

**PUBLIC MEETING
MINUTES**

The Public 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. 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/or 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: Mayor Roger Fyfe; Borough Attorney, Joe Voytus; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan;

ROLL CALL:

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

Recognition: 40 Years of Service- Susan Rutenber- Library Director

A proclamation was read by Mayor Fyfe and a plaque was given to Ms. Rutenber

Kenneth Sesholtz/Certified Municipal Finance Officer

Review/State of NJ Dept. of Community Affairs/Best Practices CY2015/SFY2016

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry

- All ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Koelling

- All ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

September 29, 2015

A motion to accept minutes by Councilmember Ghassali; seconded by Councilmember Koelling - all ayes with the exception of Councilmember Lane abstaining

RESOLUTIONS:

143-2015 Resolution Authorizing The Borough Administrator To Sign The NJDEP WQM-003 Statement Of Consent Form For Montvale Development Associates, LLC - The Shoppes At DePiero Farm Treatment Works Application

WHEREAS, the New Jersey Department of Environmental Protection requires the governing body to endorse the Treatment Works Approval Application (TWA-1) and Statement of Consent form (WQM-003); and

WHEREAS, the Engineer has reviewed the TWA-1 application and WQM-003 form and recommends that the Borough’s Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form and TWA-001 application; and

WHEREAS, the Borough’s Mayor and Council have considered this recommendation at their last meeting held on September 29th, 2015 and approval was granted;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application and Form

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form and TWA-1 application on behalf of the Borough of Montvale for Montvale Development Associates, LLC The Shoppes At DePiero Farm

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

144-2015 Refund of Excess Sewer Usage Payment / Block 2802; Lot 3 / Elaine DePiero

WHEREAS, a resolution authorizing this municipality to refund overpayment of Excess Sewer Usage for the property located at 300 W Grand Ave in the Borough of Montvale, 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 overpayment in the amount of \$3,866.30 to Elaine DePiero 156 Summit Avenue, Montvale, NJ 07645

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

145-2015 Refund/Tennis Lessons/H. Karingula

WHEREAS, Hitesh Karingula 135 Nottingham Court in the Borough of Montvale registered and paid for Tennis Lessons in the amount of \$80.00 and was not able to participate;

WHEREAS, The Recreation Director approved a reimbursement; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale a refund in the amount of \$80.00 is hereby authorized.

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

146-2015 Authorize Release of Escrow/Block 811/Lot 8/Ciano

WHEREAS, Peter Ciano, 34 N Middletown Road, Montvale, NJ has requested release in Escrow for Block 811; Lot 8; and

WHEREAS, Borough Officials has signed off and take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale The amount of \$34.75 is hereby released to Peter Ciano; and

BE IT FURTHER RESOLEVED, the Treasurer shall receive a copy of this resolution for processing

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

147-2015 Authorize Release/Escrow & Maintenance Bond/Block 2406/Lot 1-3

WHEREAS, PNC Financial Services, Two PNC Plaza, 19th Floor, 620 Liberty Avenue, Pittsburgh, PA 15222 is requesting a release of the Two Year Maintenance Bond No. 105501777 issued by Travelers Casualty and Surety Company of America in the amount of \$14,000.00 and the cash portion of the bond escrow in the amount of \$953.16; and

WHEREAS, a completed inspection of the site has been conducted by the appropriate Borough Professionals, which recommends said release of the above referenced in letter dated October 3, 2015 which is attached to the original of this resolution; and

WHEREAS, the Borough Engineer recommends the maintenance bond in the amount of \$14,000.00 be released; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the Maintenance Bond and escrow be hereby released to PNC Financial Services; and

NOW THEREFORE BE IT RESOLVED, The Borough Treasurer receives a copy for processing and Janes Hammer of PNC Financial Services Group receives the release of the two year maintenance bond.

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

148-2015 Resolution Authorizing the Execution of a Developer's Agreement with Montvale Development Associates, LLC

WHEREAS, Montvale Development Associates, LLC (the "Developer"), as contract purchaser of premises known as Block 2802, Lots 2 and 3 ("the Block 2802 parcels"), and Block 1002, Lots 3 and 5 ("the Block 1002 parcels") (hereinafter the "Premises" or the "Property"), as the same appear on the current Assessment Map of the Borough of Montvale, made application before the Montvale Planning Board for preliminary and final site plan approval, planned unit development ("PUD") approval, variance relief, approval of an Environmental Impact Statement, and a major soil movement permit; and

WHEREAS, the Developer more specifically requested PUD approval for the Block 1002 parcels for a thirty-two (32) unit low and moderate income housing development, preliminary and final site plan approval and a variance for Phase I consisting of a 140,000 square foot Wegmans Supermarket and 66,055 square feet of lifestyle retail uses in six (6) buildings, and preliminary site plan approval only as to Phase II consisting of 24,000 square feet of retail space in five (5) buildings, as to the Block 2802 parcels, as more particularly set forth in the approving resolution; and

WHEREAS, the aforementioned approvals were granted to the Developer by resolution dated July 15, 2014 ("the Resolution"); and

WHEREAS, the Developer is desirous of obtaining building permits so as to allow the construction of a portion of the improvements as delineated on the plans referenced in the Resolution and as otherwise specified by the Borough, including site improvements relating to the Wegmans Supermarket in Phase I; and

WHEREAS, it is required that certain fees and deposits be paid to the Borough of Montvale as required by Ordinance; and

WHEREAS, it is agreed and acknowledged that the site improvements required must be installed in accordance with the approved plans and meet the specifications currently in effect, and must be inspected during construction by the Borough Engineer subject to modifications as allowed by *N.J.S.A. 40:55D-49(a)*, and that such must be completed in a good and workmanlike manner as a condition precedent to the issuance of required permits and approvals; and

WHEREAS, the parties desire to memorialize their respective rights and obligations consistent with the approving Resolution and applicable ordinances; and

WHEREAS, the Developer has agreed to and accepted the conditions set forth in the Resolution of the Planning Board and its other obligations as set forth in the Developer's Agreement between Developer and the Borough drafted by the Planning Board Attorney; and

WHEREAS, the parties are desirous of entering into said Developer's Agreement to memorialize their respective rights and responsibilities concerning the construction of the development.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Montvale, County of Bergen, State of New Jersey, that the Mayor and Borough Clerk are hereby authorized and empowered to execute the Developer's Agreement with Montvale Development Associates, subject to approval as to form by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and all appropriate officials are authorized and empowered to take all action necessary to effectuate the purposes of this resolution

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Ghassali

Regional School

District Supervisor of English will be retiring effective June 30, 2016

Planning Board

Public Hearing for 99 Montvale Ave

Councilmember Koelling

Swim Club

Will have post season meeting next week; approximately 140 registered members;

Councilmember LaMonica

Seniors

New senior van is operational;

Stigma-Free

Fundraiser Oct 24 at OLM in Park Ridge; Montvale has now joined with nearby communities to be involved with Stigma-Free; this organization helps bring awareness of mental illness to the communities and resources to help people in need.

Councilmember Curry

Construction

\$200,000 over the same time as last year; with newly revised field use fees, the borough collected approximately \$15,000; replacement lighting has begun at LaTrenta.

Recreation

Halloween Carnival will be October 30th

Board of Health

Next meeting will be November 2;

Local School

MEF Casino Night will be held, Friday, November 29th; Schools will be closed for teachers convention on November 5th and 6th.

Councilmember Lane

Fire Dept

18 calls; 2 drills; some delegates went to the annual convention for training in Wildwood; next step for the new firehouse will be to have bond ordinance adopted by the end of this year.

MAYOR

Library

Circulation 9,871; 6,433 patron visits; 30 library cards issued; Many thanks to all who donated items for the annual book sale as well as all the buyers. Most successful book sale ever.

Lightning Detectors have been installed; next step will be to coordinate a meeting with all parties involved to make sure everyone understands how the system will work

A few ribbon cutting ceremonies were held in the past few weeks:

Jura Coffee - 20 Craig Road and Kaitex – 160 Summit Ave

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. Synthetic Turf Repair & Maintenance Proposal/LandTek/Fieldstone School

Recommend to repair for \$3,600.00; the funds will come from Open Space Fund. A motion by Councilmember Lane; seconded by Councilmember Curry – all ayes – a resolution will be prepared for next meeting.

- b. NJDOT Grant Terkuile Road

Requesting for authorization to go to bid and weather permitting to pave it by year end.

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- a. Request Use of Memorial Drive/Halloween Truck or Treat/Memorial Drive/Sun. Oct. 25th/2:00 p.m.

A motion to approve by Councilmember Lane; seconded by Councilmember Curry – all ayes

- b. Old Senior Van/Woodcliff Lake

Woodcliff Lake is asking if Montvale and Park Ridge would agree to give them the old senior van.

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 Lane; seconded by Councilmember Curry
- all ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Curry
- all ayes

Meeting was adjourned at 8:25pm

The next Meeting of the Mayor and Council will be held October 27, 2015 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk