

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held 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 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).

ROLL CALL:

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

Also present: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

ORDINANCES:

None

MINUTES:

June 10, 2014

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

Councilmember Curry asked for the correction of a typo on “Keep Kids Alive, Drive 25”

RESOLUTIONS:

100-2014 Tax Court Settlement / Block 1406, Lot 4; 22 Eagle Ridge / Brian Murphy

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Brian Murphy (hereinafter the “Tax Appeal”), under Docket Numbers 018743-2012 and 015066-2013, and;

WHEREAS, the aforesaid tax appeal involves a residential property located at 22 Eagle Ridge, and is otherwise referred to as Block 1406 Lot 4 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 set the subject properties’ assessment to \$800,800 for both tax years, and;

WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the “Freeze Act”) shall be applicable to the terms of this settlement, 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

101-2014 Appointment Regular Member / Montvale Fire Department / John Foose

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

WHEREAS, John W. Foose of Montvale, NJ 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 John W. Foose, as a Regular Member of the Montvale Fire Department, is hereby approved.

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

102-2014 Appointment Jr. Member / Montvale Fire Department / Matthew Michielini

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

WHEREAS, Mathew Michielini of Montvale, NJ 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 Matthew Michielini, as a Jr. Member of the Montvale Fire Department, is hereby approved.

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

103-2014 Authorize Refunds of Various Recreation Programs

BE IT RESOLVED, the below listed individuals are hereby granted a refund for tennis lessons and summer camp as they will not be able to participate in the program.

Kavitha Nadig	\$80.00 (1 participant for Tennis)
Neal Kiaschner	\$80.00 (1 participant for Tennis)
Amy Johnston	\$200.00 (1 participant for Summer Camp)

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

104-2014 A Resolution of the Mayor and Council of the Borough of Montvale Approving Changes to the By-Laws of the Montvale Fire Department Pursuant to Montvale Code § 40-4

WHEREAS, Chapter 40 of the Montvale Borough Code establishes the Montvale Fire Department; and

WHEREAS, Section 40-4 of the Code provides that the by-laws and rules of the Fire Department are required to be approved by the Mayor and Council; and

WHEREAS, by letter dated June 3, 2014, a copy of which is attached hereto and made a part hereof, the Montvale Fire Department proposed certain changes to its by-laws as set forth in detail therein; and

WHEREAS, the Mayor and Council have reviewed these proposed changes to the by-laws and have determined that it is in the best interests of the Borough of Montvale to approve same.

NOW, THEREFORE, BE IT RESOLVED that the changes to the by-laws of the Montvale Fire Department set forth in the June 3, 2014 letter attached hereto are hereby approved.

BE IT FURTHER RESOLVED that the Montvale Fire Department shall prepare and provide to the Borough of Montvale a full, revised set of by-laws, incorporating the changes approved by this Resolution, within thirty (30) days hereof.

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

105-2014 Authorize Renewal Liquor Licenses/Year 2014-2015

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, that renewal Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club License be granted to the following, said Licenses to be effective July 1, 2014 and to terminate June 30, 2015.

BE IT RESOLVED, that the State of New Jersey, Department of Treasury, Division of Taxation has provided Tax Clearance Certificates for each establishment for this renewal period.

BE IT FURTHER RESOLVED, that these establishments have been inspected by the Fire Prevention Bureau and Police Department of the Borough of Montvale and are in satisfactory condition.

0236-33-004-008 Paluter, Inc., t/a Aldo & Gianni Restaurant, for premises at 108 Chestnut Ridge Road, Montvale, New Jersey.

0236-33-005-008 The Waterfall, Inc., t/a The Porter House for the premises at 125 Kinderkamack Road, Montvale, New Jersey.

0236-33-006-003 Montvale Recreation, Inc., t/a Montvale Recreation Inc. for premises at 14 West Grand Avenue, Montvale, New Jersey.

0236-33-007-004 TPC, Inc., t/a Davey's Locker, for premises at 5 Park Street, Montvale, New Jersey.

0236-31-009-001 Montvale Engine Co. #1, Inc., t/a Montvale Fire Department, for premises at 35 West Grand Avenue, Montvale, New Jersey.

0023-44-001-006 Mo & Sy Corp. t/a Montvale Wine & Spirits, Inc. for premises at 18 South Kinderkamack Road, Montvale, New Jersey

0236-44-002-010 K & S Wine & Liquor t/a K & S for premises at 20 Chestnut Ridge Road, Montvale, New Jersey

0236-36-012-003 South City Prime Montvale, LLC t/a Fire & Oak for premises at 100 Chestnut Ridge Road, Montvale, New Jersey

BE IT RESOLVED, that the Municipal Clerk be and is hereby directed to issue said licenses.

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

106-2014 Authorize Settlement Tax Appeal/Block 102/Lot 4.02; 42 Bradley Lane/Cinelli

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Joseph & Maureen Cinelli (hereinafter the "Tax Appeal"), under Docket Numbers 002248-2013, and 004055-2014, and;

WHEREAS, the aforesaid tax appeal concerns a residential property located at 42 Bradley Lane, which is otherwise referred to as Block 102 Lot 4.02 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 components are set forth in the Schedule "A" attached hereto and made a part hereof, 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 finalized in accordance with the provisions in the attached Schedule "A", and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, 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.

SCHEDULE "A"

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

2013 Appeal: \$1,580,000

2014 Appeal: \$1,500,000

B. The provisions of N.J.S.A. 54:51A-8 (hereinafter the "Freeze Act") shall be applicable to the terms of this settlement.

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

107-2014 Resolution Amending Resolution No. 82-2014 Authorize Purchase State Contract/ Fire Department Vehicle/Municipal Equipment Enterprises/MEE/Day Chevrolet Inc.

WHEREAS, The Mayor and Council approved previously approved Resolution No. 82-2104 for the purchase of a State Contract 2014 Ford Expedition State Contract #A82928 for the Montvale Fire Department which are no longer available for purchase; and

WHEREAS, The Mayor and Council wish to approved the purchase of a State Contract 2014 Chevrolet State Contract #82926 Model: Tahoe SSV 4WD 4X4 Color: White: Manufactures Body Code CK10706 with 5W4 for the Montvale Fire Department; and

WHEREAS, the vehicle will be paid and furnished as per the quotation #AAAQ5779 attached to the original of this resolution; and

WHEREAS, purchase and payment shall be made to Day Chevrolet Inc., Municipal Equipment Enterprises, 1600 Golden Mile Hwy, Monroeville, PA 15146; and

NOW, THEREFORE, BE IT RESOLVED, the Chief Financial Officer has certified that funds are available and certification is attached to the original of this resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED, the Mayor and Council authorize the Borough Administrator to execute documentation for this state contract purchase with the above named vendor.

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

BILLS: *Municipal Clerk read the Bill Report*

Motion to pay bills by Councilmember Talarico; seconded by Councilmember Curry - All ayes

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

a. Road Paving Program

As a result of the pre-construction meeting, target start date will be the week of July 7th and should be Completed mid-August

ATTORNEY'S REPORT:

Phil Boggia, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

a. Proposed Tree Ordinance

Councilmembers further discussed their concerns with clear cutting of trees and the permit process. Councilmember LaMonica will bring their concerns back to the committee for discussion.

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

a. Public Hearing United Water NJ To Appeal The Decision Of The Borough of Montvale Zoning Board of Adjustment/July 2, 2014 6:00 p.m. location Montvale Borough

A few members of the public addressed their concerns regarding the process of the hearing; After a brief discussion with councilmembers, it was decided to draft a letter to the BCUA.

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 Ghassali; seconded by Councilmember Curry - all ayes

NO PUBLIC COMMENT

A motion to close meeting to the public by Councilmember Ghassali; seconded by Councilmember Curry – all ayes

Motion to adjourn by Councilmember Ghassali; seconded by Councilmember Curry – all ayes

ADJOURNMENT

Meeting adjourned at 8:15pm

The next Meeting of the Mayor and Council will be held July 8, 2014 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk