

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:41 PM. 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, Phil Boggia, Esq.; Borough Engineer, Andy Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Cudequest	Councilmember LaMonica
Councilmember Curry	Councilmember Lane - absent
Councilmember Ghassali	Councilmember Talarico

ORDINANCES:

PUBLIC HEARING: ORDINANCE NO. 2014-1382 AN ORDINANCE TO PROVIDE FOR THE PRESERVATION OF TREES ON RESIDENTIAL PROPERTIES THROUGHOUT THE BOROUGH OF MONTVALE AND CREATING A NEW CHAPTER 119A IN THE BOROUGH CODE ENTITLED "TREE PRESERVATION"

- 1) Planning Board Comments/Recommendations/Dated 1/27/214

WHEREAS, the unregulated removal of trees and the practice of "clear-cutting" on private property poses a serious threat to existing drainage and soil erosion patterns within the Borough of Montvale and may have a deleterious effect on the environment and aesthetic features of the Borough; and **WHEREAS**, the Mayor and Council of the Borough of Montvale have determined that it is in the best interests of the Borough and its citizenry to regulate and control the removal of trees within the Borough, especially as regards so-called "clear cutting."

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

Section 1. The Code of the Borough of Montvale is hereby amended and supplemented by adding a new Chapter 119A, "Tree Preservation," as follows:

**Chapter 119A
Tree Preservation**

§ 119A-1	Title
§ 119A-2	Findings and purpose
§ 119A-3	Definitions
§ 119A-4	Prohibited activities
§ 119A-5	Exemptions
§ 119A-6	Permitted activities
§ 119A-7	Application procedure
§ 119A-8	Conflict with other laws
§ 119A-9	Protection of existing trees
§ 119A-10	Administration and enforcement
§ 119A-11	Appeals

- § 119A-12 Violations and penalties**
- § 119A-13 Permit revocation**
- § 119A-14 Display of permit**

§ 119A-1 Title

This chapter shall be known as the “Residential Tree Removal and Protection Ordinance of the Borough of Montvale.”

§ 119A-2 Findings and purpose

It is the purpose of this ordinance to control and regulate the indiscriminate or excessive removal, large scale clear cutting and destruction of trees within the borough. It also seeks to control, regulate and prevent conditions that cause an increase in storm water run-off, sedimentation, soil erosion, loss of wildlife habitat, air or noise pollution or inhibit aquifer recharge or impair the ambiance or physical appearance of a neighborhood. The regulations contained in this ordinance are designed to limit such adverse impact while not interfering with the right of a borough property owner to appropriately remove trees in accordance with the regulations set forth herein. This ordinance only applies to the following residential zones R-10, R15, R40, or any other residential property.

§ 119A-3 Definitions

The following definitions shall apply to this chapter:

Borough – the Borough of Montvale

Clear Cutting – Indiscriminate removal of trees with the intention of creating an open area.

Diameter at Breast Height (DBH) – The diameter of a tree measured at a point 4 ½ feet from natural average ground level

Drip Line – The area to the ground under the vertical of the branches of the tree

Enforcement Officer – A duly authorized agent who shall be designated by resolution of the Borough Mayor and Council.

Root Ball – Part of a plant/tree that contains the root that is already growing, it may have soil and/or be enclosed in burlap, wire, string, plastic, etc.

Permit – A standardized written document, duly adopted by the Borough Mayor and Council

Person – Any individual, developer, or entity other than the Borough

Structure – A combination of materials to form a construction for occupancy or other purpose.

Topping – The severe cutting back of limbs to stubs larger than (3”) inches in diameter within the tree’s crown, to such a degree so as to remove the normal canopy and disfigure the tree

except where other pruning practices are impractical or impossible with respect to trees severely damaged or causing obstructions to wires or cables.

Tree - A deciduous (leaf shedding) or evergreen tree having a single or multi stem trunk with a total diameter of at least 6” at maturity, measured at DBH

Residential Properties – A generic term describing an area that gives the impression that it is predominantly a place where people live.

§ 119A-4 Prohibited activities

No individual, corporation or association shall do or cause to be done by others, either purposely, carelessly or negligently, any of the following acts upon privately owned property within the Borough of Montvale:

- A. Remove, cut, destroy or injure any tree of a diameter of six inches (6”) measured at DBH unless first obtaining a permit in accordance with the regulations and provisions of this ordinance
- B. Place or maintain upon the ground any substance which will impede the free access of air and water to a tree's living components.
- C. Apply any substance within the drip line or to any part of a tree, including roots, with the intention to injure or destroy the tree.

§ 119A-5 Exemptions

The following are exempt from this ordinance:

- A. All land-clearing operations as authorized in accordance with a site plan approval or subdivision approval and conditions imposed with respect to tree removal and planting granted by the Planning Board, or the Department of Public Works. Under no circumstances shall clear-cutting be permitted on any residential property.
- B. Trees located on a commercial nursery or orchard.
- C. The cutting, pruning or trimming of trees in a beneficial manner which is not harmful to the health of the tree, as in accordance with the ANSI-A300 Primary Standards.
- D. Removal of trees which endanger public safety.
- E. The cutting or removal of any tree pursuant to an order or directive of any municipal, county or state agency or court.
- F. Activities involving tree trimming or removal located within a public right-of-way or easements or publicly owned or controlled property.

§ 119A-6 Permitted activities

Notwithstanding the restrictions contained in the above sections, the following activities shall be permitted in accordance with a properly issued tree removal permit:

- A. For properties located within the R-10 Zone a maximum of 3 trees may be removed in any 12 month period
- B. For properties located within the R-15 Zone a maximum of 4 trees may be removed in any 12 month period
- C. For properties located within the R-40 Zone a maximum of 5 trees may be removed in any 12 month period.

Only trees that are at least a minimum diameter measured at DBH of six (6) inches will be included in the total tree count.

NOTE: Trees that are removed which are clearly determined to be dead or diseased or structurally weak or compromised by the enforcement officer will not be included in the count of the tree removal limitation described in this section. The applicant may supply a letter from a certified tree expert or arborist to the enforcement officer describing the condition of the tree.

All work permitted under this ordinance must comply with Montvale Code Chapter 68 regarding noise.

§ 119A-7 Application procedure

- A. Application for a Tree Removal Permit shall be submitted prior to any removal work proceeding. The tree removal permit application requires the following:
 - 1. Completing an application form provided by the Borough and supplying the following information: The name and address of the applicant; the street address and tax lot and block of the property in question; the number and type of trees to be removed.
 - 2. The reason(s) for removing the trees.
 - 3. A tree removal plan, consisting of a diagram or sketch showing the location of all trees to be removed, the species of such trees and their diameter measured 4 ½ feet above the ground (DBH) , the location of all trees of a size described in Section 4 within 20 feet of the trees to be removed, and location of all existing and proposed structures on the property, together with the approximate distance that the trees proposed to be removed are located from such structures and from property lines. A reproduction of an existing survey modified to provide this information would be acceptable.
 - 4. The proposed method of tree removal and the name of the contractor or individuals who will be performing the removal including their NJ contractor’s registration number.
 - 5. A fee of \$35 shall be charged for processing a tree removal permit for the permitted number of trees to be removed in any of the zones.
 - 6. A fee of \$500 shall be charged for each tree to be removed above the total permissible count of trees per each zone. Funds to be designated for costs associated with tree replacement and planting within the Borough.
 - OR
 - A replacement tree of at least 2.5” diameter measured 4 ½” feet above the root-ball shall be properly installed and planted on the property from where the original trees were removed. A tree of similar or same species should be planted.
- B. The applicant shall place a wide ribbon supplied by the borough around the trunk of each tree to be removed, at a height of 4 ½ feet above the ground. No tree removal shall take place until a site inspection has been completed by the enforcement officer or authorized agent.

§ 119A-8 Conflict with other laws

Notwithstanding anything in this chapter to the contrary, no tree removal shall be permitted where prohibited by the Zoning Ordinance (e.g. buffer zones and landscaping provisions) or any other municipal, state or federal statute, ordinance or regulation.

§ 119A-9 Protection of existing trees

A. Construction

In connection with any construction, subsequent to tree clearing but prior to the issuance of a building permit or start of construction, snow fencing or other protective barrier acceptable to the official charged with the administration and enforcement of this chapter shall be placed around trees that are not removed. The protective barriers shall be placed outside the drip line of any tree and shall remain in place until all construction is complete. Also no materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or manual labor.

B. No person shall:

1. Cut down or remove any trees except as permitted by this chapter or allow or cause such cutting or removal.
2. Cause or allow any willful damage, injury or disfigurement of any tree growing within the Borough. For purposes of this subsection, the actions of any person shall be deemed willful if the damage, injury or disfigurement of any tree is caused as the result of but not limited to the following: topping, cutting, gashing or slitting of any tree, or on the nearby ground; the construction or placement of any nonporous material on the ground around any tree so as to cut off air, light or water from the roots; or placement or removal of any soil from within the drip line of any tree or ornamental tree as defined in Section 3 above. The application of any form of poison or harmful chemical, naturally occurring or manmade are also considered willful damage.
3. Store or pile building material or debris or place construction equipment within the drip line of any tree as defined in section 3 above.

§ 119A-10 Administration and enforcement

This ordinance shall be administrated and enforced by the enforcement officer.

§ 119A-11 Appeals

Any person aggrieved by the decision of the official discharged with the administration and enforcement of this ordinance shall have the right, within ten calendar days of the issuance of any decision by said official to file an appeal to the Planning Board.

§ 119A-12 Violations and penalties

Any person who violates any provision of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding two thousand dollars per tree that is improperly removed or damaged in violation of this ordinance.

§ 119A-13 Permit revocation

The Borough, through the Enforcement Officer may revoke a permit where there has been a false or misleading application or there is noncompliance with the approved permit.

§ 119A-14 Display of permit

Upon approval of issuance, the tree removal permit shall be displayed so that it is visible from the nearest public street until such time as authorized work has been completed and approved by the Enforcement Officer.

Section 2. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Ordinance No. **2014-1382** was introduced for second reading by Councilmember Curry; seconded by Councilmember Ghassali; Clerk read by title only ;
Motion to open meeting to the public by Councilmember Cudequest; seconded by Councilmember LaMonica - all ayes

Mayor Fyfe stated that this ordinance will be tabled after public comments

John Wirth, 66 Spring Valley Road

Mentioned the ordinance has some inconsistencies

Councilmember LaMonica added that the town needs a tree ordinance, we owe it to the community;

Cathy Cullen, 23 Styuvesant Road

The ordinance lacks clarity;

John DePinto, chairman Planning Board

Some members of the board felt that the ordinance needed professional assistance; it is the recommendation of the Planning Board to authorize, borough planner, Richard Priess, to review the ordinance and to submit modifications;

Bob Hanrahan

Suggested that interested residents should be included with the process

Jeff Balanco

Throughout the ordinance it has inconsistencies

Chuck Taut

Asked if the committee can work with Mr. Priess

Motion to close meeting to the public by Councilmember Ghassali; seconded by Councilmember LaMonica - all ayes

A motion to table the ordinance by Councilmember Cudequest; seconded by Councilmember Talarico - all ayes

PUBLIC HEARING: ORDINANCE NO. 2014-1384 AN ORDINANCE TO AMEND ORDINANCE NO. 2013-1369 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN , STATE OF NEW JERSEY

AN ORDINANCE TO AMEND ORDINANCE NO. 2013-1369 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

BE IT ORDAINED BY the Mayor and Council of the Borough of Montvale as follows:

SECTION 1. Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

SECTION 2. The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

Title		2014 Salary Range	
1.	Borough Administrator (PT)	\$40,000	50,000
2.	Safety Director	\$1,000	1,200
3.	Chief Financial Officer (PT)	\$15,000	25,000
4.	Municipal Clerk (PT)	\$70,000	90,000
5.	Deputy Municipal Clerk (PT)	\$38,000	47,000
6.	Floater	\$35,000	39,000
7.	Tax Collector (PT)	\$50,000	60,000
8.	Tax Assessor	\$30,000	36,000
9.	Treasurer	\$65,000	90,000
10.	Accountant/Purchasing Agent	\$50,000	60,000
11.	Accounts Payable Clerk (PT)	\$20	\$27/hour
Title		2014 Salary Range	
12.	Accounts Payable Clerk (FT)	\$43,000	50,000
13.	Secretary, Planning Board (PT)	\$50,000	75,000
14.	Planning Board Secretary Special Meetings	\$50	\$70/hour
15.	Board Secretary, Clerical/Recording	\$115	130
16.	Office Manager (PT)	\$4,000	7,000

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17.	Registrar Vital Statistics	\$800 - 1,200
18.	Deputy Registrar Vital Statistics	\$250 - 300
19.	Construction Code Official	\$35,000 - 60,000
20.	Construction Code Official special inspections	\$50 - \$100/hour
21.	Building SubCode Official	\$35,000 - 60,000
22.	Zoning Officer	\$8,000 - 12,000
23.	Property Maintenance Officer	\$2,900 - 5,000
24.	Construction Dept. Control Person	\$44,000 - 58,000
25.	Construction Technical Support (PT)	\$15 - \$25/hour
26.	Plumbing SubCode Official	\$ 18,000 - 26,000
27.	Plumbing SubCode Official special inspections	\$25 - \$50/hour
28.	Fire SubCode Official	\$13,000 - 16,000
29.	Fire SubCode Official special inspections	\$25 - \$50/hour
30.	Electrical SubCode Official	\$18,000 - 26,000
31.	Electrical SubCode Official special inspections	\$25 - \$50/hour
32.	Fire Prevention Official	\$10,000 - 15,000
33.	Fire Inspector/Sr. Fire Inspector	\$5,000 - 7,000
34.	Municipal Court Administrator	\$60,000 - 75,000
35.	Deputy Municipal Court Administrator	\$38,000 - 46,000
36.	Court Security	\$18 - \$25/hour
37.	Police Secretary	\$35,000 - 45,000
38.	Administrative Assistant	\$40,000 - 48,000
39.	Admin. Asst./Receptionist/Secretary/Violations Clerk (PT)	\$15 - \$25/hour
40.	Emergency Mgmt. Coordinator	\$2,000 - 3,300
41.	Library Director	\$75,000 - 90,000
42.	Library – Youth Services Coordinator	\$28,000 - 52,000
43.	Library (PT)	\$13 - \$40/hour
44.	Library (PT) meetings	\$100 - \$200/mtg
45.	Facilities Building & Property Inspector	\$25,000 - 27,000
46.	Field Coordinator	\$5,000 - 6,000
Title		2014 Salary Range
47.	Director, Public Assistance	\$5,000 - 6,500
48.	Director of Recreation	\$20,000 - 29,000
49.	Dir. Of Recreation – Summer Stipend	\$5,000 - 8,000
50.	Van Drivers (PT)	\$17 - \$20/hour
51.	Station Manager (PT)	\$6,000 - 8,000

SECTION 3. The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

Title		2014 Salary Range	
A.	Municipal Judge	\$25,000 -	40,000
B.	Mayor	\$6,990 -	10,000
C.	Councilpersons (each)	\$5,689 -	8,000

SECTION 4: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, whose compensation shall be on an annual basis, and payable semi-monthly, is hereby fixed and determined as follows:

Title		2014 Salary Range	
A.	Chief	\$160,000 -	190,000
B.	Captain	\$136,000 -	168,000
C.	Lieutenant (Base Wage)	\$120,019 -	147,032
D.	Sergeants (Base Wage)	\$111,685 -	136,822
E.	Detective – Additional per year	\$2,100 -	
F.	Juvenile Officer – Addt'l per year	\$400 -	
G.	Asst. Juvenile Officer – Addt'l per year	\$350 -	
H.	Special/Auxiliary Police	\$18/hour -	\$23/hour
I.	School Cross Guard/Police Matrons	\$18/hour -	\$23/hour

SECTION 4A: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, hired BEFORE January 1, 2005, whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each) Per Contract hired BEFORE January 1, 2005		
0-6 months	\$34,027 -	41,685
6 months – 1 year	\$44,235 -	54,191
1 – 2 years	\$54,446 -	66,700
2 – 3 years	\$64,655 -	79,207

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3 – 4 years	\$74,862 - 91,711
4 – 5 years	\$85,070 - 104,217
5 – 6 years	\$95,277 - 116,721
6 – 7 years	\$103,232 - 126,467

SECTION 4B: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, hired AFTER January 1, 2005, whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each) Per Contract hired AFTER January 1, 2005	
0-6 months	\$34,027 - 41,685
6 months – 1 year	\$38,971 - 47,742
1 – 2 years	\$43,914 - 53,798
2 – 3 years	\$53,800 - 65,909
3 – 4 years	\$63,687 - 78,021
4 – 5 years	\$73,573 - 90,132
5 – 6 years	\$83,459 - 102,243
6 – 7 years	\$93,346 - 114,356
7 – 8 years	\$103,232 - 126,467

SECTION 4C: In addition to the compensation stated above, Full Time Employees in Section 4, Categories “C”, “D”, Sections 4A and 4B shall be paid an annual longevity increment pursuant to the following schedule:

Years of Service	Officers Hired BEFORE January 1, 2006	Officers Hired AFTER January 1, 2006
After four (4) years	1%	-
After six (6) years	2%	-
After eight (8) years	3%	1%
After ten (10) years	4%	2%
After twelve (12) years	5%	3%
After fourteen (14) years	6%	4%
After sixteen (16) years	7%	5%
After eighteen (18) years	8%	6%

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After twenty (20) years	-	7%
After twenty-two (22) years	-	8%
After twenty-three (23) years	9%	9%

SECTION 5. The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated "The Borough of Montvale Payroll Account" and "The Borough of Montvale Salary Account" and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants, salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

SECTION 6. This ordinance shall be operative as of January 1, 2014, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

SECTION 7. All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

SECTION 8. This ordinance shall take effect immediately upon publication in the manner provided by Law.

Ordinance No. **2014-1384** was introduced for second reading by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only

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 Talarico - all ayes

Motion to adopt on Second and Final Reading in the Ridgewood News by Councilmember Talarico; seconded by Councilmember LaMonica; Clerk read by title only ----- A roll call vote was taken --- all ayes

INTRODUCTION ORDINANCE NO. 2014-1385 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 AND CHAPTER 85 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO DESIGNATE THE 'APPROPRIATE AUTHORITY' UNDER NEW JERSEY LAW AND ESTABLISH PROCEDURES FOR SUSPENSIONS

(public hearing 3/11/14)

A motion to Introduce Ordinance **2012-1385** for first reading was made by Councilmember Curry; seconded by Councilmember Ghassali; Clerk read by title only; Councilmember Talarico made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember LaMonica - A roll call was taken – all ayes

Temporary Capital Budget Resolution 44-2014

Prepared by CFO – original copy in clerk's office

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

INTRODUCTION ORDINANCE NO 2014-1386 ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY REAPPROPRIATING \$385,450.99 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH

A motion to Introduce Ordinance **2014-1386** for first reading was made by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only; Councilmember Talarico made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Cudequest - A roll call was taken – all ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Ghassali; seconded by Councilmember LaMonica - All ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

January 28, 2014

A motion to accept the minutes by Councilmember Ghassali; seconded by Councilmember LaMonica - all ayes

RESOLUTIONS:

41-2014 Authorize Release/Maintenance Bond & Escrow /Montvale Landscaping Company/Block 1903 Lot 3/Craig Road

WHEREAS, Montvale Landscaping Company, 3 Craig Road is requesting a release in their two year maintenance bond and remaining escrow; and

WHEREAS, a completed inspection of the site has been conducted by Andrew Hipolit, Borough Engineer, which recommends said release in letter dated January 23, 2014 which is attached to the original of this resolution; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the two year maintenance bond shall be released and remaining escrow in the amount of \$10,844.69; and

NOW, THEREFORE BE IT RESOLVED, the Treasurer shall receive a copy of this resolution for processing; and

NOW, THEREFORE BE IT FURTHER RESOLVED, a copy of this resolution be provided to Montvale Landscaping, 21 Ladik Place, Montvale, NJ 07645 and Beattie Padavano, LLC, 50 Chestnut Ridge Road, Suite 208, Montvale, NJ 07645 attn: Antimo A. DelVecchio

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

42-2014 Authorize Release of Escrow/Block 1001/Lot 2/155 Chestnut Ridge Rd.

WHEREAS, the Borough Engineer, recommends the release and takes no exception to the release of the escrow funds posted for Block 1001/Lot 2 as all inspections have been conducted; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release the remaining escrow funds in the amount of \$39,393.21 to TCAM Core Property Fund REIT, LLC, 730 Third Avenue, 4th Floor, New York, New York 10017 Attn: Annetta Brandon ; and

BE IT FURTHER RESOLVED, the Borough Treasurer hereby receives a copy of this resolution for processing.

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

43-2014 CD Cooperative Agreement/Appointing Two Representatives to Community Development Committee/One Appointment by Mayor/One Appointment by Council

WHEREAS, the Borough of Montvale has entered into a Three-Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Service Act , NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community and one appointment by the Chief Executive Officer shall be appointed to be part of the Community Development Regional Committee for the term of one year July 1, 2013 through June 30, 2014.

NOW THEREFORE BE IT RESOLVED, that the Governing Body/Chief Executive Officer of the Borough of Montvale appoints representatives as its representative to participate on the Community Development Committee:

COUNCIL APPOINTMENT

Maureen Iarossi-Alwan
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700 ext. 219

CHIEF EXECUTIVE OFFICER / APPOINTMENT

Councilmember Leah LaMonica
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

BE IT FURTHER RESOLVED, that the following be appointed alternate representatives:

COUNCIL ALTERNATE APPOINTMENT

Councilmember Theresa Cudequest
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

CHIEF EXECUTIVE OFFICER ALTERNATE APPOINTMENT

Councilmember Timothy Lane
12 Mercedes Drive
Montvale, NJ 07645
Phone 201-391-5700

Home addresses and home phone numbers will be provided under separate cover.

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Cudequest; seconded by Councilmember LaMonica - All ayes
Councilmember Cudequest abstained on bill # 01335; Councilmember Ghassali questioned if the milk was still being delivered to the DPW;

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

39 calls; 548 miles; 36 hours; 150 crew hours all by Montvale

Encouraged residents, that if you live near a fire hydrant please clear the snow;

Reminder: Boy Scouts Troop 334 community event, Friday, March 7th @ 6:30pm at Fieldstone Middle School

Councilmember Cudequest

Environmental Commission

Next meeting is scheduled for March 17; the DePiero's are on the agenda

Regional High School Board

Calendar for the school year 2014-15 has been approved

Planning Board

KHov came before the board and 80 units have been approved for development; During site plan review with United Way, regarding School #2, the borough engineer, mentioned that the ball field is considered green acres and the property will have to be sub-divided;

Councilmember Ghassali

Administration

Budget meetings are in progress; working with budget sub-committee; would like to do a "pilot program" regarding a zero based budgeting for 2016 – administration;

Councilmember Curry

Local BOE

Congratulations to Ms. Harris-Bardes and Ms. Bagdat for being elected to the board;

Recreation

Classes are up and running

Board of Health

Thanked all the volunteers for the rabies clinic;

Building/Grounds

Please clear sidewalks;

Councilmember LaMonica

Chamber of Commerce

June 1st – Street fair

Seniors

Membership has been steady; changing some of their programs;

Bergen County clean-up day will be held on April 26th

Mayor Fyfe

12,082 circulation; 5,756 patron visits; 32 library cards issued;

Fire Dept

30 fire calls; 2 drills; 3 extra credits

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Philip Boggia, Esq.

Report/Update

Update/DPW Litigation

The court rendered a decision today finding that the boroughs actions were consistent with the law and denied any further relief;

UNFINISHED BUSINESS:

a. Park Ridge Pistol Range/Capital Upgrades Cost & /Annual Usage Cost
Tabled to a later date

NEW BUSINESS:

a. Proposal/Budget Borough Planner/R. Preiss/School #2/Affordable Housing
The proposal is for \$10,000 - \$7,000 can be taken from the affordable housing trust and the remaining amount will be included in the application fees; a motion to accept Mr. Priess proposal by Councilmember Ghassali; seconded by Councilmember Cudequest – all ayes

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 Cudequest; seconded by Councilmember Talarico - All ayes

Carolyn Duck, 76 Magnolia Ave

Came before the council a few months ago regarding speeding on Magnolia; haven't heard from the Police Chief as towards any solutions

Noreen Hoppe, 10 Magnolia Ave

Is it possible to consider removing the designation as a thru street

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

MEETING CLOSED TO THE PUBLIC:

A motion to go into closed session by Councilmember Cudequest; seconded by Councilmember Talarico – all ayes

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2014 adopted on January 6, 2014 and posted on the bulletin board in the Municipal Building:

The Mayor and Council will go into a Closed /Executive Session for the following:

Litigation/Attorney Client Privilege

- a. Montvale Public Employees Association vs. Borough of Montvale
- b. PBA / PERC

Minutes to be disclosed as per the Open Public Meetings Act upon approval of minutes.

ADJOURNMENT The next Meeting of the Mayor and Council will be held February 25, 2014 at 7:30 p.m.

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

Meeting was adjourned at 9:25 pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk