

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:31pm. 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 - absent
Council President Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang – via telephone

Also Present: Mayor Mike Ghassali; Borough Administrator, Joe Voytus; Borough Attorney, Siobhan Bailey; and Municipal Clerk, Fran Scordo

ORDINANCES:

None

MEETING OPEN TO PUBLIC

Agenda Items Only

A motion to open the meeting to the public for agenda items only by Councilmember Lane; seconded by Council President Cudequest – all ayes

No public comment

MEETING CLOSED TO PUBLIC

Agenda Items Only

A motion to close the meeting to the public for agenda items only by Councilmember Lane; seconded by Councilmember Roche – all ayes

MINUTES:

March 12, 2026

A motion to accept the minutes by Councilmember Lane; seconded by Council President Cudequest - all ayes

CLOSED/EXECUTIVE MINUTES:

February 24, 2026

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

March 12, 2026

A motion to accept the closed session minutes Councilmember Lane; seconded by Council President Cudequest - all ayes

RESOLUTIONS: NON-CONSENT

None

RESOLUTIONS: (CONSENT AGENDA*)

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

78-2026 Authorize Execution of Agreement with Alayna Homeowners Association, Inc. 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 Alayna Homeowners Association, Inc. 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.

79-2026 Amending Resolution No. 31-2026 Award Professional Service Contract - Public Defender & Co-Public Defender for 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, 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 co-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.

Co-Public Defender: Yohara Azcona, Esq.

WHEREAS, the salary of the Public Defender shall be \$15,400.00; and Co- Public Defender shall be \$7,500.00; and

WHEREAS, the term of this contract shall commence on January 1, 2026, and shall continue for the remainder of the calendar year 2026; 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 that this contract be awarded

without competitive bidding as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)(a) and notice of this action shall be posted on the Borough's website at

<http://www.montvale.org/publicnotices>

80-2026 Authorizing Shared Service Agreement with the Montvale Board of Education for the Field House at Fieldstone Middle School

BE RESOLVED, the Board of Education and the Borough of Montvale constructed a Field House behind Fieldstone Middle School for the benefit of the school as well as the recreational users of the athletic fields; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Montvale that the attached shared service 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, 2026 through January 1, 2027

81-2026 Authorizing Shared Service Agreement with the County of Bergen, Department of Planning & Engineering for Kinderkamack Road and Magnolia Ave Improvement Project

WHEREAS, there exists a need for Kinderkamack Road and Magnolia Avenue Improvements in the Borough of Montvale, County of Bergen, New Jersey; and

WHEREAS, a Shared Services Agreement is needed to formalize the rights and obligations of the parties and to delineate the responsibilities of the County and the Borough for the Project known as "Kinderkamack Road and Magnolia Avenue Improvements" Borough of Montvale, Bergen County, NJ," ("Project"); and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive; and

WHEREAS, in order to address the aforesaid need, the County and Borough intend to retain, through public bidding or as otherwise permitted by the Public Contracts Law, contractors to perform the services and work for this Project; and

NOW THEREFORE BE IT RESOLVED, that the Borough of Montvale and the County of Bergen are desirous of entering to this Shared Services Agreement ("SSA") attached hereto this resolution to set forth each party's duties, rights and responsibilities concerning the Kinderkamack Road and Magnolia Ave Improvement Project

82-2026 Amending Resolution No. 70-2026 for a Professional Services Contract to King, Moench & Collins LLP to Serve as Special Counsel for Affordable Housing Litigation

WHEREAS, the Governing Body previously awarded a professional services contract to Michael Collins, Esq. and King, Moench & Collins LLP ("KMC") to serve as Special Counsel for Affordable Housing Litigation to represent the Borough (and other municipalities) in connection with a challenge to the recent legislation concerning Round 4 of the state-wide affordable housing obligations; and

WHEREAS, the Borough's initial award had a "not to exceed" figure of \$30,000.00, and the Borough is desirous of increasing this figure to a "not to exceed" value of \$600,000.00; and

WHEREAS, the payments for KMC's services shall come from the Trust Fund established with funds from all participating municipalities; 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, 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 the professional services contract with Michael Collins, Esq. and King, Moench & Collins LLP to serve as Special Counsel for Affordable Housing Litigation is hereby amended to increase the "not to exceed" figure to \$600,000.00; and

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; and

BE IT FURTHER RESOLVED that the Borough Clerk shall post to the Borough website at <http://www.montvale.org/publicnotices>

84-2025 Authorizing Refund of Redemption of Tax Sale Certificate #24-10000 for Block 104; Lot 7, 59 Valley View Terrace

WHEREAS, at the Municipal Tax Sale held on October 30, 2025, a lien was sold on Block 104, Lot 7, also known as 59 Valley View Terrace for 2025 Excess Sewer Usage fees; and,

WHEREAS, this lien, known as Tax Sale Certificate #24-10000, was sold to American Tax Lien Fund LLC, PO Box 237174, New York, NY 10023-0032 at 18% interest rate; and

WHEREAS, the mortgage holder has affected redemption of Tax Sale Certificate #24-10000 in the amount of \$1,600.99; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the Tax Collector be and is hereby authorized to Redeem Certificate #24-10000 in the amount of \$1,600.99 to American Tax Lien Fund LLC, PO Box 237174, New York, NY 10023-0032

85-2026 Increasing Temporary Appropriations For 2026

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments, or payments are to be made prior to the adoption of the 2026 Annual Budget, temporary appropriations should be made to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, the Borough previously adopted temporary appropriations for 2026; and

WHEREAS, due to the extension of the statutory 2026 budget dates, additional temporary appropriations are necessary; and

WHEREAS, the Division of Local Government Services has authorized governing bodies to adopt, no later than March 31, 2026, a resolution increasing temporary budget appropriations for the 2026 budget as may be necessary due to the extension;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the temporary appropriations for 2026 be and hereby are increased by the sum of \$3,425,000.00 for Current Fund purposes as follows:

Total Additional Temporary Appropriations \$3,425,000.00

BE IT FURTHER RESOLVED that these additional temporary appropriations shall be incorporated into and provided for in the 2026 Annual Budget.

86-2026 Authorize Budget Transfers Between Appropriation Accounts Pursuant To N.J.S.A. 40a:4-58

WHEREAS, certain transfers of funds for various 2025 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of appropriations with excess over and above the amount deemed necessary to fulfill their purposes to those appropriations considered to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40A:4-58 for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2025 Municipal Budget as follows:

	FROM	TO
Administration and Executive Other Expenses	\$10,000	
Planning Board Other Expenses	\$20,000	
Construction Official Other Expenses	\$10,000	
Elevator Subcode Official Other Expenses	\$10,000	
Street Lighting Other Expenses	\$15,000	
Snow Removal Other Expenses		\$65,000

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

83-2026 A Resolution of the Borough of Montvale Authorizing the Execution of a Shared Services Agreement with the Montvale Board of Education Concerning a Shared Certified School Nurse for the Montvale Summer Camp and the Memorial Elementary School Summer Learning Program

WHEREAS, the Borough of Montvale (the "Borough") and the Montvale Board of Education (the "Board") agree that it would be more efficient and in the best interests of the Borough for the Borough and the Board to share the services of a certified school nurse during the Montvale Summer Camp and the Memorial School Summer Learning Program; and

WHEREAS, the Borough and the Board desire to enter into an agreement concerning the shared certified school nurse, a copy of which is on file with the Municipal Clerk.

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

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

Council President Cudequest asked for clarification; the BA stated this is done every year that we share the school nurse for summer camp.

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT:

No Report

ATTORNEY'S REPORT: Siobhan Bailey

No Report

ADMINISTRATOR'S REPORT: Joe Voytus

March is safety month; the boro employees took over 130 safety courses; the BA will be making breakfast for the employees; lock box will be presented to the seniors on Thursday along with the forms; a new computer was installed at the community center;

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Council President Cudequest mentioned that the library would like to enhance the exterior of the main entrance to the municipal building; the proposal is as follows; replacing the existing rock area located in front of the handicap parking spaces with pavers that match those installed in the Library's Reading Garden. Also, a Montvale Boy Scout working on his Eagle project will be adding a bench in that area as well. Councilmembers agreed to this project.

Mayor Ghassali suggested the council should consider an ordinance to allow drive-thru's on Chestnut Ridge Road, it was decided to have the Borough Planner submit a draft ordinance for the council's review.

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 Roche – all ayes

Peter Olzerowicz, 37 Hickory Hill

Wanted clarification regarding his recent excess sewer bill; Councilmember Lane gave a brief explanation stating this was designed mainly for all the corporate buildings and suggested to install a separate meter for your sprinkler system

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

ADJOURNMENT:

Motion to adjourn by Councilmember Koelling; seconded by Council President Cudequest – all ayes

Meeting adjourned at 8:00pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on April 9, 2026

Introduction of Municipal Budget to be held on April 9, 2026 at 7:30pm

Public Hearing and Adoption of Municipal Budget to be held on May 14, 2026 at 7:30pm

Respectfully submitted, Frances Scordo, Municipal Clerk