

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:36PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Fyfe 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 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: Borough Attorney, Joe Voytus, Esq.; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Cudequest	Councilmember LaMonica
Councilmember Curry	Councilmember Lane – via phone
Councilmember Ghassali	Councilmember Talarico - absent

MEETING OPEN TO PUBLIC:

Agenda Items Only

A motion to open the meeting on agenda items only by Councilmember Cudequest; seconded by Councilmember Ghassali - all ayes

NO PUBLIC COMMENT

A motion to close the meeting on agenda items only by Councilmember Cudequest; seconded by Councilmember Curry - all ayes

MEETING CLOSED TO PUBLIC

Agenda Items Only

MINUTES:

August 27, 2013

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Curry - all ayes

RESOLUTIONS:

151-2013 Tax Court Settlement / Block 2001 Lot 5.01 Unit C0026 / Madhu Hardasmalani

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Madhu Hardasmalani (hereinafter the "Tax Appeal"), under Docket Number 018762-2011, and;

WHEREAS, the aforesaid tax appeal concerns a residential property located at 16A Forshee Circle, and is otherwise referred to as Block 2001 Lot 5.01 Unit C0026 on the tax assessment map of the Borough (hereinafter the "subject property"), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel and the Borough Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement would reduce the subject properties' assessment to \$585,000 in the 2011 tax year, and;

WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement for the 2012 tax year only, and;

WHEREAS, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, pursuant the terms set forth herein, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Borough Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

Introduced by: Councilmember Cudequest; seconded by Councilmember Ghassali - All ayes

152-2013 Tax Court Settlement / Block 2001 Lot 5.01 Unit C0036 / Jean Park

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Jean Park (hereinafter the "Tax Appeal"), under Docket Number 018933-2011, and;

WHEREAS, the aforesaid tax appeal concerns a residential property located at 22A Forshee Circle, and is otherwise referred to as Block 2001 Lot 5.01 Unit C0036 on the tax assessment map of the Borough (hereinafter the "subject property"), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel and the Borough Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement would reduce the subject properties' assessment to \$485,000 in the 2011 tax year, and;

WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement for the 2012 tax year only, and;

WHEREAS, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the settlement of the aforesaid Tax Appeal be hereby approved, pursuant the terms set forth herein, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Borough Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

Introduced by: Councilmember Ghassali; seconded by Councilmember Curry - All ayes

153-2013 Appointment Regular Member / Montvale Fire Department / Yuhan Lin

WHEREAS, the Montvale Fire Department is desirous of adding a regular member; and

WHEREAS, Yuhan Lin, Montvale, NJ 07645 has been approved by the Board of Fire Commissioners and has undergone a satisfactory physical, pursuant to the attached application which has been made part of this resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the appointment of Yuhan Lin, as a Regular Member of the Montvale Fire Department, is hereby approved.

Introduced by: Councilmember Cudequest; seconded by Councilmember Curry - All ayes

154-2013 Appointment Regular Member / Montvale Fire Department / Michael S. Riabov

WHEREAS, the Montvale Fire Department is desirous of adding a regular member; and
WHEREAS, Michael S. Riabov, Montvale, NJ 07645 has been approved by the Board of Fire Commissioners and has undergone a satisfactory physical, pursuant to the attached application which has been made part of this resolution; and
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the appointment of Michael S. Riabov, as a Regular Member of the Montvale Fire Department, is hereby approved.

Introduced by: Councilmember Cudequest; seconded by Councilmember Ghassali - All ayes

155-2013 Reduction of Assessment / Block 2601; Lot 32.01; Qualifier C0044; John Depierro

WHEREAS, a resolution authorizing the Tax Assessor to reduce the current assessed value of \$913,600 for property located at 44 Boxwood Lane, also known as Block 2601 Lot 32.01 C0044, and
WHEREAS, due to an error in the assessment, this resolution would reduce the assessed value to \$828,900; and
WHEREAS, as a result in the reduction, a credit in the amount of \$1,776.16 will be applied to fourth quarter taxes; 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 reduce fourth quarter taxes in the amount of \$1,776.16.

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - All ayes

156-2013 Refund Tax Overpayment / Block 2902; Lot 2; Raymond & Barbara Fallon

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes from 2006 thru 2012 for the property located at 9 Surrey Lane, also known as Block 2902; Lot 2; and
WHEREAS, the above referenced property was incorrectly assessed for a tennis court from 2006 thru 2012; and
WHEREAS, the refund amount is \$2,975.31; 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 Mr. and Mrs. Raymond Fallon in the amount of \$2,975.31.

Introduced by: Councilmember Cudequest; seconded by Councilmember LaMonica - All ayes

157-2013 Authorize Releasing Bond For Traffic Signal Posted by LTF Real Estate Company Inc d/b/a Life Time Fitness

WHEREAS, previously, at the request of Park Ridge, a bond was posted by Life Time Fitness in favor of both Montvale and Park Ridge to provide sufficient funds to install an electronic traffic signal at the intersection of Brae Boulevard and Sony Drive if deemed warranted after a traffic study conducted by the Borough of Park Ridge; and
WHEREAS, after conducting said study, it was determined by Stantec Consulting Services, Inc. on behalf of Park Ridge that the intersection did not satisfy any of the warrants for the maintenance or construction of a traffic signal; and

WHEREAS, it was therefore recommended by Stantec that the bond posted by Life Time Fitness be released; and

WHEREAS, Montvale’s Engineer concurs in this recommendation by Stantec.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the bond posted by Life Time Fitness in connection with the above-referenced study concerning the intersection of Brae Boulevard and Sony Drive be released by the Borough.

Introduced by: Councilmember Cudequest; seconded by Councilmember Ghassali - All eyes

158-2013 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Magnolia Avenue Section 2

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Montvale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Montvale Borough-00253 to the New Jersey Department of Transportation on behalf of the Borough of Montvale.

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

Introduced by: Councilmember Cudequest; seconded by Councilmember Curry - All eyes

159-2013 Amending Resolution No. 107-2013 Setting Forth Recreational Programs & Fees Year 2013 & 2014

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

WHEREAS, the Recreation Committee 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:

8:00 a.m.	Until	10:00 a.m.	Roller/street Hockey
10:00 a.m.	Until	12:00 p.m.	Free Skate
12:00 p.m.	Until	2:00 p.m.	Roller/street Hockey
2:00 p.m.	Until	4:00 p.m.	Free Skate
4:00 p.m.	Until	6:00 p.m.	Roller/street Hockey
6:00 p.m.	Until	Dusk	Free Skate

PROGRAMS:

	RESIDENT	NON-RESIDENT
Adult Fitness related classes	\$80	\$100
Basketball- Bidy	\$80	----
Basketball – 18+ (Competitive)	\$50	\$70
Basketball - 30+	\$75	\$95
Chess-Youth	\$80	----
Crafts	\$60	\$80
Drama For Mama/Improve Comedy Class	\$80	\$100

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember LaMonica

Seniors

Presentation by Montvale Commons is scheduled for next week;

Tree Ordinance Committee

First meeting was held; very productive

Tri-boro Shuttle

Is doing very well; riders are increasing monthly;

Councilmember Curry

Local BOE

Back in session on September 9th;

Recreation

Halloween Carnival is scheduled for October 25th

Board of Health

Flu clinic, Saturday, Sept 28th; 9am-11am at Senior Community Center;

Construction

Ahead by \$132,000 from this time last year; total permits increased from last year; Lifetime Fitness is ready for final inspections;

Councilmember Ghassali

DPW

Business as usual

Planning Board

Meeting of Sept 17 Shell Station will be heard; Meeting of October 1st and October 27th DePiero project will be heard;

Councilmember Cudequest

No Report

Councilmember Lane

Fire Dept

14 fires; 2 chief calls;

Mayor Fyfe

13,884 total circulation; 6,000 patron visits; 28 new cards issued; Annual book sale to be held on October 5 and 6;

Condolences to the family of Ann (Nancy) McDonald; she was very involved in the community; began the Montvale soccer program;

Mayor Fyfe addressed a recent article in the Bergen Record regarding inconsistencies about promotions in the Montvale Police Dept. including anti-nepotism.

ENGINEER'S REPORT:

Report/Update

Mr. Hipolit was not in attendance;

- a. Authorize Payment #2 Akers Avenue Roadway Improvements/Reivax

Motion by Councilmember Cudequest; seconded by Councilmember LaMonica to authorize payment – all ayes

- b. Authorize Payment #1 Memorial & LaTrenta Tennis Courts/Sita Construction Co., Inc.

Motion by Councilmember Cudequest; seconded by Councilmember LaMonica to authorize payment – all ayes

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

- a. Request For Block Party/Serrell Drive & Upper Saddle River Road 9/21 Rain Date 9/28

A motion to grant permission by Councilmember Cudequest; seconded by Councilmember LaMonica – all ayes

- b. Borough Funding/Borough Newsletter

Mayor Fyfe would like to bring back the monthly newsletter; After a brief discussion, it was decided to fund the borough newsletter; possible every other month delivery; a motion was made by Councilmember Cudequest; seconded by Councilmember LaMonica – all ayes

COMMUNICATION CORRESPONDENCE:

None.

Councilmember Cudequest mentioned she drove on Woodland Road passed the state line to see the micro-paving that Mr. Hipolit spoke about at the last meeting. In her opinion, the road seemed to be a little rough. She encouraged the other councilmembers to drive there to see for themselves;

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 Cudequest; seconded by Councilmember LaMonica - All ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Cudequest; seconded by Councilmember LaMonica - All ayes

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held September 24, 2013 at 7:30 p.m.

Motion to adjourn Public Meeting by Councilmember Cudequest; seconded by Councilmember LaMonica - all ayes

Meeting was adjourned at 8:12pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk