

AGENDA
WORK SESSION MEETING
BOROUGH OF MONTVALE
Mayor and Council Meeting
April 30, 2013
Closed Executive Session 6:30PM
Meeting to Commence 7:30 PM

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2013 adopted on January 2, 2013 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/Contract Negotiations

1. Potential Litigation
2. Contract Negotiations School #2

ROLL CALL:

Councilmember Cudequest
Councilmember Curry
Councilmember Ghassali

Councilmember LaMonica
Councilmember Lane
Councilmember Talarico

ORDINANCES:

PRESENTATION AND PUBLIC HEARING OF ORDINANCE NO 2013-1374 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128, ZONING, OF THE BOROUGH OF MONTVALE CODE TO ESTABLISH A NEW AH-PUD ZONE, TO ESTABLISH THE STANDARDS THEREOF AND TO IMPLEMENT CHANGES AND REVISIONS CONSISTENT WITH THE MASTER PLAN

(Planning Board Review Ltr. Dated 4/17/13 & Resolution of Approval)

PUBLIC HEARING OF ORDINANCE NO. 2013-1375 ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS CONCERNING PROMOTIONS IN THE POLICE DEPARTMENT

MINUTES:

April 9, 2013

RESOLUTIONS:

89-2013 Tax Court Settlement / 152 Green Way / Mario Facendola

90-2013 Appointment Regular Member / Montvale Fire Department / Kenneth Warr, Jr.

91-2013 Reject Bids and Authorize for Re-bid / Street Sweeping Services

BILLS:

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

ATTORNEY REPORT:

Philip Boggia, Esq.
Report/Update

UNFINISHED BUSINESS:

NEW BUSINESS:

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 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.

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held May 14, 2013 at 7:30 p.m.

*******Disclaimer*******

Subject To Additions And/Or Deletions

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2013-1374**

**AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128,
ZONING, OF THE BOROUGH OF MONTVALE CODE TO ESTABLISH A NEW
AH-PUD ZONE, TO ESTABLISH THE STANDARDS THEREOF AND TO IMPLEMENT
CHANGES AND REVISIONS CONSISTENT WITH THE MASTER PLAN**

WHEREAS, pursuant to N.J.S.A. 40:55D-62b, the Mayor and Council of the Borough of Montvale are authorized and empowered to adopt and amend the Zoning Ordinance for the Borough; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, amendments to the Zoning Ordinance must ordinarily be either substantially consistent with the land use and housing elements of the Master Plan, or designed to effectuate such plan elements; and

WHEREAS, the Borough's most recent Master Plan Report was duly adopted on April 1, 2008, with an Amendment to Land Use Element and Housing Element and Fair Share Plan, duly adopted on July 17, 2012 and April 2, 2013; and

WHEREAS, the stated goals of the Master Plan include increasing the Borough's ratable base, updating regulations relating to land use and traffic generation, and promoting sustainability; and

WHEREAS, it is the intent of the Borough to maintain its commitment to the provision of its fair share of low- and moderate-income housing and, although the proposed AH-PUD District modifies the provisions of the AH-8 Affordable Housing Zone, the AH-PUD District in its entirety, including both residential and nonresidential components, is intended to be an inclusionary housing district which provides a realistic opportunity for the production of 32 dwelling units reserved for occupancy by low- and moderate-income households; and

WHEREAS, it is the opinion of the Mayor and Council of the Borough of Montvale that the adoption of this ordinance will promote the stated goals of the 2008 Master Plan, including increasing the Borough's ratable base, updating regulations relating to land use and traffic generation, and promoting sustainability; and

WHEREAS, upon passage of this Ordinance upon first reading, it shall be referred to the Planning Board for review and confirmation that the proposed amendments to the Zoning Ordinance and limiting schedule, as set forth in this Ordinance, are substantially consistent with the Borough of Montvale Master Plan or designed to effectuate such elements.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Montvale as follows:

Section 1. Borough Code Chapter 128, "Zoning," Article II, "Districts and Zoning Map," Section 2.1, "Classes of districts," is hereby amended and supplemented by adding a new AH-PUD district as indicated:

§ 128-2.1. Classes of districts.

For the purpose of this ordinance, the Borough of Montvale is hereby divided into the following districts:

AH-PUD Affordable Housing—Planned Unit Development District

Section 2. Borough Code Chapter 128, "Zoning," Article II, "Districts and Zoning Map," Section 2.2 "Zoning Map" is hereby amended and supplemented by adding a new AH-PUD District on the list of zoning districts and by graphically amending the Zoning Map to show the following properties in the AH-PUD District.

Block 2802, Lots 2 and 3

Block 1002, Lots 3 and 5

Section 3. Borough Code Chapter 128, "Zoning," Article III, "Definitions," Section 3.1, is hereby amended and supplemented by adding new definitions as indicated:

§ 128-3.1. Definitions and word usage.

B. Terms defined. Certain words in this ordinance are defined for the purpose thereof as follows:

ANCHOR RETAIL STORE. A supermarket, and/or a maximum of four (4) lifestyle retail uses as defined below located in a single building, with a gross floor area of not less than 60,000 square feet. A supermarket may include: the sale of fresh produce, prepared and pre-prepared foods for on- or off-site consumption, baked goods, cheese, meat, groceries, beer, wine, liquor, household items, flowers, gifts, cosmetics and pharmaceutical goods, and in which the following goods may also be sold provided that the total floor area devoted to such goods shall not exceed twenty percent (20%) of the gross floor area: clothing, furniture, sporting goods, auto parts, tires and batteries, home and garden supplies, televisions, computer and video games, sporting goods, pool supplies and equipment, and pet supplies.

BIG-BOX GENERAL RETAIL STORE. A retail store with a gross floor area of 60,000 square feet or more in which the general merchandise, including but not

limited to the following, comprise over twenty percent (20%) of the gross floor area: toys, clothing, sporting goods, automotive supplies, electronics, appliances, home and garden supplies, pool supplies and equipment, discount dollar items, bedding, photo processing, a portrait studio, cellphone sales, a bank, pet shop, video rental, hair and/or nail salon, hardware, jewelry, banks and fast food outlets.

AFFORDABLE HOUSING PLANNED UNIT DEVELOPMENT. An area of a minimum contiguous or noncontiguous acreage of 25 acres or more to be planned as a single entity, although potentially to be developed by separate developers, one of which may be a public entity or nonprofit entity, containing one or more residential clusters and one or more commercial areas in such ranges of nonresidential uses to residential uses as shall be specified in this ordinance and as authorized in N.J.S.A. 40:55D-65.c.

LIFESTYLE RETAIL USES. Retail uses combining specialty or comparative shopping with restaurants and entertainment facilities in an open air shopping center that draws shoppers from a regional trade area, inclusive only of those uses listed as permitted in Section 128-5.14C(2)(b).

WAREHOUSE/DISCOUNT CLUB. A retail store selling a wide variety of merchandise in which customers purchase large, wholesale quantities of the store's products, and where the customers may be required to pay an annual membership fee.

Section 4. Borough Code Chapter 128, "Zoning," Article V, "District Regulations," is hereby amended and supplemented by adding a new section containing the standards exclusive to the AH-PUD District as follows:

§ 128-5.14 Affordable Housing—Planned Unit Development District

The following standards shall apply to development in the Affordable Housing-Planned Unit Development District. All other provisions of Chapter 128, Zoning, of the Montvale Code shall apply to development in the AH-PUD District only where specifically indicated as applicable in §128-5.14 of the Montvale Code. When the standards herein conflict with other provisions of Chapter 128, the standards herein shall apply.

- A. **PURPOSE.** The Affordable Housing-Planned Unit Development District is intended to provide a realistic opportunity for the provision of low- and moderate-income residential units, consistent with the purpose and intent of Montvale's adopted and Substantively Certified Second Round Housing Element and Fair Share Plan within the context of an Affordable Housing Planned Unit Development, comprising both residential and retail development. AH-PUD regulations are intended to capitalize on the district's unique locational, physical and historical characteristics to simultaneously provide for its first and second round affordable

housing obligation coupled with a lifestyle retail shopping center in which retail services more appropriate to the established character of the area in which the two sites encompassed by this Affordable Housing Planned Unit Development District are located.

B. **APPLICATION REQUIREMENTS.** Any application for development for any portion or the entirety of the AH-PUD District shall be submitted as a planned development, in the nature of a preliminary site plan application. Such application shall describe any phasing of the proposed project together with all on-site and off-site improvements needed to support such phases. The application for preliminary site plan approval may also include a request for final approvals with respect to such phase or phases. The following shall apply:

- (1) An Affordable Housing-Planned Unit Development District development shall be subject to the requirements of the district and to the mandatory findings for planned development as required by the Municipal Land Use Law, N.J.S.A. 40-55D-45.
- (2) The AH-PUD shall have both an affordable residential and a retail component, with a minimum total land area of twenty-five (25) acres, of which the affordable residential component shall occupy no less than five percent (5%) nor more than twenty percent (20%) of the total land area, and of which the retail component shall occupy no less than eighty percent (80%) nor more than ninety-five percent (95%) of the total land area.
- (3) The affordable residential component shall provide for a minimum of 32 low- and moderate-income housing units to be constructed by the Borough of Montvale or by a private, public or non-profit entity designated by the Borough of Montvale, with adherence to the standards of § 128-5.12 of the Montvale Code concerning "Implementing provisions of affordable housing," so that all such dwelling units shall be certifiable by the New Jersey Council on Affordable Housing or any successor state agency.
- (4) The maximum floor area ratio of the retail component shall not exceed 0.25.
- (5) Within the retail component, only one Anchor Retail Store shall be permitted. Its associated parking, loading, setback and buffer areas shall occupy not less than fifty percent (50%) nor more than sixty percent (60%) of the land area devoted to the retail component, and no less than fifty percent (50%) and no more than seventy percent (70%) of the total floor area of the retail component. The remaining land area and floor area may be used for all other permitted lifestyle retail uses, as listed in § 128-5.14C(2)(b).
- (6) No retail uses shall be located within the AH-PUD district which abuts property utilized or zoned for residential development.

- (7) The Anchor Retail Store shall be directly accessible from driveways from Mercedes Drive and Grand Avenue but shall not have its primary orientation towards Grand Avenue.
- (8) The pro-rata share of off-site improvements, including but not limited to required roadway, traffic signal, utilities, lighting, landscaping, sidewalk/curbs and drainage.

a. Off-tract improvements.

- (1) When required. Whenever an application for development requires the construction of off-tract improvements that are clearly, directly and substantially related to or necessitated by the proposed development, the Planning Board, as the case may be, shall require as a condition of final site plan or subdivision approval that the applicant provide for such off-tract improvements. Off-tract improvements shall include water, sanitary sewer, drainage and street improvements, including such easements as are necessary, or as may otherwise be permitted by law.
- (2) Determination of cost. When off-tract improvements are required, the Borough Engineer shall calculate the cost of such improvements in accordance with the procedures for determining performance guaranty amounts in N.J.S.A. 40:55D-53.4. Such costs may include but not be limited to any or all costs of planning, surveying, permit acquisition, design, specification, property and easement acquisition, bidding, construction, construction management, inspection, legal, traffic control and other common and necessary costs for the construction of improvements. The Borough Engineer shall also determine the percentage of off-tract improvements that are attributable to the applicant's development proposal and shall expeditiously report his findings to the board of jurisdiction and the applicant.
- (3) Improvements required solely for applicant's development. Where the need for an off-tract improvement is necessitated by the proposed development and no other property owners receive a special benefit thereby, or where no planned capital improvement by a governmental entity is contemplated, or the improvement is required to meet the minimum standard of the approving authority, the applicant shall be solely responsible for the cost and installation of the required off-tract improvements. The applicant shall elect to either install the off-tract improvements or pay the municipality for the cost of installation of the required off tract improvements.
- (4) Improvements required for applicant's development and benefiting others. Where the off-tract improvement would provide capacity in infrastructure in excess of the requirements in Subsection (3), above, or address an existing deficiency, the applicant shall elect to either install the off-tract improvements , pay the pro-rata share of the cost to the Borough, or pay more than its pro-

rata share of the cost to facilitate the construction of the improvement(s) and accept future reimbursement so as to reduce their payment to an amount equal to its pro-rata share. If applicant elects to install the off-tract improvements or to pay more than its pro-rata share of the cost of the improvements, it shall be eligible for partial reimbursement of costs for providing such excess. The calculation of excess shall be based on an appropriate and recognized standard for the off-tract improvement being constructed, including but not limited to gallonage, cubic feet per second and number of vehicles. Nothing herein shall be construed to prevent a different standard from being agreed to by the applicant and the Borough Engineer. The process, procedures and calculation used in the determination of off-tract costs shall be memorialized in a PUD or developer's agreement to be reviewed and approved by the Borough Attorney who may request advice and assistance from the Planning Board Attorney. Future developers benefiting from the excess capacity provided or funded by the initial developer shall be assessed their pro rata share of off-tract improvement cost based on the same calculation used in the initial calculation. Such future developers shall pay their assessment, plus a 2% administration fee, to the Borough, not to exceed \$2,000, at the time of the signing of the final plat or final site plan as a condition precedent to such signing. The Borough shall forward the assessment payment to the initial developer less any administration fee within 90 days of such payment.

- (a) If a developer elects to address the required off-tract improvements(s) by making a payment, such payment shall be made prior to the issuance of any building permit.
- (5) Performance guaranty. If the applicant elects to construct the improvements, the applicant shall be required to provide, as a condition of final approval, a performance guaranty for the off-tract improvements in accordance with N.J.S.A. 40:55D-53 and § 158-9B, above.
- (6) Certification of costs. Once the required off-tract improvements are installed and the performance bond released, the developer shall provide a certification to the Borough Engineer of the actual costs of the installation. The Borough Engineer shall review the certification of costs and shall either accept them, reject them or conditionally accept them. In the review of costs, the Borough Engineer shall have the right to receive copies of invoices from the developer sufficient to substantiate the certification. Failure of the developer to provide such invoices within 30 days of the Borough Engineer's request shall constitute forfeiture of the right of future reimbursement for improvements that benefit others.

- (7) Time limit for reimbursement. Notwithstanding any other provisions to the contrary, no reimbursement for the construction of off-tract improvements providing excess capacity shall be made after 10 years has elapsed from the date of the acceptance of the certification of costs by the Borough Engineer.

C. PRINCIPAL PERMITTED USE

- (1) An affordable residential development comprised of not less than thirty-two (32) low- and moderate-income units which may be townhouses, stacked townhouses or apartments.
- (2) A retail component inclusive of "(a)" below and one or more uses from "(b)" below:
 - (a) An Anchor Retail Store
 - (b) A lifestyle retail shopping center, which may include the following uses:
 - (1) Apparel and accessories
 - (2) Furniture, home goods and furnishings, interior design and antiques
 - (3) Horticultural sales, service and furniture, including outdoor display and/or outdoor dining areas
 - (4) Sales of picture frames, books, music, luggage, jewelry, eyewear, stationery, art supplies, greeting cards and sporting goods
 - (5) Sales of toys, games and electronic media
 - (6) Camera and photographic sales and services
 - (7) Sales of electronic devices
 - (8) Cellular communication sales and service
 - (9) Art galleries, museums and movie theaters
 - (10) Theaters and other venues for performance
 - (11) Restaurants for on and off-site consumption
 - (12) Bakeries
 - (13) Delicatessens for both on- or off-premises consumption
 - (14) Natural food and supplement stores
 - (15) Day spas and full service hair salons
 - (16) Baby and toddler gyms
 - (17) Pet supplies, excluding sale of pets, grooming or boarding
 - (18) Financial investment and travel services, excluding banks
 - (19) Copy, mail and packaging centers in which all delivery vehicles are properly located in designated loading areas.
 - (20) Office supply not to exceed 10,000 square feet
- (3) Parks and open space, farms and municipal uses.

D. PERMITTED ACCESSORY USES

- (1) Off-street parking and loading in accordance with the requirements of § 128-8.20C(2).

- (2) Signs in accordance with the requirements of Section 128-8.20C(13).
- (3) Street furniture, planters, approved public art elements, gazebos, information kiosks, water features, waste/recycle receptacles, vehicle charging stations and bicycle racks in accordance with the requirements of § 128-8.20C.
- (4) Recreational and/or open space facilities, including but not limited to walkways, bikeways, courtyards, plazas and gardens.
- (5) Fences and walls, including retaining walls, subject to the requirements of § 128-8.20C(9).
- (6) Patios, terraces and decks.
- (7) Landscaping and buffering in accordance with the requirements of § 128-8.20C(8).
- (8) Stormwater detention facilities.
- (9) Management office for retail center.
- (10) Lighting fixtures in accordance with the requirements of § 128.8.20C(12).

E. PROHIBITED USES

- (1) Any use not specifically permitted shall be prohibited.
- (2) Warehouse/discount clubs or stores.
- (3) Big-box general retail stores.
- (4) Any drive-thru or drive-in use or service, whether principal or accessory.

F. BULK, AREA AND OTHER DIMENSIONAL STANDARDS

- (1) The affordable residential component shall comply with the following dimensional standards for both principal and accessory structures.

<u>Standard</u>	<u>Requirement</u>
Minimums:	
• Lot area	3.0 acres
• Lot width	150 feet at the front building location
• Lot frontage	150 feet

- Front yard setback (from right-of-way) 100 feet
- Building setback to property line:
 - Adjacent single-family residential 35 feet
 - Adjacent multi-family residential 75 feet
- Minimum perimeter buffer 25 feet
- Open space 50% of lot

Maximums:

- Building height (feet/stories) 35 feet/2 stories
- Floor area ratio 0.30
- Building coverage 15% of lot area
- Lot coverage 50%
- Number of residential dwellings 32

(2) The retail component shall comply with the following dimensional standards:

<u>Standard</u>	<u>Requirement</u>
Minimums:	
• Lot area ¹	25 acres
• Lot width	1,000 feet
• Lot frontage	1,000 feet
• Perimeter setback ²	50 feet
• Open space	25%
Maximums:	
• Building height (stories)	2
• Building height (feet) ³	40
• Floor area ratio	0.25
• Building coverage	20%
• Lot coverage (impervious surfaces)	50%
• Lot coverage (including pervious surfaces) ⁴	75%

¹ Any land area dedicated or reserved for public use as a condition of site plan approval (such as right-of-way dedication) shall be considered as part of the AH-PUD development area as if it was not so dedicated for the purposes of this ordinance, including but not limited to the establishment of required lot area setbacks, yards, building coverage, lot coverage density and floor area ratio.

² To centerline of adjoining street.

³ One clock tower on the Anchor Retail Store may exceed the maximum permitted building height by no more than 40 feet.

⁴ The maximum impervious lot coverage shall be 50% utilizing standard impervious parking techniques for all paved surfaces. However, alternate porous paving system and vegetative "green" roof areas may be used to attain a total lot coverage of 75%, with no more than 50% of the lot coverage being impervious surface and up to 25 additional percent of the lot coverage being pervious paving surfaces and green roof areas. Pavers over pervious base or turf blocks shall only be utilized for pedestrian and biking surfaces, overflow parking areas or emergency only access driveways. Porous pavement, suitable for more general and heavier-use vehicular

G. RESPONSIBILITIES OF THE DEVELOPER AND THE BOROUGH FOR DEVELOPMENT OF THE LOW- AND MODERATE-INCOME HOUSING

- (1) Upon receipt of the building permit for the first phase of development of the retail uses, the developer shall transfer to the Borough of Montvale, in exchange for nominal compensation, the lots designated as Block 1002, Lots 3 and 5. Such lots shall be reserved by the Borough of Montvale for the construction of affordable housing in accordance with the provisions of this ordinance.
- (2) Upon transfer of Block 1002, Lots 3 and 5 to the Borough, the developer of the retail uses shall be deemed to have entirely fulfilled its obligations under this ordinance concerning the creation of low and moderate income housing. Actual construction of low and moderate income housing on Block 1002, Lots 3 and 5 shall be solely the responsibility of the Borough or other private, public or non-profit entity designated by the Borough. The developer's right to construct and occupy retail uses shall not depend in any way on the progress made by the Borough towards constructing low and moderate income housing on Block 1002, Lots 3 and 5.
- (3) The application to the Planning Board for preliminary site plan approval of the PUD may show the retail uses and the low and moderate income housing as separate phases of the PUD. The developer of the retail uses and the Borough or its designee may separately and independently apply for, and be granted, final site plan approval for the retail uses or the low and moderate income housing.

H. ADDITIONAL APPLICABLE PROVISIONS TO THE AH-PUD DISTRICT

All of the following Articles and Sections of the Montvale Zoning Code (Chapter 128) shall apply to Development in the AH-PUD District.

- (1) Unless as specifically defined herein, the Definitions in Article III, Section 128-3.1 shall apply.
- (2) Article IV, Nonconforming Buildings and Uses, section 128-4.1 shall apply.
- (3) An affordable housing component shall comply with the requirements of section 128-5.12 the Implementing Provisions of Affordable Housing, except that, wherever the Uniform Housing Affordability Controls (UHAC) and the Substantive Rules of the Council of Affordable Housing override such controls, the UHAC and COAH rules shall apply. Also Section of 128-5.12 F shall not apply.
- (4) Section 128-6.4 regarding Satellite Dish Antennas, shall apply.
- (5) Section 128-7.8 Multi-family housing recycle facilities, shall apply

surface applications, are also acceptable. Upon approval, an approved, bonded maintenance plan incorporating Best Management Practices shall be required for all pervious paving surface areas to minimize siltation of porous paving areas.

- (6) Section 128-9.7A.1 through Section 128-9.7A.4.
- (7) Section 128-9.7A.8 through Section 128-9.7A.15 regarding signage, shall apply, except that 128-9.7A.9A(6), 128-9.7A.9G and 128-9.7A.9S shall not apply.
- (8) Section 128-9.8 and Section 128-9.8.1 regarding berms, shall apply
- (9) Article X Enforcement, Section 128-10.1, shall apply.
- (10) Article XI Interpretation, Section 128-11.1, shall apply.
- (11) Article XIII Violations and penalties, Section 128-13.1, shall apply.
- (12) Article XIV Validity, Section 128-14.1 and 128-14.2, shall apply.
- (13) Article XVI Effect, Section 128-16.1, shall apply.
- (14) Article XVII Environmental Impact Statements, Section 128-17.1 through 128-17.10, shall apply.
- (15) Article XVIII Site Work Permit, Section 128-18.1 through Section 128-18.6, shall apply.
- (16) Article XIX Wireless Telecommunications Towers and Antennas, Sections 128-19.1 through Section 128-19.9, shall apply.

I. ADDITIONAL CHAPTERS WITH APPLICATION TO DEVELOPMENT IN THE AH-PUD DISTRICT

All other Chapters of the Montvale Code shall apply to development within the AH-PUD District.

Section 5. The Borough Code, Chapter 128, Article VIII, "Site Plan Review," is hereby amended and supplemented by adding a new section, 128-8.20.1, entitled "Design Standards for the Planned Unit Development," to read as follows:

A. SITE PLAN REVIEW FOR THE DEVELOPMENT IN THE AH-PUD DISTRICT

Site plan review for all development within an AH-PUD District shall follow the procedures and requirements as set forth in Article VIII "Site Plan Review" of Chapter 128 of the Montvale Code, Section 128-8.20.

B. DESIGN STANDARDS FOR RESIDENTIAL DEVELOPMENT IN THE AH-PUD DISTRICT

(1) Circulation

- (a) One vehicular entrance to the project site is permitted. Pedestrian sidewalks shall be provided to link all building entries through the site to the public street or streets on which the lot fronts. Sidewalks shall also be provided along the public right-of-way.**

(2) Off-Street Parking

- (a) All off-street parking shall be surface parking. No parking spaces may be located within 150 feet of Summit Avenue. The end of the parking lot shall include a loop to enable vehicles to turn around.**
- (b) The number of parking spaces required shall be in compliance with New Jersey's Residential Site Improvement Standards (RSIS).**

(3) Landscaping

- (a) A mix of deciduous and evergreen trees and low groundcover landscaping shall be planted along the entire site perimeter in order to form an effective year-round screening. Tree spacing shall be 40 feet on center, or closer. In addition, where a row of parking stalls runs in a straight line for more than 20 spaces, landscaped islands shall be provided between every 15 parking spaces, planted with trees and low groundcover.**
- (b) The perimeter of the building shall be surrounded on all sides by a landscaped, planted strip at least four (4) feet in width. Paved walkways leading to pedestrian and loading entrances may cross this landscape strip in a perpendicular fashion.**
- (c) An open space component consisting of a small playground or tot lot shall be provided on-site of at least 600 square feet. A location adjacent to the building is encouraged, so that children do not have to cross the parking area or circulation lanes in order to reach the playground.**

(4) Building Massing

- (a) One residential structure is permitted. The building's front facade shall face towards the primary parking area.**
- (b) As viewed from the front and back facades, the building mass shall be broken into four bays, namely, two large central bays and two smaller side bays. Each of the**

larger bays shall be no more than 80 feet wide, while the smaller bays shall be no more than two stories high and no more than 50 feet wide. The larger bays shall have a cross-gabled roof form for further visual emphasis.

- (c) As viewed from the front façade, the four bays shall be separated and delineated by circulation hallways/staircases. On the front façade, such circulation areas shall be either open-air 'breezeway' style or located within an enclosed mass that shall be offset from the adjacent exterior walls on either side to provide surface articulation and shadow on the façade. The rear façade shall utilize the same offset in the exterior walls to provide surface articulation and shadow on the façade.
- (d) The building is permitted two full stories and a partial story above the second story provided it does not exceed 35 feet in height. Maximum numerical height shall be measured to the midpoint of the vertical distance between the ridgeline and eaves of the main hipped roof form for each of the four bays. A third living floor shall be permitted, only in the middle two bays of the building and shall not exceed 70% of the total floor area of the floor below, not including common stairway elements.
- (e) Each of the four bays, in turn, shall be broken into three sections on both the front and rear facades. To constitute a "section," the relevant building mass shall be defined by a change in depth plane (with respect to adjoining sections of facade) of at least one foot and at least one of the following two methods: framed by gutter downspouts; or clad in a contrasting material, color, texture, or pattern. The "change in depth plane" is not required at the first floor. The center section of each bay shall also have a centered gable with pediment.
- (f) The middle of the building shall be clad in high-quality horizontal siding with traditional clapboard or 'shake' forms. The middle shall be separated visually from the top of the building by a belt trim between the second and third floors. Belt trim shall be provided between the first and second floors of all bays. Belt trim shall be of sufficient depth and height to create a visual and dimensional break, and shadow line, between the façade areas above and below.
- (g) The third floor, where permitted in the central section shall have a sloping roof.
- (h) Roofs shall have varying fascia heights and turned gables. The largest portion of the roof shall have a hipped form with a ridgeline. Cross-gables are required at each of the two largest central bays. Smaller cross-gables are encouraged in all four bays. The center of the roof shall be marked with a cupola whose height shall be excluded from the maximum permitted height calculation. Minimum hip roof slope is 5:12 rise:run; minimum roof slope for a turned end gable is 7:12 rise:run.

(5) Transparency

- (a) Ground-level units are encouraged to have individual townhouse-style entrances in the front facade of the building. Three shared pedestrian entries to the building are required in the front facade, facing the parking lot. The entries shall lead to interior shared hallways and staircases that lead to upper level units and optionally to ground-level units.
- (b) As measured at each level of the facade, windows shall occupy at least twenty (20) percent of the facade area. No blank portion of facade may exceed ten (10) feet in width.
- (c) Windows shall be vertically-proportioned; however, larger window openings may be created by pairing or tripling vertical windows, with mullions between them. Windows shall be single-hung or double-hung. In order to create shadow lines that create a visual depth and richness in the facade, the following detailing is required:
 - (i) Window openings shall have cased surrounds, with prominent window head casings and sills that project from the surrounding facade.
 - (ii) Window panes shall be recessed behind their surrounds to create shade and shadow.
- (d) Balconies are permitted, though not required.

(6) Building Materials

- (a) Materials should be applied consistently and with the same level of detail on the primary front elevation and the primary side elevation which faces Summit Avenue. Decorative window trim is not required on the 2 subordinate elevations (rear and side facing the Garden State Parkway). Changes in material should occur at a structurally logical break point, and should not appear pasted-on. Stone and brick and similar materials should not be used above visually lighter-weight cladding such as stucco or wood.
- (b) Placement of any PTAC (packaged terminal air conditioner) units within the facade should be part of a larger, architecturally-cohesive facade design, if necessary flanked with symmetrical framing or grilles, rather than arbitrarily-placed punched openings. Any logos or lettering exceeding two inches in height and which appears to be visually obtrusive on the exterior of PTAC units shall be removed or covered with a grill or similar means so that the PTAC unit blends unobtrusively into the surrounding facade.

(7) Equipment and Loading

- (a) All rooftop mechanical equipment shall be screened from view from all vantage points at or below the level of the roof, using materials harmonious to the overall building design.
- (b) Loading areas and trash/recycling storage areas should be enclosed on all four sides and screened using wood fencing or other attractive material.

C. DESIGN STANDARDS FOR RETAIL DEVELOPMENT IN THE AH-PUD DISTRICT

(1) Circulation

- (a) A maximum of four (4) vehicular connection points to surrounding streets are permitted, as follows:
 - (i) One entry drive shall run in an easterly direction from, and generally at right angles to, Mercedes Drive. This entry drive shall provide access to both the anchor retail parking area and lifestyle retail store parking areas.
 - (ii) One entry drive shall be from a roundabout providing right-in, right-out traffic movements onto Grand Avenue West. The roundabout shall provide direct access into the lifestyle retail center, and also link to the anchor retail parking area.
 - (iii) One entry drive shall be from Mercedes Drive into the southern edge of the anchor retail parking field.
 - (iv) One entry drive shall be from Phillips Parkway.
- (b) No vehicular circulation within the project is permitted to link the retail portion served by Phillips Parkway and the remaining lifestyle retail center or anchor retail, due to the change in grade.
- (c) Drop off areas shall be identified by sidewalk bulb-out projections, textured paving, or pavement markings, and located at public activity areas and/or main building entrances.
- (d) A continuous loop of sidewalks is required along the entire site perimeter. Specifically, sidewalks shall be provided along the entire street-facing outer frontage of the site, along Mercedes Drive, Grand Avenue West, and Phillips Parkway. A sidewalk is also required along the portion of the site that adjoins the Borough Municipal Building, the park and other properties.
- (e) In addition, sidewalks and/or walkways shall link all buildings of all portions of the lifestyle retail center and anchor retail store to perimeter sidewalks of all adjoining streets.

- (f) The sidewalk(s) crossing steep grades shall incorporate switchbacks as necessary to maintain a walkable grade.
- (g) Where sections of sidewalks branch off or join up, a decorative marker, signpost, or circle is recommended. Where sidewalks traverse vehicular driveways, crosswalks shall be provided and marked with textured paving in a contrasting material and color.
- (h) All sidewalks at the site perimeter and interior shall have a minimum clear paved walking width of at least five (5) feet; however, sidewalks in front of all retail storefronts and in other areas with high pedestrian traffic shall have a minimum clear paved walking width of at least seven (7) feet and shall include decorative paving materials, rather than plain concrete.
- (i) The quantity of benches shall be determined by calculating the number of benches if placed at least every 200 feet in central shopping areas, and every 500 feet in other areas, along all site sidewalks, except along perimeter streets. The actual location of the required number of benches shall be determined and approved by the Planning Board at the time of the site plan. The planting of shade trees to provide shade for such benches is strongly encouraged.
- (j) Sidewalks adjacent to streets or circulation drives shall also include a landscape strip (built at a lower elevation than the paved area, to allow for water flow) with street trees, grass, and low plantings that serve as water-storage and infiltration. Where street trees are thus required, they shall be planted no more than 40 feet apart, on center, on average, with variation permitted for curb cuts, utility vaults, and other site conditions.
- (k) The overall site shall provide at total of at least six (6) electric vehicle charging stations within the site, and at least in two different locations.
- (l) Bike racks shall be provided in clear view of storefront entrances, with at least 1 bike space for each 10,000 square feet of gross floor area, and served with night lighting.
- (m) Any off-street bicycle paths within or at the perimeter of the site should be at least seven (7) feet wide.

(2) Off-Street Parking

- (a) Section 128-7.1 (except for paragraphs B, E, F, and K) of Chapter 128 of the Montvale Code, "general provisions for off-street parking; non-residential districts," shall apply.

- (b) The following parking ratios shall apply to development within the AH-PUD District:
 - (i) Anchor Retail Store: 5 spaces per 1,000 square feet of gross floor area.
 - (ii) Lifestyle Retail Uses: 5 spaces per 1,000 square feet of gross floor area.
 - (iii) Horticultural sales, services and furniture and accessory and related uses contained therein: 4 spaces per 1,000 square feet of gross floor area.
 - (c) Where the Anchor Retail Store and lifestyle retail uses share access and parking spaces, the required ratios above may be lowered by the Planning Board, based upon a shared parking analysis which demonstrates that the combined peak parking demand can be satisfied for those shared parking facilities at a lower combined ratio.
- (3) Open Space
- (a) The lifestyle retail center shall have at a minimum three "Signature Open Spaces" that serve as pedestrian gathering spaces and focal points for the development.
 - (i) Signature Open Space "A" shall be located along the northern side of the site, shall include the roundabout having access from Grand Avenue West, and shall extend south towards the anchor retail store. This open space shall be configured for active use by shoppers and visitors to both the anchor retail store and other lifestyle retail stores, and shall include seating areas in shade and sun, areas landscaped with low plantings, open grassy lawn areas, trees, a shade structure such as trellis or arbor, and a tall architectural feature. Chairs and tables for casual/take out outdoor dining, and a water feature, are encouraged as well.
 - (ii) Signature Open Space "B" shall be located at the corner of Mercedes Drive and Grand Avenue West. This space shall be designed more as a visual amenity (rather than for intensive pedestrian use), but shall be accessible from sidewalks along both streets. It shall include a tall architectural feature, project signage, a variety of landscaping, and benches or low walls for seating.
 - (iii) Signature Open Space "C" shall be located adjacent to the pedestrian building entry for the lifestyle retail stores accessible only from Phillips Parkway. This open space shall include seating areas, low plantings, a shade structure such as trellis or arbor, and trees, and may be combined with outdoor display areas and/or outdoor dining.

- (b) In the Signature Open Spaces "A" and "B," the architectural feature shall be at least twenty (20) feet tall but no taller than forty-five (45) feet in height and have an agricultural or rural theme, such as an old-fashioned windmill, a grain silo, or water tank.
 - (c) The Signature Open Spaces shall support periodic events associated with the retail uses of the site. Examples of such events shall include outdoor dining, sidewalk sales, seasonal promotions, movie nights, and periodic events.
- (4) Building Sizes
- (a) The anchor retail store shall be provided as a standalone single building, and shall not be attached to any other retail buildings.
 - (b) In the lifestyle retail component, several retail buildings shall be permitted. However, no single building shall be less than 4,000 square feet or more than 25,000 square feet in size.
 - (c) The minimum height of the front façade of all buildings in the lifestyle retail component shall be fifteen (15) feet.
 - (d) In the lifestyle retail component, the maximum building width shall not exceed eight (8) times the height of the building.
- (5) Building Orientation
- (a) The following requirements govern what direction or landmarks the primary pedestrian entrance(s) of each of the buildings in each part of the retail center shall face (the "frontage").
 - (i) The Anchor Retail Store shall face Mercedes Drive, and be located behind the primary parking field.
 - (ii) The lifestyle retail buildings located closest to Mercedes Drive and Grand Avenue shall face a central parking field. The largest retail building of the lifestyle center shall be located at the north end of the parking field. Smaller buildings shall generally flank the east and west sides of the parking field, facing towards the parking.
 - (iii) Retail buildings accessible only from Phillips Parkway shall be sited near the corner of Grand Avenue West and Phillips Parkway, while the parking field shall be at the rear, behind the buildings with respect to the streets.

(6) Building Massing and Articulation

- (a) Building form and massing should suggest a development that grew over the years, with larger buildings broken down into smaller masses. Building roof mass shall be broken up by towers, steeples, gables, shed dormers, and similar elements.
- (b) The **primary facade** of a building faces the largest parking area serving that building. Within that facade, the primary pedestrian entrance shall be provided, and shall have the highest amount of both horizontal and vertical articulation (*discussed further below*), architectural detailing, and variation in massing. The façade facing the public street shall provide horizontal and vertical articulation as well as architectural detailing.
- (c) The **side facades** of a building, as defined with respect to the primary facade, may have a lesser level of detailing and variation in massing. Specifically:
 - (i) No more than one side facade may include a loading and service area. Except those buildings intended to resemble a barn, the loading/service facade shall include vertical articulation to establish a middle and top. Glazing (windows) is not required.
 - (ii) Where a side facade does not include a loading area, display windows shall be provided within at least the front twenty (20) feet of the side facades. For the Anchor Retail Store, this shall apply only to that façade which faces a public street. Such side facade shall also provide vertical articulation to establish a base, middle, and top.
- (d) The **rear facade** of a building, as defined with respect to the primary facade, shall include vertical articulation to establish a base, middle, and top. Rear facades are not required to have horizontal articulation according to the bay definition below, except that the rear façade of any building that backs onto the required Signature Open Space "A" shall meet the bay definition.
- (e) Except for the Anchor Retail Store and those buildings intended to resemble a barn, the base of all buildings shall be defined as at least the lowest three feet, and may extend into second story. For such buildings, the base shall be highlighted with a contrasting material that is heavier in appearance than the main façade cladding, such as a stone base below a wood façade, or a wood base below a glass facade. Simulated wood and cultured stone are acceptable substitutes for the above materials. The base shall project outwards from the middle of the building by at least three (3) inches. The top of the base cladding shall be capped with a coping, cornice, or other dimensional transition.

- (f) No cantilevered projections above the ground floor are permitted. Any porches or arcades are to be supported by columns with traditional base and capital expression.
- (g) The middle of buildings shall have wood clapboard or simulated wood clapboard, running vertically, or in a board and batten pattern siding, or stone or unit masonry, or glass greenhouse-style panes in a metal frame.
- (h) The top of buildings shall be defined as the roof and/or roofline. The roof shall be detailed according to specific requirements associated with the roof form, discussed elsewhere.
- (i) A "bay" is required to be distinguished from adjacent portions of the facade by some of the following four elements:
 - (i) a change in depth plane of at least one foot, extending upwards through all levels;
 - (ii) a change in materials, texture, and/or fenestration pattern, but not simply color;
 - (iii) a change in height; and
 - (iv) articulation with pilasters or columns.
- (j) Buildings narrower than 80 feet front facade width are not required to define bays.
- (k) Buildings having less than 25,000 square feet of floor area and measuring equal to or greater than 80 feet in front facade width shall have front facades divided into at least three bays, with the bays distinguished according to the requirement above.
- (l) The Anchor Retail Store shall also be subject to the following requirements:
 - (i) The front facade shall be divided into at least three bays, with the bays distinguished according to the requirement above. Furthermore, the central bay shall:
 - a. Include a prominent pedestrian entrance.
 - b. Have the largest amount of detailing and articulation, with a tripartite division with side-gabled and front-gabled components.
 - c. Be the equivalent of two stories in height plus additional height from gabled roof accents, and shall be taller than its flanking bays.

- d. Have windows, window articulation or other similar articulation on both floors; eyebrow windows are recommended under the eaves in the middle section of the central bay.
- (ii) The **front façade** shall be further highlighted architecturally with all of the following required elements: a tower or steeple element, a corner or side entrance, retail signage, and contrasting materials.
- (iii) Each of the three or more bays in the front facade shall include further architectural detailing to break up the width into a series of small sub-bays, using at a minimum, a change in both materials and fenestration pattern.
- (m) Retail businesses shall have individual entries at-grade facing walkways. Internal mall-style entries are prohibited.
- (n) Building pedestrian entries shall be highlighted architecturally through massing and architectural features, not merely punched into the facade. The anchor retail building should have at least three entries in the primary and/or side facade.
- (o) The first level of primary facades of all retail buildings, except for the Anchor Retail Store, shall have clear, transparent, non-tinted glazing occupying at least 80 percent of the facade width and at least 8 feet of height.
- (p) Roofs of all buildings shall be one of following forms: gable, gambrel, barrel-vault, or flat.
 - (i) Gable and gambrel roofs may cover the entire roof area or just the front portion. If covering the entire roof area, the peak of the gable roof must still comply with maximum height regulations of the zone. If only covering a portion, the pitched roof mass shall extend back from the front facade at least 15 feet for buildings less than 100 feet in width, and at least 25 feet for buildings over 100 feet in width. Gable and gambrel roof forms shall be accented by cross-gables, shed roof dormers, or gabled dormers. A simple cornice, coping, or parapet-style roofline is acceptable along side and rear facades, behind the required front pitched roof form.
 - (ii) Barrel-vaulted roof forms may be used, but only if they comprise the entire building roof.
 - (iii) Gabel and gambrel roof forms should have multiple variations in depth and height that relate to the facade bay massing below.
 - (iv) Flat or shed roofs shall have simple cornices or parapets along all facades.

- (v) Buildings in the lifestyle center accessible only from Phillips Parkway are encouraged to have barrel-vaulted roofs.
 - (q) Roof accent forms that are gabled shall have minimum slope of 9:12 rise:run. If the entire roof is gabled, minimum slope is 5:12 rise:run. Gambrel roofs shall have a total rise:run slope of 6:12 or steeper, measured from the eaves to the peak. Barrel vaulted roofs shall have a total rise:run slope of 1:3 or steeper, though of course the overall form is curved.
- (7) Materials and Style
- (a) Building and site detailing shall follow one or more of the following vernacular design themes: early industrial revolution, equestrian, farm, rural village.
 - (b) The suggested building material palette includes stone or cultured stone, horizontal and vertical siding in barn red and other rural/agricultural colors, aluminum and weathered metal, and weathered wood boards.
 - (c) Buildings with gable or gambrel roofs shall have vertically or horizontally lapped siding as the primary facade material, in addition to glazing. Roofs on these buildings shall be metal standing-seam, shingled, or synthetic slate. Sliding barn-style doors are encouraged for gambrel-roofed buildings. Pitched roof forms should be accented with weathervanes, cupolas, or ventilators.
 - (d) Buildings with barrel-vaulted roofs are encouraged to have fully-glazed, greenhouse-style primary facades (with multiple panes of glass) with awning-style pivot windows and roll-up multi-paned, fully-glazed garage-style doors.
 - (e) Site features should relate to the design theme. For example, early machinery, horseshoes, bridle bits, metal or wooden buckets, braided leather, hand-pumped water pumps, white wood fences, weathered wood, dry-laid stone walls, watering troughs, antique farm equipment and implements and hand tools. Site furnishings (such as seating and trash receptacles) shall have a palette of weathered wood and rough-hewn metals such as cast iron, patinaed copper or brass, and galvanized metal, or Cor-ten steel.
 - (f) Except for those buildings with their rear walls located within 30 feet of a retaining wall of at least eight (8) feet in height and, the Anchor Retail Building, every building shall exhibit the same type and detailing of building materials on all sides. On the Anchor Retail Store, the rear façade up to a height of fourteen (14) feet, may have a different finish.

(8) Landscaping

- (a) Evergreen trees and shrubs per the 2012 USDA Plant Hardiness zone for Montvale shall be utilized to screen all unwanted views into the site, including but not limited to delivery, loading/unloading areas, refuse storage areas, retaining walls, grade changes and parking lots. Group plantings, rather than hedge plantings, are encouraged for screening purposes.
- (b) Landscaping around buildings and in smaller open spaces scattered throughout the site should be planted with the purpose of visually enhancing the buildings or open spaces in which they are located, and contain a variety of plantings that are attractive during all seasons, throughout the year.
- (c) Rain gardens, which function as landscaped open space while serving as detention/filtration basins, are encouraged and should be planted with wild flower or Crown Vetch in combination with groupings of water-tolerant evergreen trees and shrubs, flowering trees and shrubs, or a combination of all, so as to be visually attractive throughout all four seasons.
- (d) The following native plantings/horticultural materials shall be utilized:
 - (i) Shade trees of the following types are strongly encouraged: Oaks, Maples, Plane, Beech and Hornbeam. In those cases where shade trees are to be provided in limited spaces, Columner/fastigata varieties are also acceptable.
 - (ii) Ornamental/flowering trees, to be utilized in designated open spaces in particular, and on scattered open spaces, should be of disease-resistant varieties wherever possible, as well as proven to be hardy per the USDA Plant Hardiness Zone Map, including but not limited to Kousa dogwood, Purple leaf plum, eastern Red Bud, and River Birch.
 - (iii) Evergreen and deciduous shrubs shall be of deer-resistant varieties to the extent possible.
 - (iv) All lawn areas shall be sodded or seeded and all landscaped areas comprising an area of greater than one hundred fifty (150) square feet shall be irrigated.
- (e) Trees shall be planted in rows along both sides of internal streets and major vehicular circulation drives to evoke traditional *windbreaks* (rows of wind-blocking trees) along farm entry drives and between fields. In parking areas having over 20 spaces, trees shall be planted orchard-style, spaced regularly across the parking lot, at the rate of at least one tree for every twenty spaces. While trees should draw from a uniform palette in each area, trees in contrasting, eye-catching flower and/or leaf colors are recommended as focal points.

(9) Fences and walls

- (a) In general, fences and walls shall be designed to evoke an equestrian, rural, farm-theme, whose materials and styles are consistent with the building design and other accessory structures and design features that are provided on-site.
- (b) Retaining walls may be of the manufactured type, such as colored concrete that resembles indigenous natural stone, and a color palette that is consistent with the vernacular geomorphology.
- (c) To the extent possible, the use of retaining walls should be used in the form of terraces to accommodate severe grade changes, rather than single tall retaining walls. However, no retaining walls shall exceed a height of 15 feet. Where provided, retaining walls shall be screened with a variety of landscaping materials, in groupings, rather than utilizing hedges or uniform plant species and spacing.
- (d) Ornamental walls utilizing loose laid stone may be provided throughout the site as appropriate, up to a height of four feet.
- (e) Fences shall be planted along the tops of all retaining walls that exceed a height of 3 feet. Chain-link fencing, including vinyl coated chain link fencing, is prohibited. Except when needed for screening or fall protection, fences on top of retaining walls should be of a 3-rail type, such as those used predominantly by farmers in the Montvale area. Such rails should be of wood, or of manufactured material (such as concrete), with either post or column support, and whose color and design closely resemble wood. Other fencing on the site, such as along the entry drive from Mercedes Drive, and along the site perimeter or within the site, should be of a 2-rail type, with pillars for support, utilizing the same materials and color as that of the 3-rail type, that is, the type that closely resembles wood. Where the Planning Board determines a solid screen or fall protection is required, a solid fence of the same material as a split-rail fence may be permitted.
- (f) Fences around dumpster areas and other building features that require 100% fully opaque screening, or for fall protection, shall also utilize wood or manufactured materials whose color and design closely resembles wood.
- (g) No fence on the site may exceed a height of four (4) feet, except for fences for the screening of loading areas and dumpsters..

(10) Loading and Storage

- (a) Section 128-7.6 of the Montvale Code, off-street loading, shall apply.

- (b) Truck loading/service bays for the Anchor Retail Store shall be at the rear of the building, facing east. Truck circulation shall be designed to use the perimeter of the anchor retail's parking field, and shall not cross the primary pedestrian access routes between its parking field and the Anchor Retail Store.
- (c) Truck loading/service areas for the lifestyle retail center buildings accessible from Mercedes Drive and Grand Avenue are prohibited at the front facades of buildings, and should be located at the sides of most of buildings. Truck loading/service areas at the rear of buildings in this area is prohibited because they would face streets at the project perimeter.
- (d) Truck loading/service areas for the lifestyle retail building(s) accessible only from Phillips Parkway shall be at the side or rear of buildings, or at one end of the parking lot, in either case largely hidden from view of Grand Avenue West and Phillips Parkway behind the buildings.
- (e) For the Anchor Retail Store, truck loading/service areas shall be well screened to a height of fourteen (14) feet by the use of appropriate walls, fences and landscaping so as to obscure their view from adjacent streets and from within the retail center.

(11) Mechanical and Utilities

- (a) Rooftop equipment shall be enclosed with screen walls so that it is not visible from adjacent municipal streets. Screen walls shall be of materials complementary to the form and expression of the building.
- (b) All wireless communications equipment, including satellite dishes, shall be mounted in such a way as to not negatively impact the appearance of the building nor create objectionable views from surrounding structures.
- (c) Pad-mounted equipment, machinery and the mechanical controls for same if permitted by the utility company, including but not limited to transformers, junction boxes, lift stations, electrical meters, condensers, and signal boxes, shall be interior to the block, set back at least 20 feet from the public right-of-way, or masked by building elements in a manner consistent with the design of the building.
- (d) A wall of venting for mechanical rooms shall not be permitted along facades facing streets, pathways, and open spaces.
- (e) All internal utility connections internal to the site shall be underground.

(12) Green Building and Site Design

- (a) The lifestyle retail building closest to the intersection of Grand Avenue and Mercedes Drive shall have a green, vegetated roof.
- (b) LID (Low Impact Development) methods shall be used to slow runoff and provide on-site storage, detention, and infiltration solutions, per New Jersey requirements for stormwater management. Bio-retention solutions such as extended detention vegetated ponds, rain gardens, and drainage swales shall be integrated into landscape design to intercept stormwater runoff. Pedestrian gathering spaces should use a variety of surfaces, including unit pavers on sand, paver inserts or grass inserts framed by concrete, DG (decomposed granite), or similar gravel surface that allows water to infiltrate.
- (c) LED (light-emitting diode) and/or Metal Halide lighting shall be incorporated into site, service, and parking lot lighting.
- (d) All exterior lighting shall be designed so as to reduce glare, lower energy usage, and direct lights only to where they are needed.

(13) Signage

- (a) Signs permitted within the retail component of the AH-PUD District shall be only those specified in the table below.

Type	Location	Maximum Number	Total Area	Maximum Area of Any One Sign	Maximum Height	Required Setback from Property Line	Maximum Letter Height
1. Primary Monument Sign	· At intersection of Mercedes Drive/Grand Avenue	One	100 s.f.	—	12 feet	10 feet	—
	· At intersection of Phillips Parkway/Grand Avenue	One	80 s.f.	—	8 feet	10 feet	—
2. Entrance Monument Sign	· At Mercedes Drive entrance	One	36 s.f.	—	6 feet	5 feet	—
	· At Grand Avenue entrance	One	24 s.f.	—	4 feet	5 feet	—
	· At Phillips Parkway entrance	One	24 s.f.	—	4 feet	5 feet	—

3. Wall Signs*	Store Size						
	Stores over 100,000 s.f.	Four	1200 s.f.	475 s.f.	—	—	10 feet
	Stores between 20,000 and 100,000 s.f.	Two per tenant, but only one per tenant per façade	80 s.f.**	60 s.f.	—	—	6 feet
	Stores less than 20,000 s.f.	Two per tenant, but only one per tenant per façade	60 s.f. **	36 s.f.	—	—	3 feet
4. Pedestrian Way-Finding Directory Sign	Key pedestrian ways, public activity areas	Five	60 s.f.	12 s.f.	7 feet	100 feet	—

*A projecting pendant sign may be permitted, but shall be counted as one sign, and shall not exceed 5 s.f. in size. If a pendant sign is utilized then both a wall sign and pendant sign may be allowed on the same façade.

** Per tenant.

(b) Additional Sign Requirements

- (1) Only external illumination shall be permitted for all non-wall-mounted signs, utilizing traditional vernacular ornamental lighting fixtures. Wall-mounted signs may be individual channel-cut letters with internal illumination, or through LED backlighting of metal letters.
- (2) Each primary monument sign permitted shall be limited to the name of the shopping center, the anchor tenant, and two additional tenants. The entrance monument sign shall be limited to the name of the shopping center and one tenant. All other signs, including wall signs, shall be limited to identification of the tenant only, and may include corporate or brand name logos.
- (3) No individual sign may exceed 3 colors, including black and white, except for wayfinding directory signs, and projecting signs. Projecting signs shall be mounted no less than 8 feet and no more than 15 feet above grade to the top of the sign, project no more than 4 feet from the wall, and shall be composed of wood, wrought iron or metal.
- (4) Awnings and canopies are permitted, but shall not be used for signage purposes, nor contain any letters, numbers, logos or the like. No vinyl or white awnings shall be permitted; their design shall be consistent with the

overall rural agricultural design theme of the center. Awning panels shall be flat or sloped, but shall not be fluted or curved.

- (5) Monument signs shall utilize brick, stone, metal and wood, or materials which closely resemble those natural materials, and no stucco, plastic or masonry block shall be used. A solid base surrounded by appropriate ornamental plantings shall be provided. No monument sign shall be located in sight triangles.
- (6) No accessory structures, street furniture or outdoor design features such as windmills, silos or old farm equipment shall have any signage mounted or painted on them.
- (7) In addition to the signs above, a tenant may also be permitted to install a sign or signs, limited to demonstrate or evidence membership in a retail or professional organization or credit card or credit association or plan or to show manufacturers' or required licenses, shall be permitted to be attached to windows on the interior of the business use, provided that the aggregate area employed for such purpose shall not exceed 5% of the total window area.

Section 6. Planning Board review.

Upon approval of this Ordinance upon First Reading by the Mayor and Council of the Borough of Montvale, this Ordinance shall be transmitted to the Planning Board for its review and recommendation.

Section 7. Severability.

If any provision or portion of a provision of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated and shall remain in full force and effect.

Section 8. Effective date.

This Ordinance shall take effect immediately upon final publication as required by law.

Section 9. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

ATTEST:

MAYOR:

Maureen Iarossi-Alwan
Municipal Clerk

Roger J. Fyfe
Mayor

Date:

Introduced _____

Adopted _____

Memo

To: Mayor and Council

From: R. Lorraine Hutter, Land Use Administrator



CC: Maureen Iarossi-Alwan, Administrator/Municipal Clerk
Planning Board Members

Date: 4/17/2013

Re: Ordinance 2013-1374

Please be advised that the Planning Board reviewed at their April 16, 2013 meeting the above referenced Ordinance. It is the recommendation of the Planning Board to have the zone changed on the above referenced property to the AHPUD zone and find it to be consistent with the Montvale Master Plan. Attached is a resolution of approval from the Montvale Planning Board.

If you have any questions please do not hesitate to contact me.

/rlh

Attachment

Introduced by: *Councilmember Cudequest*

Seconded by: *Mr. Teagno*

BOROUGH OF MONTVALE

PLANNING BOARD

RESOLUTION

WHEREAS, on April 9, 2013, the Mayor and Council passed on first reading Ordinance No. 2013-1374 entitled, "An Ordinance Of The Borough Of Montvale, County Of Bergen, State Of New Jersey, Amending And Supplementing Chapter 128, Zoning, Of The Borough Of Montvale Code To Establish A New AH-PUD Zone, To Establish The Standards Thereof and To Implement Changes and Revisions Consistent With the Master Plan"; and

WHEREAS, subsequent to the approval on first reading, the Mayor and Council forwarded to the Planning Board a copy of said Ordinance in order for the Board to provide a report to the Governing Body consistent with the provisions of N.J.S.A. 40:55D-26; and

WHEREAS, the Planning Board has reviewed the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Montvale that the following facts are made and determined:

1. The Ordinance creates a new AH-PUD District ("the District" or "the Zone") and amends the Zoning Map so as to provide that the following properties are included in the Zone: Block 2802, Lots 2 and 3 and Block 1002, Lots 3 and 5 ("the parcels" or "the property"). The Board initially notes that the creation of this District was expressly recommended in a document entitled, "Amendment To The Land Use Element and Housing Element and Fair Share Plan of the Borough of Montvale For Lots 2 and 3 of Block 2802 and Lots 3 and 5 of Block 1002" ("the Amendment") which was adopted by the Planning Board on April 2, 2013.

2. In its review of the Ordinance, of critical importance to the Board is whether the Ordinance will provide a realistic opportunity for the provision of low and moderate income housing consistent with the Borough's adopted and approved Housing Element and Fair Share Plan. The Ordinance provides for a total of thirty-two (32) low and moderate income housing units as a permitted use in the District, together with other principal permitted uses of an anchor retail store and lifestyle retail shopping center. The Ordinance provides for the transfer to the Borough of Lots 3 and 5 in Block 1002 which will have full responsibility and control over the 32 unit affordable development. The Borough will not need to rely upon actions of another party in developing the affordable housing

since it will have ownership of the land area required by the Ordinance to construct the 32 units. This permits a conclusion that the affordable housing will be constructed in a timely manner.

3. In addition to the affordable housing component, as noted above, the Ordinance permits an anchor retail store and various retail uses as part of a lifestyle retail center in the District as recommended in the Amendment. Many of the permitted uses are different than those typically found in a downtown business district, such as Montvale's, so as to not compete with existing business uses in this area. Bulk standards are established for both the residential and retail uses, as well as comprehensive design standards for both components. These design standards are very specific, and the requirements appear intended to ultimately produce a high-quality and aesthetically and visually appealing development. The Board also takes note of the fact that provisions are included which would result in a more sustainable and energy efficient design, such as the use of alternate porous pavers, vegetative "green" roof areas, pedestrian-friendly sidewalks, bike racks and bicycle paths, and bio-retention solutions, such as extended vegetated ponds and rain gardens as part of the landscape design to intercept stormwater runoff.

4. The Ordinance also establishes detailed requirements pertaining to off-site improvements, including roadway, traffic signal, drainage, utilities, sidewalks/curbing and landscaping.

5. The Board takes note of the fact that a substantial portion of the parcels have been used for farming for a century or more. The Ordinance recognizes this fact by requiring use of materials intended to promote design themes such as farm, rural village and equestrian, which will take note of the property's historical significance to the Borough and will result in the avoidance of the construction of a "cookie-cutter" shopping center.

BE IT FURTHER RESOLVED by the Planning Board of the Borough of Montvale that based upon the foregoing findings of fact, that the following conclusions are made and determined respecting the Ordinance's consistency with the Borough's Master Plan and Amendment:

1. N.J.S.A. 40:55D-62a requires that a zoning ordinance amendment "shall be either substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements". The Board has carefully reviewed the Ordinance and has determined that the proposed Ordinance is consistent with the Master Plan adopted in 2008 ("the Master Plan") and the

Amendment adopted on April 2, 2013 and that the Ordinance is intended to implement the recommendations detailed in both documents.

2. The Ordinance will expedite the construction of thirty-two (32) affordable housing units by the conveyance of the land area for such development to the Borough. Absent adoption of the Ordinance, there is little likelihood that these units would be constructed in the foreseeable future, as confirmed by the fact that approximately twenty (20) acres of the property have been zoned, since 1994, for inclusionary development at a density of eight (8) units per acre. Notwithstanding this substantial time period, which to a large extent encompassed a positive residential real estate market, at no time did the landowners or any other party indicate an interest in constructing an inclusionary development on the property. The Board notes the fact that during this time period, other inclusionary developments were approved elsewhere in the Borough. The Ordinance will ensure the construction of thirty-two (32) units of affordable housing consistent with the Borough's Housing Element on Block 1002, Lots 3 and 5. These parcels are proximate to an existing inclusionary development, and Lot 5 has in the past been recognized as appropriate for multi-family affordable housing development. Transferring the thirty-two (32) unit affordable component to the Block 1002

parcels will further allow the development of the Block 2802 property in a manner that will promote goals and objectives of both the Master Plan and Amendment.

3. In proposing the rezoning of the property to a AH-PUD District, the Amendment notes that the rezoning would advance six (6) of the fifteen (15) goals of the Master Plan. These goals and how the Ordinance will advance them are as follows:

(a) **Goal 1**: Increase the Borough's ratable base.

The Ordinance permits the construction of a large anchor retail store, together with a lifestyle retail center, which development will constitute a substantial ratable and promote a sound fiscal policy. The Amendment recognizes that retail development on the Block 2802 parcels provides an opportunity to fill a major gap in the Borough's retail sector, in view of the Borough not having a large supermarket or a substantial retail sector component.

(b) **Goal 3**: Protect character of existing neighborhoods.

The specific design standards in the Ordinance governing both the retail and residential development are comprehensive, stringent and substantial. These will ensure that nearby properties and neighborhoods will not be adversely

impacted by the proposed development. In addition, the majority of the retail uses permitted in the Ordinance differ from those currently in the Borough's downtown or found in similar areas. The Ordinance also expressly prohibits "big-box" retail stores and warehouse/discount clubs or stores which would be detrimental to the downtown business area and are frequently devoid of aesthetics or unique character and design.

(c) **Goal 7:** Preserve remnants of farming in Montvale.

The Amendment recognizes that the continued agricultural use of the property is not sustainable. However, the Ordinance requires that building and site detailing contain thematic elements such as farm, equestrian and rural village, consistent with the historic farming character of the property.

(d) **Goal 11:** Engender high-quality design.

The Ordinance details literally hundreds of design standards for both the residential and retail components. These include requirements pertaining to building massing, building materials, open space, building sizes and orientation, landscaping, fencing and walls intended to evoke a rural or farm theme and green building and site design. In addition, sidewalks and open spaces are required to be designed so as to be pedestrian-oriented, and as focal points of the development.

(e) **Goal 13:** Promote sustainability.

As has been noted, the Ordinance advances this objective by including requirements relating to green building and design. More particularly, the lifestyle building closest to the Grand Avenue/Mercedes Drive intersection will have a green, vegetated roof. Low Impact Development (LID) methods are required to slow runoff and provide on-site storage, detention and infiltration consistent with applicable stormwater management standards. Extended detention vegetated ponds and rain gardens, among other methodologies, are required to be integrated into landscape design to intercept stormwater runoff. Pavers allowing water to infiltrate are required in certain areas. Lighting is required to be lower energy usage a/k/a energy efficient and to reduce glare. Use of porous pavers and additional "green" roof areas are also encouraged.

(f) **Goal 14**: Diversify the housing stock.

The fact that the Ordinance will generate thirty-two (32) affordable units promotes this objective and advances the Borough's affordable housing goals.

The foregoing demonstrates that the Ordinance promotes numerous goals and objectives of the 2008 Master Plan.

4. The Amendment indicates that the proposed rezoning and the creation of a AH-PUD District would also advance five (5) purposes of the Municipal Land Use Law ("MLUL") (see pp. 16-17). The Board finds that the Ordinance will

advance these purposes. By providing for the rezoning of the Block 2802 parcels, a lifestyle retail center and the Block 1002 parcels for affordable housing, the five (5) purposes enumerated therein will be promoted. As has been noted, this is accomplished by the Ordinance establishing extensive design standards and controls which will permit the construction of retail and housing developments beneficial to both the surrounding neighborhoods and the Borough in general.

5. In addition to being consistent with and promoting the goals and objectives of the 2008 Master Plan and advancing the purposes of the MLUL, the Ordinance also is consistent with the Amendment adopted by the Board on April 2, 2013. In Part F, Recommendations For The Rezoning Of The De Piero Farm Properties, the Board stated that it is vitally important "to ensure a high standard of planning and design for the development". As has been noted, significant design standards are included in the Ordinance which will ensure compliance with this recommendation. Consistent with the Amendment, "big-box" retail use is prohibited. As recommended, a large anchor store will be required to be constructed within the lifestyle retail center, and additional uses include apparel stores, restaurants, specialty-type retailers and theaters and performance venues. Consistent with the Amendment, the Ordinance details a specific itemization of permitted uses, the

vast majority of which would not impact existing establishments in the Borough's other business districts. In addition, any use not specifically permitted in the Ordinance, is deemed to be prohibited.

6. The Rezoning Recommendations detailed a concern that the thirty-two (32) units of affordable housing be constructed, indicating that a AH-PUD District will best ensure these units being developed. The Ordinance is consistent with this provision, requiring, as previously noted, the conveyance of property to the Borough for this purpose, with the Municipality having full control and responsibility for the development of the units.

7. The Ordinance in creating the AH-PUD District provides that the land area will be made available to the Borough that will ensure the creation of the thirty-two (32) affordable units, as well as the development and design of the lifestyle retail center. The bulk standards, extensive design standards and other requirements promote the Recommendations of the Amendment that there be a high standard of planning and design for the proposed development.

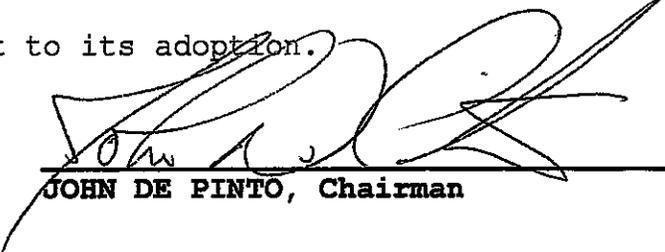
8. Based upon the foregoing conclusions, the Board finds that the Ordinance is substantially consistent with both the 2008 Master Plan and the Amendment adopted on April 2, 2013 and is intended to effectuate the goals, objectives and

recommendations detailed in both documents. Accordingly, the Board finds the Ordinance to be consistent therewith, as provided in N.J.S.A. 40:55D-62. This resolution shall constitute the Board's report on said Ordinance as required pursuant to N.J.S.A. 40:55D-26.

BE IT FURTHER RESOLVED by the Planning Board of the Borough of Montvale that a copy of this resolution shall be transmitted by the Planning Board Secretary to the Municipal Clerk immediately subsequent to its adoption.

Dated:

April 16, 2013



JOHN DE PINTO, Chairman

Certified to be a true copy of a resolution adopted by the Planning Board of the Borough of Montvale at its regular meeting on Tuesday, April 16, 2013, 2013.



R. LORRAINE HUTTEN, Secretary

**BOROUGH OF MONTVALE
ORDINANCE NO. 2013-1375**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the 9th day of April 2013 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 30th day of April, 2013 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi-Alwan, Municipal Clerk
Borough of Montvale

ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS CONCERNING PROMOTIONS IN THE POLICE DEPARTMENT

WHEREAS, the Borough of Montvale Police Department is in the process of obtaining Accreditation from the Commission of Accreditation for Law Enforcement Agencies ("CALEA") to better improve its standards and the quality of services provided to the Borough of Montvale; and

WHEREAS, in connection therewith, the Borough's Accreditation consultant and the Joint Insurance Fund have recommended certain changes to the Borough's promotion policy; and

WHEREAS, the Borough is desirous of adopting a comprehensive promotion policy to be administered by the Borough by and through the Chief of Police in order to establish a fully fair and open promotional process in the Borough of Montvale Police Department.

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. The following sections of Chapter 84 of the Code of the Borough of Montvale are hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§ 84-11. Grounds for removal.

Any member of the Police Department may be removed from office, suspended and/or fined, as herein provided for, in addition to any other punishment to which he may be subject by law, against whom any of the following charges may have been substantiated:

...

Y. Violation of the Montvale Police Department Rules and Regulations.

§ 84-12. Appointments as policemen.

All appointments as policemen of the Police Department of the Borough of Montvale shall be made from a list prepared by the Mayor and Council after examination and with special reference to the fitness of the person so appointed. Appointments shall be made for a probationary period of 12 months from the completion of the approved Police Training Commission (PTC) police certification courts, or for pre-certified appointees, 12 months from the date of hire, after which period, the probationary appointee may be eligible for a permanent appointment. Said list shall be in force for a period of one year from the time of certification. All appointments by the Mayor and Council to the Police Department shall be made from the list of applicants who have passed the written, oral and physical examinations as well as a comprehensive background investigation as provided in this ordinance, subject to the provisions hereof. [No appointment shall be made until said appointee shall have completed his basic training period of 12 months.]

§ 84-13. Examination by Examining Board required.

- A. Applicants for appointment to the Police Department of the Borough of Montvale shall be required to submit themselves to such examination as may be required by the Police Examining Board designated by the Chief of Police[Mayor and Council].
- B. No applicant shall receive consideration for appointment to the Police Department unless he shall have received a passing grade and successfully completed the entire appointment process as required by the Chief of Police. The Chief of Police will provide a list of finalists and recommendations to the Mayor and Council for consideration for appointment. [; provided, however, that the f]Final determination for appointment [as to the fitness of the appointee] shall be reserved to the [sole discretion of the] Mayor and Council.

§ 84-15. Promotions.

- A. Chief of Police.
 - (1) Whenever a vacancy or impending vacancy for the position of Chief of Police occurs within the Montvale Police Department, the Mayor will empanel an Examining Board to conduct evaluations of all applications, which may include but not be limited to written and oral skills, management ability, psychological assessment and other pertinent areas of performance-related matters. [All applicants shall submit to the Examining Board a resume outlining in detail experience and educational background. The Examining Board shall conduct evaluations of all applicants, which may include but not be limited to written and oral skills, management ability, psychological assessment and other pertinent areas of performance-related matters.] The Examining Board shall submit the name of at least one candidate to the Mayor for appointment.
 - (2) The Mayor and Council will determine application eligibility criteria before announcing the opening to members of the Police Department. All eligible applicants shall submit to the Examining Board a resume outlining in detail his or her experience and educational background. The Examining Board may require an independent examination by the New Jersey State Police Chiefs Association, the International Association of Chiefs of Police or other comparable testing entity. The testing entity will develop and conduct an grade an examination that will consist of a series of multiple-choice questions, or an oral examination and then grade the oral examination. The Mayor or his designee may submit or suggest any appropriate topic areas or questions to the outside testing entity to be included in the examination. These questions will be based upon police practices and may include police and investigative procedures,

- supervisory and administrative principles, New Jersey criminal law, report writing, search and seizure issues, New Jersey Attorney General Guidelines and Directives and legal aspects and requirements of police work. The Mayor or his designee shall provide a written announcement of the reading list or syllabus of possible sources of materials utilized in developing the test in order for candidates to prepare for the written examination.
- (3) The candidates will be required to submit to any additional testing or evaluations such as a psychological evaluation that the Examining Board deems appropriate.
- (4) [(2)] The Mayor may accept or reject the recommendation(s) of the Examining Board. If the Mayor selects a candidate recommended by the Examining Board, he shall appoint a Chief of Police, with the advice and consent of the Borough Council.
- (5) [(3)] If the Mayor does not find any candidate of the Examining Board to be suitable, he may select another person to fill the vacancy of Chief of Police and appoint said person, with the advice and consent of the Borough Council.
- (6) [(4)] In the event that the Mayor fails or refuses to make a selection as above provided for within a reasonable time after a vacancy in the office is determined to exist, then in such event, the Council may, on motion, appoint such person as it deems qualified, subject to the provisions of this ordinance.

B. All other promotions.

- (1) Whenever a vacancy in a higher rank occurs, the Chief of Police shall submit a request to the Mayor and Council to fill the vacancy. If approved, the Chief of Police will then initiate the promotion procedure as outlined by the current Promotion Policy in the Montvale Police Department. The Appropriate Authority (Montvale Mayor and Council) reserves the right to make the final determination for promotion from any one of the top three (3) scoring candidates from the sergeant, lieutenant or captain eligibility list. In the event of numerous promotional openings during the life span of the promotional list, the number 4, 5 and 6 ranking candidates may be considered if they have received a passing score on the total examination. In no case will a candidate be promoted over another candidate who was ranked more than two positions higher on the final eligibility list. The Chief of Police or his designee will provide the Mayor and Council with the eligibility list and provide advice to the Mayor and Council about the finalists. [, upon request, submit to the Mayor and Council the name(s) of qualified personnel to fill the vacant position. The Examining Board shall conduct an examination, written or oral, or both, as to physical, mental and other qualifications for such promotion and invite the recommendations of the Chief as well as other qualified candidates to participate in the evaluation process. A list of all candidates passing the examination shall be filed with the Mayor and Council for its review, The Mayor and Council shall interview each candidate and select the individual who, in its opinion, is best suited for the position, provided that the governing body deems it appropriate that such vacancy be filled.]
- (2) Eligibility for promotions, testing criteria, appeals processes as well as point valuation for seniority, education, performance and discipline are outlined in the Montvale Police Department Policy. [Applicants for promotion shall be required to submit themselves to an examination as may be required by the Examining Board. The Mayor shall appoint a Chief of Police subject to the same being confirmed by a majority vote of the Borough Council.]

- (3) All promotions shall be made in accordance with the Promotion Policy for the Borough of Montvale Police Department, a copy of which is on file in the Montvale Police Department. Notwithstanding the foregoing, the Chief of Police is expressly authorized to relax certain provisions of the Montvale Police Department Promotion Policy, as set forth within the Promotion Policy, when deemed necessary to meet the administrative needs of the Police Department. [The Examining Board shall conduct examinations, written or oral, or both, as to physical, mental and other qualifications for such promotions. Upon the holding of each examination, the Examining Board shall rate said applicants and certify the rating of all such applicants to the Mayor and Council. Promotions shall be made according to such ratings, giving consideration to length of service, knowledge of duties, ability, integrity, dedication to employment, responsibility and tactfulness in the conduct of duty by past record, and only after a personal interview with the Mayor and Police Committee.]

C. General provisions. Notwithstanding anything to the contrary, all promotions shall be made with due regard to the provisions of N.J.S.A. 40A:14-129 and N.J.S.A. 40A:14-130.

Section 2. Adoption of Promotion Policy.

The Mayor and Council hereby adopt the Promotion Policy attached hereto for the Borough of Montvale Police Department, a copy of which is on file in the Borough of Montvale Police Department. This Promotion Policy shall be effective immediately and shall supersede any prior promotion policy for the Montvale Police Department.

Section 3. 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 4. 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 5. 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 6. Effective Date.

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

ROGER FYFE, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN, RMC
Municipal Clerk

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:36 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
Councilmember Ghassali	Councilmember Talarico

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2013-1373 CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1.5% increase in the budget for said year, amounting to \$146,022.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$340,718.00, and that the CY 2013 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. **2013- 1373** 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 Lane; seconded by Councilmember Cudequest - all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Cudequest - 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 NO. 2013-1375 ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS CONCERNING PROMOTIONS IN THE POLICE DEPARTMENT
(public hearing April 30, 2013)

A motion to Introduce Ordinance **2013-1375** 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 Talarico - A roll call was taken – all ayes

PRESENTATION FOR THE RE-ZONING OF DE PIERO'S PROPERTY

There were two presentations of all relevant information in regards to the ordinance which included explanations of traffic studies, planning concerns, and other information associated with the proposed zoning change.

INTRODUCTION OF ORDINANCE NO 2013-1374 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128, ZONING, OF THE BOROUGH OF MONTVALE CODE TO ESTABLISH A NEW AH-PUD ZONE, TO ESTABLISH THE STANDARDS THEREOF AND TO IMPLEMENT CHANGES AND REVISIONS CONSISTENT WITH THE MASTER PLAN
(public hearing April 30, 2013)

A motion to Introduce Ordinance **2013-1374** for first reading was made by Councilmember Curry; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Cudequest - A roll call was taken - all ayes with the exception of Councilmember LaMonica abstention

PUBLIC HEARING 2013 MUNICIPAL BUDGET / POWERPOINT PRESENTATION

MEETING OPEN TO PUBLIC:

Municipal Budget Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Cudequest
- all ayes

Art Lavis, 20 Hilton Place

Ask about the budget newsletter, that in years past it was mailed to residents; he would like it to continue.

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

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

Resolution No. 88-2013 Adoption of 2013 Municipal Budget

Original Resolution prepared by Municipal Auditor which will be included with original minutes
Roll Call Vote was taken - All ayes

MINUTES:

March 26, 2013

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

RESOLUTIONS:

86-2013 Authorize Jr. Member/Montvale Fire Department/Nicolas Resendes

WHEREAS, the Montvale Fire Department is desirous of adding a junior reserve member; and
WHEREAS, Nicolas Resendes, 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 Nicolas Resendes, as a Junior Reserve Member of the Montvale Fire Department, is hereby approved.

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

87-2013 Award Contract/ Automated Logic / Service and Solutions Contract

WHEREAS, the Borough of Montvale is in need of a plan to provide automation for the heating and air conditioning system located at the Municipal Complex, 12 Mercedes Drive,

WHEREAS, the Borough of Montvale hereby enters into an agreement with Automated Logic f/k/a/ "The-Contractor", New Jersey, 100 Delawanna Avenue, Clifton, NJ to provide complete automation of the network for proper communication and maintenance of controls; and

WHEREAS, The on-going maintenance program will be scheduled, administered, monitored and updated by the Contractor

WHEREAS, the maintenance and services of this agreement shall be for effective for one (1) year starting June, 2013 at the annual cost of \$6,556.00 billed in semi-annual installments in the amount of \$3,278.00; and

WHEREAS, the Certified Municipal Finance Officer certified funds will be available in the 2013 budget line item of Building and Grounds

WHEREAS, the Montvale Free Public Library will pay their proportionate share in the amount of \$2,406.00; and

WHEREAS, the Borough Administrator is hereby authorized to execute this proposal on behalf of the Borough of Montvale

BE IT FURTHER RESOLVED, that a copy of this resolution be published in the newspaper and also will be available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Curry

Recreation

Day in the Park is scheduled for June 29th

Councilmember LaMonica

Clean up Day – April 20 – Lunch will be provided by Davey’s Locker

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. Fieldstone Turf Replacement will start end of June
- b. Magnolia Road Improvement - waiting to hear about grant
- c. Traffic Report is on the website

ATTORNEY REPORT:

Phillip Boggia, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

No Report

NEW BUSINESS:

Mayor Fyfe appointed Councilmember Ghassali as Commissioner for the DPW - a motion by Councilmember Talarico to approve appointment; seconded by Councilmember Curry – 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 Ghassali; seconded by Councilmember Cudequest - All ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

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

Meeting was adjourned at 10:00pm

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

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 89-2013**

RE: Tax Court Settlement / 152 Green Way / Mario Facendola

WHEREAS, the Mayor and Council of the Borough of Montvale have been advised of the proposed settlement of a property Tax Appeal filed by Mario Facendola and Debra Facendola (hereinafter the "Tax Appeal"), under Docket Numbers 017492-2011, and 017963-2012, and;

WHEREAS, the aforesaid tax appeal concerns a residential property located at 152 Green Way, Unit 52, and is otherwise referred to as Block 1002 Lot 6.52 Unit C0052 on the tax assessment maps 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 enclosed 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"

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

2011 Appeal: \$650,000

2012 Appeal: \$615,000

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cudequest						
Curry						
Ghassali						
LaMonica						
Lane						
Talarico						

Adopted: April 30, 2013

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Roger J. Fyfe
Mayor



**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 90-2013**

RE: Appointment Regular Member / Montvale Fire Department / Kenneth Warr, Jr.

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

WHEREAS, Kenneth Warr, Jr., 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 Kenneth Warr, Jr. as a Regular Member of the Montvale Fire Department, is hereby approved.

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cudequest						
Curry						
Ghassali						
LaMonica						
Lane						
Talarico						

Adopted: April 30, 2013

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Roger J. Fyfe
Mayor



**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 91-2013**

RE: A Resolution Rejecting All Bids for the 2013 and 2014 Street Sweeping Services and Related Work Contract and Authorizing a Re-Bid for these Services

WHEREAS, the Borough of Montvale did previously publicly solicit bids for the 2013-2014 Street Sweeping Services and Related Work Contract pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, in response to said solicitation, two (2) bids were received; and

WHEREAS, after review of these bids, it was determined that the apparent low bidder submitted a bid that contained an invalid bid bond and is therefore non-responsive to the solicitation; and

WHEREAS, the bid price submitted by the sole remaining bidder far exceeded the Borough's budgeted funds for this work; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-13.2*, the Borough of Montvale hereby elects to reject all bids received and to re-bid this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that all bids received for the 2013 and 2014 Street Sweeping Services and Related Work Contract are hereby rejected; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to re-solicit bids for this project.

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cudequest						
Curry						
Ghassali						
LaMonica						
Lane						
Talarico						

Adopted: April 30, 2013

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Roger J. Fyfe
Mayor

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the following bills, having been referred to the Borough Council and found correct, be and the same hereby be paid:

<u>FUND</u>	<u>AMOUNT</u>	<u>NOTES</u>
Current	\$1,781,929.48	Bill List Wire 4/30/13
	<u>209,534.09</u>	Wires/Manual Checks
Current TOTAL	1,991,463.57	
Escrow - Trust	58,782.43	Bill List Wire 4/30/13
Open Space Fund	1,100.00	Bill List Wire 4/30/13
Housing Trust	4,880.00	Bill List Wire 4/30/13
Capital	1,500.00	Bill List Wire 4/30/13
Engineering Trust	600.00	Bill List Wire 4/30/13

This resolution was adopted by the Mayor and Council of Montvale at a meeting held on 4/30/13

Introduced by: _____

Approved: 4/30/13

Seconded by: _____

Roger Fyfe, Mayor

ATTEST:

Maureen Iarossi-Alwan, Municipal Clerk

MANUAL/VOID CHECKS - WIRES
April 30, 2013

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Transaction/Vendor</u>	<u>Amount</u>
WIRE		4/11/13	Payroll Account	127,382.57
WIRE		4/11/13	Salary Account	76,732.52
WIRE		4/11/13	FSA Account	335.00
7521	13-00590	4/16/13	Apple Store	<u>5,084.00</u>
Total				<u>209,534.09</u>

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099
00135 PASCACK VALLEY MAYORS' ASSOC	13-00581 04/15/13 PRO-RATA SHARE FOR MEETING	1 PRO-RATA SHARE FOR MEETING	185.98	3-01-20-703-044		B PROFESSIONAL ASSOCIATION DUES	R	04/15/13	04/24/13		JAN. -MAR.	N
	Vendor Total:		185.98									
00139 MAUREEN IAROSSI-ALWAN	13-00619 04/22/13 PETTY CASH	1 PETTY CASH	12.06	3-01-20-701-036		B OFFICE SUPPLIES	R	04/22/13	04/24/13		APRIL	N
		2	60.00	3-01-20-704-042		B EDUCATION/TRAINING/SEMINARS	R	04/22/13	04/24/13		APRIL	N
		3	27.99	3-01-25-745-275		B HAWKEN, CHRISTOPHER - CLOTHING	R	04/22/13	04/24/13		APRIL	N
		4	113.06	3-01-25-745-041		B MEAL REIMBURSEMENT	R	04/22/13	04/24/13		APRIL	N
		5	39.00	3-01-25-745-045		B TRAVEL	R	04/22/13	04/24/13		APRIL	N
		6	30.00	3-01-42-855-042		B EDUCATION/TRAINING/SEMINARS	R	04/22/13	04/24/13		APRIL	N
		7	30.00	3-01-41-250-042		B EDUCATION/TRAINING/SEMINARS	R	04/22/13	04/24/13		APRIL	N
	Vendor Total:		312.11									
00142 PITNEY BOWES, INC.	13-00121 01/18/13 POSTAGE MACHINE LEASE & MAINT.	5 POSTAGE MACHINE LEASE AND	271.00	3-01-20-701-108		B MAINTENANCE/RENTAL AGREEMENTS	R	01/18/13	04/24/13		7467534-AP13	N
	Vendor Total:		271.00									
00146 PSE&G CO.	13-00604 04/17/13 PSE&G CHARGES /MARCH	1 6772525604 12 MERCEDES DR	1,262.97	3-01-31-829-078		B NATURAL GAS - 12 MERCEDES	R	04/17/13	04/24/13		MARCH	N
		2 6502643000 MEMORIAL DR SR CTR.	523.21	3-01-31-829-086		B NATURAL GAS - ONE MEMORIAL	R	04/17/13	04/24/13		MARCH	N
		3 6532701009 CHESTNUT RDG TS/ELE	210.52	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N
		4 6530025502 RAILROAD /REC.	183.91	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N
		5 6575412106 W GRAND/FIREHOUSE	518.31	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N
		6 6600192208 VLY VIEW TER	13.77	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N
		7 6673192003 W GRAND /GARAGE	314.46	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N
		8 6702243308 159 CHESTNUT RDG RD	226.68	3-01-31-829-070		B NATURAL GAS	R	04/17/13	04/24/13		MARCH	N

Vendor # Name	PO # PO Date Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice	Excl
00247	MONTVALE FREE PUBLIC LIBRARY										
	13-00232 02/05/13 LIBRARY PAYMENTS - 2013		B								
	3 LIBRARY PAYMENTS - 2ND QUARTER	45,561.00	3-01-29-800-029		B OTHER CONTRACTUAL ITEMS	R	02/05/13	04/24/13		2ND QUARTER	N
	Vendor Total:	45,561.00									
00258	ROCKLAND ELECTRIC										
	13-00562 04/09/13 ROCKLAND ELECTRIC CHARGES										
	1 2310843006 ALAYNA HOMEOWN.ASSO	24.26	3-01-38-854-029		B OTHER CONTRACTUAL ITEMS	R	04/09/13	04/24/13		MARCH	N
	2 0674933003 MEMORIAL DR SR CTR	65.64	3-01-31-825-086		B ELECTRICITY - 1 MEMORIAL	R	04/09/13	04/24/13		MARCH	N
	3 9555848004 BORO STR.LITES/APR.	5,731.18	3-01-31-826-075		B STREET LIGHTING	R	04/09/13	04/24/13		APRIL	N
	4 8822932014 12 MERCEDES DR	2,718.93	3-01-31-825-078		B ELECTRICITY - 12 MERCEDES	R	04/09/13	04/24/13		MARCH	N
	5 1908079006 MEMORIAL GATE TRFC	10.07	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	6 0052060009 CHESTNUT RDG TFLT	27.33	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	7 9534844006 SPRING VALLEY TFLT	21.62	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	8 0700055009 HUFF TER PUMP 57088	245.04	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	9 9704932006 W GRAND MTLBX TFLT	40.38	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	10 4725845003 SUMMIT OTHR FIRE	9.33	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	11 5103845008 CHESTNUT/SUMM TFLT	54.53	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	12 5208845000 159 CHESTNUT RDG RD	30.00	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	13 0897137012 MEMORIAL LITE FIELD	43.48	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	14 2413158015 13 W GRAND FIRE	8.82	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	15 0027002008 42 W GRAND FIRE	8.82	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	16 0563019009 GRAND SOKP 67/62	20.67	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	17 0787127002 GRAND SOKP 75/77	15.88	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	18 0195092007 GRAND SOKP 87/97	29.93	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	19 0632933003 W GRAND OTHR UNMTR	9.33	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	20 8906935008 E GRAND UNMTR TFLT	13.18	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	21 9515932009 GRAND UNMTR TFLT	49.80	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	22 5229845000 LA TRENTA FLD LTS	31.91	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	23 0357844001 SUMMIT OTHR TFLT	94.39	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	24 1619931002 VALLEY VTEW SEWER	300.30	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	25 9263932000 GRAND AVE TFLT 2	23.47	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	26 5985845006 CHESTNUT RDG MTLBX	26.64	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	27 9683932013 GRAND TFLT 57400	41.93	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	28 1472933002 GRAND AVE TFLT 1	64.82	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	29 1451933002 1 MEMORIAL SHED 2	14.20	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N
	30 0758933005 1 MEMORIAL SHED 1	10.17	3-01-31-825-071		B ELECTRICITY	R	04/09/13	04/24/13		MARCH	N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice	1099 Exc
00731 MASER CONSULTING P.A.	13-00083 01/10/13 ENGINEER RETAINER - 2013			B							
	3 PROFESSIONAL SERVICES		900.00	3-01-20-715-028	B OTHER PROF/CONSULTANT SERVICES	R	01/10/13 04/24/13	202699			N
13-00491 03/22/13 ESCROW PAYMENTS											
	1 DAVEY'S IRISH PUB 2802/7&8		495.00	E-08-00-207-14A	B Davey's Irish Pub 2402/7&8	R	03/22/13 04/24/13	200706			N
	2 DAVEY'S IRISH PUB 2402/7&8		740.00	E-08-00-207-14A	B Davey's Irish Pub 2402/7&8	R	03/22/13 04/24/13	200707			N
	3 LIFETIME FITNESS 3302/2		17,087.50	E-08-00-211-02A	B LTF Real Estate Company Inc. (3302/2)	R	03/22/13 04/24/13	200710			N
	4 ORANG./ROCKL. TOWER 1706/19		2,075.00	E-08-00-212-09A	B ROCKLAND ELECTRIC-TOWER 26 (1706/19)	R	03/22/13 04/24/13	200711			N
	5 RECTT BENCKISER 3201/1		75.00	E-08-00-209-15A	B RECKITT BENCKISER 3201/1	R	03/22/13 04/24/13	200705			N
			20,472.50								
13-00497 03/25/13 MONTVALE SENIOR HOUSING											
	1 MONTVALE SENIOR HOUSING		4,250.00	T-03-56-286-006	B TRUST - RESERVE FOR HOUSING	R	03/25/13 04/24/13	200704			N
13-00509 03/26/13 ESCROW PAYMENTS											
	1 FOUR SEASONS 3301&3102/3&4/1		3,434.00	E-08-00-204-09A	B HOUVNANIAN 3301/3&4 4SEAS/RDG	R	03/26/13 04/24/13	198447			N
	2 FOUR SEASONS 3301&3102/3&4/1		1,000.00	E-08-00-204-09A	B HOUVNANIAN 3301/3&4 4SEAS/RDG	R	03/26/13 04/24/13	200702			N
			4,434.00								
13-00510 03/26/13 ESCROW PAYMENT DEPIERO											
	1 DEPIERO REZONING 2802/2&3		15,898.50	E-08-00-210-21A	B Montvale Devl Assoc (1903/3)DePiero's	R	03/26/13 04/24/13	200684			N
13-00547 04/04/13 ESCROW PAYMENT ENCLAVE											
	1 ENCLAVE @ MONTVALE 2601/32.01		1,575.00	E-08-00-208-14A	B ENCLAVE AT MONTVALE 2601/32.01	R	04/04/13 04/24/13	200703			N
13-00549 04/04/13 ESCROW PAYMENT AMAZING GRACE											
	1 AMAZING GRACE 2408/3		2,395.00	E-08-00-212-08A	B AMAZING GRACE PARTNERS LLC (2408/3)	R	04/04/13 04/24/13	200712			N
13-00565 04/09/13 QUINN HUGHES 204/8											
	1 QUINN HUGHES 204/8		225.00	T-03-56-286-008	B TRUST - RESERVE FOR ENGINEER	R	04/09/13 04/24/13	200700			N
13-00584 04/15/13 NELSON / HARTMAN											
	1 NELSON 1201/33		187.50	T-03-56-286-008	B TRUST - RESERVE FOR ENGINEER	R	04/15/13 04/24/13	202706			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099
01055 VALLEY HEALTH MEDICAL GROUP	13-00545 04/04/13 DOT TESTING 1ST QUARTER 2013	1 DOT TESTING 1ST QUARTER 2013	99.00	3-01-26-765-093	B MEDICAL EXAMS/TESTING	R	04/04/13	04/24/13	155030			N
	Vendor Total:		99.00									
01062 PHILLIPS PREISS GRYGIEL LLC	13-00507 03/26/13 ESCROW PAYMENTS	1 AMAZING GRACE 2408/3	525.00	E-08-00-212-08A	B AMAZING GRACE PARTNERS LLC (2408/3)	R	03/26/13	04/24/13	16842			N
		2 VINARI ENTERPRISES 1601/24	1,305.00	E-08-00-213-02A	B Vinari Enterprises (1601/24)	R	03/26/13	04/24/13	16810			N
	Vendor Total:		1,830.00									
13-00508 03/26/13 ESCROW PAYMENT DEPIERO	1 DEPIERO REDEVELOPMENT		3,886.50	E-08-00-210-21A	B Montvale Devl Assoc (1903/3)DePiero's	R	03/26/13	04/24/13	16882			N
13-00511 03/26/13 MONTVALE-FAIR SHARE	1 MONTVALE-FAIR SHARE		300.00	T-03-56-286-006	B TRUST - RESERVE FOR HOUSING	R	03/26/13	04/24/13	16881			N
	Vendor Total:		6,016.50									
01065 OCEAN CLEAN LLC.	12-00972 06/13/12 CONTRACT FOR CLEANING SVS	12 CLEANING SERVICE APRIL 2013	3,500.00	2-01-26-772-024	B CLEANING/MAINT OF BLDG/FACILITY	R	01/07/13	04/24/13	30386			N
	Vendor Total:		3,500.00									
01132 COOPERATIVE COMMUNICATIONS, INC	13-00552 04/04/13 2013915700 BORO MONTVALE PHONE	1 2013915700 MONTVALE BOROUGH	2,137.68	2-01-31-827-078	B TELEPHONE - 12 MERCEDES	R	04/04/13	04/24/13	MARCH			N
	Vendor Total:		2,137.68									
01134 RESERVE ACCOUNT	13-00522 03/29/13 COURT POSTAGE 1ST QUARTER	1 COURT POSTAGE 1ST QUARTER	574.75	3-01-42-855-022	B POSTAGE & EXPRESS CHARGES	R	03/29/13	04/24/13	1ST QTR.			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date Date	Chk/Void Date	Invoice	1099 Excl
01134 RESERVE ACCOUNT			Continued								
13-00522 03/29/13 COURT POSTAGE 1ST QUARTER			Continued								
2 COURT POSTAGE 1ST QUARTER			574.75	3-01-41-250-022	B POSTAGE AND EXPRESS CHARGES	R	03/29/13	04/24/13		1ST QTR.	N
			1,149.50								
			Vendor Total:	1,149.50							
01156 HESS CORPORATION											
13-00577 04/11/13 HESS ELECTRIC CHARGE /MARCH											
1 0128933004 KINDERKAMCK RD			140.73	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
2 0563019009 GRAND SOPK 67/62			18.16	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
3 0590933001 35 W GRAND AVE			251.42	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
4 0611933003 MEMORIAL DR DPW			522.86	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
5 0674933003 MEMORIAL DR SR CTR.			242.00	3-01-31-825-086	B ELECTRICITY - 1 MEMORIAL	R	04/11/13	04/24/13		ES13763974+	N
6 0700055009 HUFF TER PUMP			292.50	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
7 0758933005 MEMORIAL SHED 1			0.15	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
8 0787127002 GRAND SOPK 75/77			10.90	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
9 1451933002 MEMORIAL SHED 2			0.30	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
10 1619931002 VALLEY VIEW SEMER			295.56	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
11 2310843006 ALAYNA HOME OMN ASS			15.54	3-01-38-854-029	B OTHER CONTRACTUAL ITEMS	R	04/11/13	04/24/13		ES13763974+	N
12 4725845003 SUMMIT OTHR UNMTR 1			0.97	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
13 5103845008 CHESTNUT OTHR UNMTR			69.39	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
14 5208845000 159 CHESTNUT RDG RD			24.20	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
15 5985845006 CHESTNUT RDG MTLBX			19.12	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
16 8822932014 12 MERCEDES DR			3,913.93	3-01-31-825-078	B ELECTRICITY - 12 MERCEDES	R	04/11/13	04/24/13		ES13763974+	N
17 8906935008 E GRND OTHR UNMTR			6.79	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
18 9494934001 S MIDDLETON RD			271.21	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
19 9515932009 GRAND AVE OTHR UNMT			62.22	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
20 9534844006 SPRING VALLEY MTLBX			17.48	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
21 9767932024 CHESTNUT RDG TFLT			18.97	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
22 0632933003 W GRAND AVE			0.97	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
23 9263932000 E GRAND AVE TFLT			14.34	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
24 0157026009 MEMORIAL LITE FLD			7.15	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
25 0195092007 GRAND SOPK 87/97			36.23	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
26 0716933005 MEMORIAL TENNIS CRT			21.10	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
27 0897137012 3 MEMORIAL LT FIELD			14.99	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N
28 5229845000 LA TRENTA FLD LITES			29.80	3-01-31-825-071	B ELECTRICITY	R	04/11/13	04/24/13		ES13763974+	N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099	Excl
01156 HESS CORPORATION	13-00577 04/11/13 HESS ELECTRIC CHARGE /MARCH	Continued											
	29 9555848004 BORO STREET LITES	2,348.70	3-01-31-826-075			B STREET LIGHTING	R	04/11/13	04/24/13	APRIL			
		8,667.68											
13-00579 04/11/13 HESS GAS CHARGES /MARCH													
	1 613984/614281 43 HUFF TERR	1.08	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523313			N
	2 613984/614275 RAILROAD/REC.	193.23	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523310			N
	3 613984/614277 159 CHETNUT RDG	240.20	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523314			N
	4 613984/614276 W GRAND FIRE	572.68	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523311			N
	5 613984/614279 VLY VIEW TERR	3.82	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523308			N
	6 613984/614278 31 W GRAND DPW	340.12	3-01-31-829-070			B NATURAL GAS	R	04/11/13	04/24/13	H13523309			N
	7 613984/614282 MEMORIAL DR SR C	574.54	3-01-31-829-086			B NATURAL GAS - ONE MEMORIAL	R	04/11/13	04/24/13	H13523307			N
	8 613984/614280 12 MERCEDES DR	1,508.45	3-01-31-829-078			B NATURAL GAS - 12 MERCEDES	R	04/11/13	04/24/13	H13523312			N
		3,434.12											
	Vendor Total:	12,101.80											
01293 NJ DIV.PENSIONERS & BENEF./DCRP	13-00255 02/07/13 DCRP GROUP LIFE INS./DTS.-1013												
	10 DCRP LONG TERM DISABILITY	19.51	3-01-36-846-029			B OTHER CONTRACTUAL - DCRP	R	02/07/13	04/24/13	PLAN #316149			N
	11 DCRP GROUP LIFE INSURANCE	46.61	3-01-36-846-029			B OTHER CONTRACTUAL - DCRP	R	02/07/13	04/24/13	PLAN #316149			N
		66.12											
	Vendor Total:	66.12											
01306 IPREO	13-00315 02/19/13 BONDS ISSUED-ELECTRONIC DISTR.												
	1 ORDINANCE #2008-1287	23.78	C-04-55-287-C00			B INSTALL VEHICLE EXHAUST - DPW	R	02/19/13	04/24/13	BONDS			N
	2 ORDINANCE #2009-1305	48.81	C-04-55-305-A00			B VARIOUS ROAD IMPROVMENTS	R	02/27/13	04/24/13	BONDS			N
	3 ORDINANCE #2011-1348	41.99	C-04-55-348-B01			B INSTALLATION OF FIRE HOUSE ROOF	R	02/27/13	04/24/13	BONDS			N
	4 ORDINANCE #2011-1348	25.91	C-04-55-348-D01			B PURCHASE OF UTILITY VEHICLE	R	02/27/13	04/24/13	BONDS			N
	5 ORDINANCE #2011-1348	89.34	C-04-55-348-E01			B SANITARY SEWER SYSTEM / GABION WALLS	R	02/27/13	04/24/13	BONDS			N
	6 ORDINANCE #2011-1348	25.91	C-04-55-348-F01			B PURCHASE OF UTILITY VEHICLE	R	02/27/13	04/24/13	BONDS			N
	7 ORDINANCE #2011-1348	262.66	C-04-55-348-G01			B CONSTRUCTION OF SALT STORAGE SHED	R	02/27/13	04/24/13	BONDS			N
	8 ORDINANCE #2011-1348	120.61	C-04-55-348-H01			B REPLACE HEADWALL/CULVERT - HUFF TERRACE	R	02/27/13	04/24/13	BONDS			N
	9 ORDINANCE #2011-1348	14.29	C-04-55-348-I01			B REPLACE OVERHEAD GARAGE DOOR	R	02/27/13	04/24/13	BONDS			N
	10 ORDINANCE #2011-1348	6.25	C-04-55-348-I02			B RESURFACE GARAGE FLOOR	R	02/27/13	04/24/13	BONDS			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Enc Date	Date	Chk/Void	Invoice	1099	Excl
01306 IPREO	13-00315 02/19/13 BONDS ISSUED-ELECTRONIC DISTR.	Continued												
	11 ORDINANCE #2011-1348	39.31	C-04-55-348-301			B REPLACE TRUCK BODY	R	02/27/13	04/24/13		BONDS		N	
	12 ORDINANCE #2011-1348	13.40	C-04-55-348-302			B ACQUISITION OF SNOW PLOW	R	02/27/13	04/24/13		BONDS		N	
	13 ORDINANCE #2011-1348	787.74	C-04-55-348-301			B ROAD IMPROVEMENTS	R	02/27/13	04/24/13		BONDS		N	
		1,500.00												
	Vendor Total:	1,500.00												
01310 IIMC	13-00559 04/09/13 MEMBERSHIP DUES THROUGH 3/2014	160.00	3-01-20-704-044			B PROFESSIONAL ASSOCIATION DUES	R	04/09/13	04/24/13		ID #5192		N	
	1 ANNUAL MEMBERSHIP DUES	160.00												
	Vendor Total:	160.00												
01328 EMELCOTT ASSOCIATES, INC.	13-00553 04/04/13 CARBON MONOXIDE INVESTIGATION	2,791.54	3-01-26-765-029			B OTHER CONTRACTUAL ITEMS	R	04/04/13	04/24/13		130254		N	
	1 CARBON MONOXIDE INVESTIGATION	2,791.54												
	Vendor Total:	2,791.54												
01329 PASCACK PRESS	13-00561 04/09/13 ADVERTISEMENT-DEPIERO'S MTG	224.00	3-01-20-701-021			B ADVERTISING	R	04/09/13	04/24/13		30633		N	
	1 ADVERTISEMENT - DEPIERO'S	224.00												
	Vendor Total:	224.00												
01330 MIKE GHASSALI	13-00575 04/11/13 REIMBURSEMENT/I-PAD COVERS	71.92	3-01-20-703-059			B COMPUTER EQUIPMENT S/W & SUPPL	R	04/11/13	04/24/13		REIMB.I-PAD COV N		N	
	1 REIMBURSEMENT/I-PAD COVERS	71.92												
	Vendor Total:	71.92												
01332 APPLE STORE	13-00602 04/17/13 MacBook Air/Appel Care/USB	1,329.00	3-01-20-701-059			B COMPUTER EQUIPMENT S/W & SUPPL	R	04/17/13	04/24/13		137937627-22006 N		N	
	1 MacBook Air 13-inch:256GB	1,329.00												
	2 AppleCare Protection Plan	224.00	3-01-20-701-059			B COMPUTER EQUIPMENT S/W & SUPPL	R	04/17/13	04/24/13		137937627-22006 N		N	

Vendor # Name	PO # PO Date Description	Item Description	Amount	Charge Account	Contract PO Type	Acct Type Description	Stat/Chk	First Rcvd	Enc Date	Date	Chk/Void	Invoice	1099	Excl
03871 THE RIDGE DINER	13-00556 04/05/13 Meals reimbursement	1 Meals reimbursement	53.00	3-01-26-765-041	B	MEAL REIMBURSEMENT	R	04/05/13	04/24/13		779951		N	
Vendor Total:			53.00											
Total Purchase Orders:		97	Total P.O. Line Items:	238	Total List Amount:	1,848,791.91	Total Void Amount:	0.00						

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total
CURRENT FUND 2012 BUDGET	2-01	24,696.89	0.00	24,696.89	0.00
CURRENT FUND 2013 BUDGET	3-01	1,757,232.59	0.00	1,757,232.59	0.00
CAPITAL FUND	C-04	1,500.00	0.00	1,500.00	0.00
BANK OF AMERICA ESCROW ACCOUNT	E-08	58,782.43	0.00	58,782.43	0.00
OTHER TRUST ACCOUNT	T-03	5,480.00	0.00	5,480.00	0.00
OPEN SPACE TRUST ACCT	T-14	1,100.00	0.00	1,100.00	0.00
Year Total:		6,580.00	0.00	6,580.00	0.00
Total of All Funds:		1,848,791.91	0.00	1,848,791.91	0.00