

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:35pm. 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	Councilmember LaMonica - absent
Councilmember Curry	Councilmember Lane
Councilmember Ghassali - absent	Councilmember Talarico

Also present: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Borough Engineer, Andy Hipolit; and Deputy Municipal Clerk, Fran Scordo

COAH Round 3 was discussed with Planning Board, Chairman, John DePinto, and Darlene Green from Maser Consulting. The discussion consisted of the upcoming proposed new rules for round 3 and how it would affect all municipalities. The proposed new rules are scheduled to be adopted in mid-October.

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE 2014-1391** AN ORDINANCE SETTING THE APPLICATION AND ESCROW FEES FOR APPLICATIONS TO THE PLANNING BOARD OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY

**WHEREAS**, pursuant to *N.J.S.A. § 40:55D-8* and *N.J.S.A. 40:55D-53.2*, New Jersey municipalities are required to set development application and escrow fees by ordinance; and **WHEREAS**, such fees are intended to cover the costs to the municipal agency, including, without limitation, secretarial costs, attendance at meetings and review of applications by attorneys, engineers and other professionals, costs of publications and preparation of resolutions, and to defray the cost of tuition for persons required to take the course in land use law and planning in the municipality; and

**WHEREAS**, the Planning Board has proposed application and escrow fees deemed to be appropriate and consistent with applicable law.

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

**Section 1.** Adoption of Application & Escrow Fee Schedule.

Pursuant to *N.J.S.A. § 40:55D-8*, *N.J.S.A. 40:55D-53.2* and Borough of Montvale Code § 57-32, the Mayor and Council of the Borough of Montvale do hereby adopt and make applicable the Application & Escrow Fee Schedule attached hereto for all applications to the Borough of Montvale Planning Board. The fees set forth therein shall be applicable to all payments made either on or subsequent to the effective date of this Ordinance.

**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. **2014-1391** 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 Talarico - 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 Lane; seconded by Councilmember Cudequest; Clerk read by title only ----- A roll call vote was taken --  
- all ayes

**INTRODUCTION OF ORDINANCE 2014-1392** AN ORDINANCE TO AMEND ORDINANCE NO. 2014-1384 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

*(public hearing 9/9/14)*

A motion to Introduce Ordinance **2014-1392** for first reading was made by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only;

Councilmember Lane 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

**MINUTES:**

July 29, 2014

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Curry  
- all ayes except for Councilmember Lane abstained

August 12, 2014

A motion to accept the minutes by Councilmember Cudequest; seconded by Councilmember Lane  
- all ayes except for Councilmember Talarico abstained

**RESOLUTIONS:**

**119-2014 A Resolution Certifying a Lien against Property Known as 5 Ladik Place For Costs Incurred by the Borough of Montvale In Accordance With the Montvale Property Maintenance Code**

**WHEREAS**, in accordance with Chapter 86 of the Montvale Borough Code, entitled "Property Maintenance," notice of numerous property maintenance violations was sent to the owner of property known as 5 Ladik Place, designated as Block 802, Lot 12 on the Montvale Tax Map, on June 11, 2013, and again on December 16, 2013; and

**WHEREAS**, the owner of said property did not comply with these notices and did not abate the identified violations; and

**WHEREAS**, the Montvale Construction Official caused the necessary work to be performed and has certified the cost of same to the Governing Body with the submission of an invoice from Kindergan Landscaping dated May 2, 2014, a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, the cost to abate the property maintenance violations at 5 Ladik Place was \$995.00; and

**WHEREAS**, it is the desire of this Governing Body, in accordance with Borough Code § 86-10(D)(8), to approve said costs and to authorize the imposition of a lien against the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that a lien in the amount of \$995.00 is hereby certified as against the property known as 5 Ladik Place in the Borough of Montvale; and

**BE IT FURTHER RESOLVED** that said lien shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced in the same manner as are taxes, in accordance with Chapter 86 of the Borough Code and applicable law; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this resolution to the owner(s) of the subject property by certified mail; and

**BE IT FURTHER RESOLVED** that the Tax Collector shall be responsible for collection of the amounts herein certified.

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

**120-2014 A Resolution Authorizing The Municipality Of Borough of Montvale To Execute An Agreement With The County Of Bergen To Supersede The Cooperative Agreement Dated July 1, 2000 And Amendments Thereto Establishing The Community Development Program**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012, and

**WHEREAS**, it is necessary to supersede an existing interlocal services cooperative agreement for the County and its people to benefit from this program; and

**WHEREAS**, an agreement has been proposed under which the Municipality of the Borough of Montvale and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et.seq.; and

**WHEREAS**, it is in the best interest of the Municipality of the Borough of Montvale to enter into such an agreement,

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipality of the Borough of Montvale that the agreement entitled "Three Year Cooperative Agreement": An Agreement Superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003, to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment

Partnership Act Program and the Emergency Solutions Grant program for the Program Years: 2015, 2016, 2017 (July 1, 2015 – June 30, 2018) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law.

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

**121-2014 Appointment Regular Member / Montvale Fire Department / Patrick Barnes**

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

**WHEREAS**, Patrick Barnes 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 Patrick Barnes, as a Regular Member of the Montvale Fire Department, is hereby approved.

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

**122-2014 Corrective Action Plan**

**WHEREAS**, the audit report for the year ended December 31, 2013 was received by the Borough of Montvale on July 14, 2014; and

**WHEREAS**, the Division of Local Government Services requires a corrective action plan to be prepared and submitted within 60 days from the date the audit is received by the Governing Body; and

**WHEREAS**, the corrective action plan covers all findings and recommendations in the audit report, including state, federal and general findings, as well as, the status of prior year findings and recommendations; and

**WHEREAS**, the corrective action plan should be prepared by the Chief Financial Officer, with the assistance from other municipal officials affected by the audit recommendations, and approved by the Governing Body.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Montvale hereby approves the corrective action plan prepared and submitted by the Chief Financial Officer in response to the findings and recommendations included as part of the audit report for the year ended December 31, 2013.

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

**BILLS: Municipal Clerk read the Bill Report**

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

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Status 2014 Road Improvement Program

Should be completed by mid-September

b. Application for NJDOT 2015 State Aid Grant

Mr. Hipolit's recommendation would be Terkuile Road. Councilmembers agreed.

c. Bergen County Open Space Grant Submission due by end of September

**ATTORNEY'S REPORT:**

Phil Boggia, Esq.

Report/Update

Spoke with Russ Huntington regarding the United Water easement and he will record the deeds

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

**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 Cudequest; seconded by Councilmember Talarico – all ayes

NO PUBLIC COMMENT

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

Motion to adjourn by Councilmember Cudequest; seconded by Councilmember Lane – all ayes

**ADJOURNMENT**

Meeting adjourned at 9:05pm

The next Meeting of the Mayor and Council will be held September 9, 2014 at 7:30 p.m.

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**