

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:37pm. Adequate notification was published in the official newspaper of the Borough of Montvale. 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 Mike Ghassali; Borough Attorney, Dave Lafferty; Borough Engineer, Carol O'Brien; Administrator, Joe Voytus; Municipal Clerk, Fran Scordo

PRESENTATION – ECONOMIC DEVELOPMENT COMMITTEE

Presentation by Overskies Brand Storytelling and Outreach included with original minutes

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2024-1560 AN ORDINANCE APPROPRIATING THE SUM OF NOT MORE THAN \$40,000 FROM THE CAPITAL IMPROVEMENT FUND IN CONNECTION WITH THE PURCHASE OF A DOUBLE WALL BRINE TANK

WHEREAS, the Borough of Montvale wishes to appropriate the sum of up to \$40,000 from its Capital Improvement Fund in connection with the purchase of a double wall brine tank for use by the Pascack Valey DPW in order to comply with certain NJDEP regulations.

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

1. The recitals set forth above are incorporated as if set forth herein at length.
2. There is hereby appropriated the sum of up to \$40,000 from the Capital Improvement Fund of the Borough of Montvale for the aforementioned purchase.
3. The capital budget of the Borough of Montvale for 2024 is hereby amended to reflect the appropriation authorized by this ordinance.
4. There is no debt authorized by this ordinance.
5. This ordinance shall take effect upon passage after second reading and publication as required by law.

*A motion Introduced for second reading **Ordinance No. 2024-1560** by Councilmember Russo-Vogelsang; seconded by Councilmember Cudequest; Clerk read by title only.*

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

No Public Comment

Motion to close meeting to the public by Councilmember Cudequest; seconded by Councilmember Lane - 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

MINUTES:

October 10, 2024

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

CLOSED SESSION MINUTES:

October 10, 2024

A motion to accept closed session minutes by Councilmember Lane; seconded by Councilmember Cudequest - all ayes with the exception of Councilmember Roche 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.

185-2024 A Resolution Awarding a Contract to Reed Systems, LTD for One (1) 5500-Gallon Double-Wall Brine Tank Pursuant to ESCNJ Contract 23/24-04

WHEREAS, the Borough of Montvale has a need to acquire one (1) 5500-Gallon Double-Wall Brine Tank and related equipment for use by the Pascack Valley Department of Public Works in order to comply with new NJDEP regulations, consistent with the Shared Services Agreement between Montvale and River Vale; and

WHEREAS, the Borough did solicit a proposal from Reed Systems, LTD pursuant to ESCNJ Contract 23/24-04; and

WHEREAS, Reed did submit a proposal for said equipment in the total amount of \$38,093.95; 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 Educational Services Commission of New Jersey ("ESCNJ"), formerly known as the Middlesex County Educational Services Commission; and

WHEREAS, the Borough is desirous of entering into a contract through ESCNJ with Reed for this equipment as set forth in the Reed's proposal attached hereto and incorporated herein by reference; and

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 contract pursuant to ESCNJ Contract 23/24-04, as follows:

Vendor	Contract Amount
Reed Systems, LTD	\$38,093.95
17 Edwards Place	
Ellenville, New York 12428	

186-2024 Authorize Execution of Agreement with Townhomes at Olde Woods Condominium Association Municipal Service Agreement

WHEREAS, the Condo Services Act provides for a phase in schedule for municipal reimbursement payment at the municipal cost for certain enumerated municipal services or the providing of such services by the municipality in lieu of such reimbursement; and

WHEREAS, an agreement has been negotiated between the Borough of Montvale and Townhomes at Olde Woods Condominium Association to satisfy the obligation of the Borough as provided by the Condo Service Act, which agreement is attached and made part of this resolution; and

WHEREAS, this agreement shall remain in effect for a five year period to commence on January 1, 2024 and terminating on December 31, 2028; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale hereby authorize the execution of the attached Agreement on behalf of the municipality by the appropriate municipal officials.

187-2024 A Resolution Authorizing the Borough of Montvale Police Department to Apply, Enroll and Participate in the Department of Defense Law Enforcement Support Office ("LESO") 1033 Program to Enable the Montvale Police Department to Request and Acquire Excess Department of Defense Equipment

WHEREAS, the Department of Defense Law Enforcement Support Office ("LESO") facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997; and

WHEREAS, Federal law permits the Secretary of the United States Department of Defense to transfer to municipal, federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, informally known as the "1033 Program", this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property, including vehicles, small arms, rescue equipment, medical supplies, and even office supplies originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the 1033 Program at no cost to municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment, and for specialized training for its operation; and

WHEREAS, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 Program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 Program by a "resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator" of the 1033 Program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a "resolution adopted by a majority of the full membership of the governing body"; and

WHEREAS, the Chief of Police of the Montvale Police Department has requested that the Governing Body authorize the Police Department to participate in the 1033 Program; and **WHEREAS**, the Governing Body of the Borough of Montvale has determined that it is in the best interests of the residents of the Borough of Montvale to authorize the Police Department to apply, enroll and participate in the 1033 Program.

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

1. The Chief of Police or his designee, on behalf of the Montvale Police Department, is hereby authorized and empowered to apply, enroll and participate in the Department of Defense Law Enforcement Support Office 1033 Program, with the authorization to participate terminating on December 31 of the current calendar year.
2. The Chief of Police shall be responsible for ensuring compliance with the requirements for participation as outlined in 10 U.S.C. 2576a for all controlled equipment.
3. The Montvale Police Department is hereby authorized to acquire items of non-controlled property designated as DEMIL A, which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Montvale Police Department, without restriction.
4. The Montvale Police Department is further authorized to acquire the identified "DEMIL B through Q" property on Exhibit A, attached hereto and expressly made a part hereof, if it shall become available in the period of time for which this resolution authorizes.
5. The Police Chief shall develop and implement a full training plan and policy for the maintenance and use of any acquired property; and
6. Pursuant to N.J.S.A. 40A:5-30.2b, the Chief of Police, or his designee, shall maintain an inventory of surplus property obtained under the 1033 Program, and shall provide a quarterly accounting of all property obtained through the 1033 Program, which shall be available to the public upon request; and
7. This resolution shall take effect immediately and shall be valid to authorize requests to acquire the above-identified DEMIL A property and DEMIL B through Q property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with Program participation and all property request authorization terminating on December 31 of the current calendar year.

188-2024 Refund Tax Overpayment - Block 2401; Lot 3 – 22 W Grand Ave

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for Block 2401; Lot 3, 22 W grand Ave; and

WHEREAS, a duplicate payment was made by the owner resulting in an overpayment in the amount \$10,026.60 for installments 3 and 4; 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 Rothman Realty, LLC, 411 Grand Ave, Englewood, NJ 07631 in the amount of \$10,026.60

189-2024 Authorize Execution of Agreement with Charlestowne Court Homeowners Association Municipal Service Agreement

WHEREAS, the Condo Services Act provides for a phase in schedule for municipal reimbursement payment at the municipal cost for certain enumerated municipal services or the providing of such services by the municipality in lieu of such reimbursement; and

WHEREAS, an agreement has been negotiated between the Borough of Montvale and Charlestowne Court Homeowners Association to satisfy the obligation of the Borough as provided by the Condo Service Act, which agreement is attached and made part of this resolution; and

WHEREAS, this agreement shall remain in effect for a five year period to commence on January 1, 2025 and terminating on December 31, 2029; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale hereby authorize the execution of the attached Agreement on behalf of the municipality by the appropriate municipal officials.

*Introduced by: Councilmember Russo-Vogelsang; 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 Cudequest - all ayes

ENGINEERS REPORT: Carl O'Brien

Finalizing the report on Valley View pump station; W Grand Ave paving has been completed; Woodland Road NJDOT project has been submitted; working on a flat fee schedule for engineering fees for the building department; Mayor Ghassali stated the traffic light at Summit and Paragon, Carl stated he will reach out to the County

ATTORNEY REPORT: David Lafferty, Esq.

No Report

ADMINISTRATOR REPORT: Joe Voytus

We do not have the date for the closure of the ramp on the parkway

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a. Discussion – Best Practices Worksheet

Joe stated we scored 42 points so we will not lose any State Aid

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

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

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

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

No Public Comment

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 8:10 pm

Respectfully submitted, Frances Scordo, Municipal Clerk