues

Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

112-2025 Award Professional Service Contract to Colliers Engineering & Design - for Construction Observation & Administration Services for 2025 Riverside Cooperative Paving Program

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for Construction Observation & Administration Services for 2025 Riverside Cooperative Paving Program; 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; and

WHEREAS, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated April 10, 2025 to provide engineering services which are detailed and attached to the original of this resolution, and

WHEREAS, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

1) That the following be provided: Construction Observation & Administration Services The cost not to exceed shall be \$24,500.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

BE IT FURTHER RESOLVED, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 DePiero Drive, Montvale, NJ 07645.

113-2025 Authorize Release of the Performance Surety Bond for – Hornrock Properties MPR, LLC aka AR Landmark Montvale, LLC - Block 3302; Lot 1 and Posting of Two-Year Maintenance Bond and an additional Performance Guarantee

WHEREAS, Hornrock Properties aka AR Landmark Montvale, LLC has requested a release of their Performance Surety Bond; and

WHEREAS, a completed inspection of the site has been conducted by Colliers Engineering and takes no exception to the release of the Performance Surety Bond No. FP0025051 in the amount of \$222,065.00; and

WHEREAS, in a letter dated April 14, 2025, Colliers Engineering states that landscape buffer improvements have not been completed and a Performance Guarantee is required in the amount of **\$15,499.80** as a condition of the release of the Performance Surety Bond No. FP0025051; and

WHEREAS, a two-year maintenance bond in the amount of **\$46,244.00** is required as a condition of the release of the Performance Surety Bond No. FP0025051; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Borough Treasurer is hereby authorized to release the Performance Surety Bond No. FP0025051 in the amount of \$222,065.00 **when** a Two-Year Maintenance Bond in the amount of **\$46,244.00** and a Performance Guarantee in the amount of **\$15,499.80** shall be posted with the Municipal Clerk. A copy of this resolution shall be sent to Jeremiah Fleming of AR Landmark Montvale, LLC, 1 Sony Drive, Park Ridge, NJ 07645

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

ADD-ON RESOLUTIONS:

116-2025 REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION

N.J.S.A. 40A:4-87 – 2025 DISTRACTED DRIVING CRACKDOWN. U DRIVE. U TEXT. U PAY

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law, and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2025 Municipal Budget in the sum of \$ 8,750.00, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Distracted Driving Grant.

BE IT FURTHER RESOLVED that the like sum of \$ 8,750.00 is hereby appropriated under the caption:

General Appropriations:

(A) Operations – Excluded from “CAPS”

Public and Private Revenues Offset by Revenues

Distracted Driving Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

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

117-2025 RE: A Resolution Authorizing and Directing the Planning Board of the Borough of Montvale to Undertake a Preliminary Investigation to Determine Whether the Property Identified as Block 3102 Lot 1.01 on the Official Tax Map of the Borough of Montvale, Otherwise Known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road, Meet the Statutory Criteria for an "Area in Need of Redevelopment" With the Power of Condemnation Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, KPMG, LLP is the owner of certain real property identified as Block 3102 Lot 1.01 on the Borough of Montvale Tax Map, also known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road (the "Study Area"); and

WHEREAS, KPMG has represented to the Borough that it is consolidating its operations in Montvale and no longer intends to utilize the Study Area property for office purposes; and

WHEREAS, the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1, et seq., authorizes the Governing Body, by resolution, to authorize the Planning Board to undertake a preliminary investigation (the "Investigation") to determine whether an area (or any portion thereof) is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LRHL; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the LRHL, "the resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough and its residents to authorize the Borough's Planning Board to undertake such Investigation of the Study Area as a Condemnation Redevelopment Area; and

WHEREAS, the Borough Council wishes to direct the Planning Board to conduct the Investigation of the Study Area as authorized under the LRHL; and

WHEREAS, the notice of hearing(s) to be conducted by the Planning Board pursuant to the Redevelopment Law shall specifically state that a Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of eminent domain.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Borough Planning Board is hereby authorized and directed to conduct a preliminary investigation as to whether the property located at Block 3102, Lot 1.01 on the Official Tax Map of the Borough, otherwise known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road, (the "Study Area"), should be determined as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-5 and 6; and

BE IT FURTHER RESOLVED, that the Borough hereby authorizes and directs the Borough Planner and the Borough Engineer, to prepare the necessary studies and reports to determine whether the Study Area meet the criteria for designation as a Condemnation Redevelopment Area under the LRHL; and

BE IT FURTHER RESOLVED, that the Borough hereby states that any Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of eminent domain; and

BE IT FURTHER RESOLVED, that the notice of the hearing(s) to be conducted by the Planning Board pursuant to the Redevelopment Law shall specifically state that a Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of

eminent domain; and

BE IT FURTHER RESOLVED, that the Planning Board shall conduct a public hearing and submit its findings and recommendations to the Borough Council in the form of a resolution with all necessary supporting documentation; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded by the Borough Clerk to the Borough Planning Board; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Introduced by: Councilmember Roche; seconded by Councilmember Lane - a roll call was taken - all ayes The borough attorney explained by adopting this resolution it will allow the Planning Board to start the process to determine if the land mentioned in the resolution is developable

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT: Nick Chelius

NJDOT Woodland Road project, the bid opening is scheduled for May 6; GIS mapping is making progress field work should be completed by June; Riverside Road paving should start in the coming weeks; the survey for Kinderkamack and Magnolia intersection should be completed by first week in May

ATTORNEY REPORT: Dave Lafferty

Our special counsel filed a complaint in Federal court seeking various relief relating the affordable housing

ADMINISTRATOR REPORT: Joe Voytus

Jamie Giurintano, our engineer for the Planning Board has left Colliers and Carl O'Brien will be taking over the duties for the Planning Board; received an email from Boswell regarding the Parkway and the accidents southbound, they did get approval to add additional asphalt by mile marker 171.8 on the shoulder; in speaking with Councilmember Roche and our engineers we are working to see about getting additional recreation space down by Memorial by the swim club property

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

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

The BA, Joe stated that Carol Manhart does a great job organizing the quarterly meetings and gathers all the paperwork necessary to be submitted

- Arbor Day Foundation

Mayor Ghassali received a letter from the Arbor Day Foundation recognizing the Borough for achieving 2024 Tree City USA status which honors the Borough's commitment to plant, grow and maintain trees in the community, the Environmental Commission does a great job with all the clean-ups

MEETING OPEN TO THE PUBLIC:

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

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

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

William Lovitt

Wanted to speak in regards to Major field and the snack shack field regarding the difference in the mounds; After a brief discussion with councilmembers, it was decided to have a meeting with MAL representatives, the borough engineer, Councilmember Roche and BA, Joe Voytus, to further discuss what can be done

Carolee Adams

Mentioned Thursday, May 1st is the 74 Annual National Day of Prayer; every year State Governors issue Proclamations that honor the National Day of Prayer; the theme this year is Hope; she encourages everyone to say a 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 8:33pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, May 8, 2025

Respectfully submitted, Frances Scordo, Municipal Clerk