

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:43PM. 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 - absent | Councilmember LaMonica |
| Councilmember Curry | Councilmember Lane |
| Councilmember Ghassali - absent | Councilmember Talarico |

ORDINANCES

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

A motion to open the meeting on agenda items only by Councilmember Lane; seconded by Councilmember LaMonica - all ayes

NO PUBLIC COMMENT

A motion to close the meeting on agenda items only by Councilmember Lane; seconded by Councilmember Talarico - all ayes

MEETING CLOSED TO PUBLIC

Agenda Items Only

Governing Body's Acknowledgement/Review/Best Practices Inventory/Results/Discussion:

(Kenneth Sesholtz, CMFO)

The administrator/clerk explained that one of the requirements for the State's Best Practices Inventory checklist is to have it placed on an agenda for discussion and to answer any questions or concerns the governing body may have. Ken Sesholtz reiterated that the municipality meets the requirements to continue to receive State Aid. Councilmember Lane suggested putting the checklist on the borough's website.

MINUTES:

September 24, 2013

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Curry - all ayes Councilmember LaMonica abstained; Mayor Fyfe's voted - aye

RESOLUTIONS:

172-2013 Authorize Payment #2 Final Payment/Memorial & LaTrenta Sports Courts Improvements/Sita Construction Co. Inc.

WHEREAS, a Contract was awarded by Resolution No. 111-2013 on June 25, 2013 in the amount \$107,234.00 for the base bid and base bid 3 to SITA Construction Co., Inc., 7 Yankee Maid Lane, Goshen, New York for the Improvements to Memorial and LaTrenta Tennis Courts; and

WHEREAS, on September 24, 2013 Payment No. 1 was authorized via Resolution No. 165-2013; and

WHEREAS, the Borough Engineer, in a letter dated September 18, 2013 attached to the original of the resolution takes no exception to Payment No. 2 Final Payment in the amount of \$20,372.68; and

WHEREAS, the Municipal Finance Officer has certified funds are available as outlined in the Certification of Funds as attached to the original of this Resolution.

NOW, THEREFORE BE IT RESOLVED by the Borough of Montvale as follows:

1) Payment #2 Final Payment in the amount of \$20,372.68 be authorized and paid to Sita Construction Co. Inc.

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

173-2013 Authorize Hiring / Part Time On Call / Crossing Guard /Jean Turi

WHEREAS, the Montvale Police Department desires to hire a part-time on call crossing guard in the Borough of Montvale; and,

WHEREAS, Jean Turi has met the qualifications for this position, agrees to the terms and conditions of employment; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to the position of Part-time On Call Crossing Guard, effective September 13, 2013.

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

174-2013 Settlement Agreement / K. Hovnanian North Jersey Acquisitions, LLC v. Planning Board of the Borough Montvale”, Docket No. BER-L-9574-11

WHEREAS, there has been pending in the Superior Court of New Jersey, Law Division, a matter entitled, “K. Hovnanian North Jersey Acquisitions, LLC v. Planning Board of the Borough Montvale”, Docket No. BER-L-9574-11, which challenges a denial by the Planning Board of a one hundred (100) unit inclusionary development application on premises designated as Block 302, Lots 1 and 4 and Block 1002, Lot 7 as depicted on the Borough tax map; and

WHEREAS, said application proposed the construction of one hundred (100) townhomes, of which twenty (20) would be available to persons of low and moderate income; and

WHEREAS, after considerable negotiations, K. Hovnanian and the Planning Board agreed to a settlement which would reduce the number of units from one hundred (100) to eighty (80), of which six (6) would be available to persons of low and moderate income; and

WHEREAS, of the eighty (80) units proposed under the settlement, sixty (60) would be stacked townhomes and twenty (20) traditional townhomes, with six (6) of the sixty (60) townhomes being available to persons of low and moderate income; and

WHEREAS, a Decision and Order by the Honorable Alexander H. Carver, III dated August 29th and 30th, 2013, respectively, approves the settlement as being fair to persons of low and moderate income and further remands the matter to the Planning Board for the conducting of a hearing pursuant to **Whispering Woods v. Middletown Township**, 220 N.J. Super 161 (Law Div. 1987); and

WHEREAS, a Settlement Agreement has been executed on behalf of K. Hovnanian North Jersey Acquisitions, LLC and the Planning Board; and

WHEREAS, the Borough of Montvale is required to execute a copy of this Settlement Agreement because of certain terms in the agreement and due to the necessity of a Fairness Hearing which was conducted by the Superior Court.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Mayor and Borough Clerk are hereby authorized to execute the Settlement Agreement on behalf of the Borough.

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - 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

Local BOE

District safety and security meeting was held in attendance was Police Chief and Lt Boman; one of the topics discussed was "how to respond to various crisis situations"; Week of Respect designated Oct 7-11; Anti-bullying Law requires that the first full week of October be designated "Week of Respect"

Recreation

Halloween Carnival is scheduled for October 25th ; fall programs have begun;

Board of Health

Flu clinic was held Saturday, Sept 28th;

Construction

Ahead from this time last year; total permits increased from last year;

Councilmember LaMonica

Seniors

Montvale Commons now accepting applications, there are 28 units available;

Tree Ordinance Committee

Very productive meetings; moving along quickly;

Tri-boro Shuttle

Doubled its rider ship

Chamber of Commerce

Conrad Rotondella is doing well and resting at home; The chamber discussed having an all in one holiday party including town officials and volunteers;

Councilmember Lane

Fire Dept

17 fires; 1 drill; Chief Miller asked at last meeting if they can form a committee to start the process of replacing a truck for delivery 2015; Fire Prevention Week;

Finance

Looking forward to the 2014 budget process, he would like to keep everyone informed of how the State would like all municipalities to proceed financially to better understand the budget process.

Reminder Special Election is Wednesday, October 16th

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

42 calls; 616 miles; 42.3 hours; 134 crew hours all by Montvale

Local Assistance Board

Dry goods are helpful but most helpful are gift cards because of the monetary value and can be used on a broader scale.

Mayor Fyfe

Library

No report from the Library

Two teachers received grants; one teacher is from Fieldstone and the other at St Joe's; the grants are from the Bergen County Utilities Authority. The title of the grant is "Environmental Awareness Challenge Grant"

Would also like to recognize a Pascack Hills student as Athlete of the Week Brianna Musco; Mayor Fyfe read a proclamation in her honor.

ENGINEER'S REPORT:

Andy Hipolit
Report/Update

Updates

- Magnolia Ave

A preconstruction meeting was held; the county needs to coordinate their schedule because of the culvert issue; will start within the next few weeks.

- Fieldstone School

Turf replacement has begun

- Akers Ave

Monies leftover from the DOT grant; The DOT has approved utilizing the remainder monies for curbing and drainage; Should start within the next few weeks;

- Flow Monitoring

A proposal will be submitted shortly to see the options at hand;

ATTORNEY REPORT:

Phil Boggia, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

- a. Request Memorial School PTO Truck-or-Treat/Halloween/10/27-2-4 p.m./Memorial Drive

A motion to grant permission by Councilmember Lane; seconded by Councilmember LaMonica – all ayes

- b. Request Permission to Attend NJ League of Municipalities Conference / Nov 18-19

- Cindy Petersen
- Lorraine Hutter

A motion to grant permission to attend by Councilmember Lane; seconded by Councilmember Talarico – all ayes

- c. Proposed Installation / Flashing Signs / Spring Valley Road / Discussion

Mayor Fyfe explained that at the corner of Spring Valley Road and Edgren Way some parents have concerns with their children crossing to school, if a crosswalk or signs can be placed there for safety reasons. After a brief discussion, it was decided to have the Police Dept do a speed study first.

COMMUNICATION CORRESPONDENCE:

None.

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Talarico - All ayes

NO PUBLIC COMMENT

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held October 29, 2013 at 7:30 p.m.

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

Meeting was adjourned at 8:27pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk