



# Borough Of Montvale

12 Mercedes Drive  
Montvale, NJ 07645  
(201) 391-5700

## Planning Board Major Subdivision Application

Date: \_\_\_\_\_

**Please note: 17 sets of the completed application form must be submitted to the Board Secretary**

**ALSO NOTE: UNFOLDED PLANS WILL NOT BE ACCEPTED**

Please indicate the purpose of this application:

Major Subdivision Classification/Sketch Plat Review

Preliminary Subdivision Plat Approval

Final Subdivision Plat Approval

Amendment to Approved Final Subdivision Plat

### Part 1

1a. Name of Applicant: \_\_\_\_\_

1b. Street: \_\_\_\_\_

1c. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_

1d. Phone: \_\_\_\_\_

1e. Email: \_\_\_\_\_

2. Is the above listed applicant:

an individual

a partnership

a corporation

or other \_\_\_\_\_

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

- 4a. Name of Attorney: \_\_\_\_\_
- 4b. Firm: \_\_\_\_\_
- 4c. Street: \_\_\_\_\_
- 4d. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_
- 4e. Phone: \_\_\_\_\_
- 4f. Email: \_\_\_\_\_

5. To whom should correspondence and notices be sent?

- 5a. Name: \_\_\_\_\_
- 5b. Street: \_\_\_\_\_
- 5c. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_
- 5d. Phone: \_\_\_\_\_
- 5e. Email: \_\_\_\_\_

6. Montvale Tax Assessment Map description of land proposed to be subdivided:

- 6a. Block: \_\_\_\_\_ 6b. Lot: \_\_\_\_\_
- 6c. P.O. Street Address: \_\_\_\_\_
- 6d. Nearest Cross Streets: \_\_\_\_\_
- 6e. Zone District: \_\_\_\_\_

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

- Contract purchaser
- Contract tenant
- Attorney for record owner
- Other: Describe: \_\_\_\_\_

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

- Yes
- No

If yes, give the dates, details and disposition of the previous proceedings:

10. Has an application been submitted to the Bergen County Planning Board?

Yes

No

If yes, give the dates, details and status of the application:

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

11. Are the following documents attached and made a part of this application:

- |     |    |   |
|-----|----|---|
| Yes | No | Certification of Applicant  |
| Yes | No | Affidavit of Consent of Record Owner  |
| Yes | No | Certification of Payment of Taxes<br>(attach copy of certification of tax collector as to status of real property taxes related to subject property)                                      |
| Yes | No | Completed Subdivision Checklist   |
| Yes | No | Proof of Ownership or Property Interest<br>(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing) |
| Yes | No | W-9 Form  |

If any of the above items are checked no, state why:

## Part 2

1. Is the following document attached and made a part of this application:

- |     |    |   |
|-----|----|---|
| Yes | No | Proof of Notification to Property Owners<br>(attach copy of notice and proof that at least 10 days prior to date set for hearing, property owners within 200' of the subject property have been notified in accordance with the Municipal Land Use Act) |
|-----|----|---|

If checked no, state why:

2. Provide below the names and addresses of the property owners notified:

### **Part 3 - Application for Zoning Variance Relief**

In connection with your application for subdivision zoning variance relief from the terms of the comprehensive Revised Montvale Zoning Ordinance, as amended and supplemented, please set forth:

A. The Section(s) of the applicable Ordinance(s) of the Borough of Montvale from which deviation relief is requested:

B. The nature of the Zoning Variance relief requested:

C. In what manner, in this particular case, the literal enforcement of the provisions of said sections is impracticable and will exact undue hardship because of peculiar conditions pertaining to the premises which are the subject of this application::



Application prepared by: \_\_\_\_\_

Name

Address

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Part 5 - Certification of Applicant**

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

Signature of Applicant \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Part 6 - Affidavit of Consent of Record Owner**

State of \_\_\_\_\_)

SS:

County of \_\_\_\_\_)

\_\_\_\_\_, of full age,

having duly sworn, according to law on his oath, deposes and says that

he resides at \_\_\_\_\_

in the \_\_\_\_\_ of \_\_\_\_\_

in the County of \_\_\_\_\_

in the State of \_\_\_\_\_

that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Borough of Montvale aforesaid, and known and designated as

Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, and that he hereby consents

and authorizes the applicant to make the within application.

\_\_\_\_\_  
Signature of Record Owner

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Part 7 - Certification of Payment of Taxes**

Date: \_\_\_\_\_

I, \_\_\_\_\_ Tax Collector of the Borough of Montvale, hereby certify that the property taxes on the property known as Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, as shown on the Borough Tax Assessment Maps, have been paid through the \_\_\_\_\_ quarter and that the taxes on the aforementioned property are not past due nor are there any penalties, assessments, or interest due or outstanding as of this date.

\_\_\_\_\_  
Signature of Tax Collector

**Part 8 - Checklist for Major Subdivision Requirements**

Date Submitted: \_\_\_\_\_ (30 days before) for

Meeting on: \_\_\_\_\_

Latest acceptance date: \_\_\_\_\_ (within 45 days from submission)

**Plans prepared by:**

Professional Engineer: \_\_\_\_\_

NJ License #: \_\_\_\_\_

Land Surveyor: \_\_\_\_\_

NJ License #: \_\_\_\_\_

Architect: \_\_\_\_\_

NJ License #: \_\_\_\_\_

## **Fees**

Section 56-11 & 12

Preliminary Major Subdivision and Variance Applications

see [Fee Schedule](#)

Final Major Subdivision

see [Fee Schedule](#)

Escrow Deposit - all escrow deposits must be accompanied by a W-9 form

Section 56-12b

Major Subdivision Preliminary Plat Deposit Requirements

see [Fee Schedule](#)

Final Subdivision

see [Fee Schedule](#)

## **Map Requirements**

Fully completed application in duplicate

Attach all required certifications, affidavits, notices and proofs in duplicate

Attach 17 "Seal Stamped" copies of sketch plat

Attach 17 copies of 11"x17" copy of sketch plat

## **Scale and Dimensions**

At least 16" x 26", but not more than 24" x 36"

Scale 1"=10', 1"=20', 1"=30", 1"=40', 1"=50'

## **Plat Details**

Title of development

North arrow

Graphic scale

Reference meridian

Block & lot number

Name and address of record owner

Name and address of applicant

If the owner of the premises is other than an individual, the name and address of the partners or officers of the entity making the submission

Certification of owner, if other than applicant, authorizing submission

Date, along with all revisions noted and dated

Key map showing the location of the tract with reference to the surrounding properties within 200' of all boundaries of the lands being subdivided and existing street intersections

All distances shall be in feet and decimals of a foot and all bearing shall be given to the nearest 10 seconds

The names, as shown on the current tax records, of all owners of property within 200' of the subdivision, together with the block and lot numbers of the said property

The zone district in which the parcel is located

Zone boundaries within 200' of the extreme limits of the property in question

Zoning limiting schedule requirements applicable to parcel being subdivided

Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets, lots, reservations easements and areas dedicated to public use, including grants, restrictions and rights-of-way

Reference to any existing or proposed covenants, deed restrictions, or exceptions covering all or any part of the parcel

The distances, measured along the Right-of-Way lines of existing streets abutting the property, to the nearest intersections with other public streets

Location of all existing and proposed storm drainage structures and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow, location of inlets, manholes or other appurtenances and appropriate invert and other elevations

If any existing utility lines are underground, the estimated location of said utility lines shall be shown

Included shall be plans and profiles of storm drains, sanitary sewers, water mains and other structures

Existing and proposed contours with contour interval of 1' for slopes of less than 3%; an interval of 2' for slopes of more than 3% but less than 15%; an interval of 5' for slopes of 15% or more

Existing contours are to be indicated by dash lines: and proposed contours are to be indicated by solid lines

All contours elevations shall be referenced to the United States coast and geodetic survey level bench marks, and such elevations shall be shown in feet and hundredths of a foot

Location of existing rock outcrops, high points, water courses, depressions, ponds, marshes, wooded areas and other significant existing features, including previous flood elevations of watercourses, ponds and march areas as determined by survey

All trees exhibiting a diameter of 6" or more, measured 4' above the ground, shall be specifically located, and described. Their actual diameter and species shall be indicated. Furthermore, all trees proposed to be removed shall be specified.

All proposed streets, with profiles, indicating the grading; and cross sections showing width of roadway, location and width of sidewalks and location and size of utility lines conforming to the Borough standards and specifications

Proposed final grades of all streets shall be shown to a scale of 1" =5' vertical and 1" = 50' horizontal on sheets 22" x 36", and drawings shall include both plans and profiles and shall show elevations of all monuments referred to United States coast and geodetic survey level bench marks, and such elevations shall be shown in feet and hundredths of a foot

The location of all existing and proposed water lines, valves and hydrants and all sewer lines

Existing and proposed stormwater drainage systems

All plans shall be accompanied by plan sketch showing all existing drainage within 500' of any boundary and all areas, such as paved areas, grassed areas, wooded areas and any other surface area contributing to the calculations, and showing methods used in drainage calculations

Acreage to the nearest tenth of an acre, of the tract to be subdivided and the area, in square feet of all lots

Any lands subject to the farmlands assessment act of 1964 shall be duly noted as to valuation, assessment and taxation

A chart showing the designation of all lines, symbols and characters as demonstrated on the plan

Appropriate blocks for the required approving authority's signature

Such other information or data as may be required by the approving Authority or the County Planning Board for determination that the details of the subdivision are in accordance with the standards of all ordinances including the Zoning Ordinance and all other applicable laws, Ordinances and resolutions

<p>Application deemed complete by : _____  <div style="text-align: right; margin-right: 100px;">Municipal Engineer</div></p> <p style="text-align: center;">Date: _____</p>
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# Request for Taxpayer Identification Number and Certification

**Give form to the  
 requester. Do not  
 send to the IRS.**

<b>Print or type See Specific Instructions on page 2.</b>	Name	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ .....	
	<input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	
City, state, and ZIP code		
List account number(s) here (optional)		
Requester's name and address (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 3.

Social security number
+

or

Employer identification number
+

**Note:** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

**Note:** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Foreign person.** If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515**, Withholding of Tax on Nonresident Aliens and Foreign Entities).

### Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a **nonresident alien or a foreign entity** not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments (29% after December 31, 2003; 28% after December 31, 2005). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate **Instructions for the Requester of Form W-9**.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your **individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

**Note:** *You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).*

### Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note:** *If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.*

**Exempt payees.** Backup withholding is **not required** on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2);
2. The United States or any of its agencies or instrumentalities;
3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities;
4. A foreign government or any of its political subdivisions, agencies, or instrumentalities; or
5. An international organization or any of its agencies or instrumentalities.

Other payees that **may be exempt** from backup withholding include:

6. A corporation;
7. A foreign central bank of issue;
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States;

- 9. A futures commission merchant registered with the Commodity Futures Trading Commission;
- 10. A real estate investment trust;
- 11. An entity registered at all times during the tax year under the Investment Company Act of 1940;
- 12. A common trust fund operated by a bank under section 584(a);
- 13. A financial institution;
- 14. A middleman known in the investment community as a nominee or custodian; or
- 15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, **1** through **15**.

If the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for <b>9</b>
Broker transactions	Exempt recipients <b>1</b> through <b>13</b> . Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients <b>1</b> through <b>5</b>
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt recipients <b>1</b> through <b>7</b> <sup>2</sup>

<sup>1</sup> See **Form 1099-MISC**, Miscellaneous Income, and its instructions.  
<sup>2</sup> However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are **not exempt** from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a Federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner **LLC** that is disregarded as an entity separate from its owner (see **Limited liability company (LLC)** on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

**Note:** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5**, Application for a Social Security Card, from your local Social Security Administration office or get this form on-line at [www.ssa.gov/online/ss5.html](http://www.ssa.gov/online/ss5.html). You may also get this form by calling 1-800-772-1213. Use **Form W-7**, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or **Form SS-4**, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at [www.irs.gov](http://www.irs.gov).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see **Exempt from backup withholding** on page 2.

**Signature requirements.** Complete the certification as indicated in 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

## What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
For this type of account:	Give name and EIN of:
6. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> **You must show your individual name**, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

<sup>4</sup> List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

**Note:** *If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.*

## Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, or to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.



## **ESCROW AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between \_\_\_\_\_  
\_\_\_\_\_ hereinafter referred to as  
“Applicant”, and the Planning Board of the Borough of Montvale, hereinafter referred to as “Board”, and  
the Council of the Borough of Montvale, hereinafter referred to as “Borough”.

**WHEREAS**, the Applicant is proceeding under the Zoning Ordinance/Land Development  
Ordinance for approval of a \_\_\_\_\_; and

**WHEREAS**, the Ordinance requires the Applicant to establish an escrow whereby work  
required to be performed by professionals employed by the Board will be paid for by the Applicant as  
required under the provisions of the Ordinance cited above; and

**WHEREAS**, both parties feel that it is appropriate to reduce this understanding to written form.

**WITNESSETH: IT IS** mutually agreed between the parties that:

**Section 1. Purposes**

The Board authorizes its professional staff to review, inspect, report and study all plans, documents,  
statements, improvements, and provisions made by the Applicant in conforming to the requirements of  
the Ordinance cited and referred to above. The Board directs its professional staff to make all oral and/  
or written reports to the Board of its conclusions and findings derived from the review, study, and  
investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay  
all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

**Section 2. Escrow Established**

Applicant, Borough, in accordance with the provisions of this agreement, hereby create an  
escrow to be established with the Treasurer of the Borough of Montvale and to be maintained in a  
banking institution or savings and loan association in this State insured by an agency of the federal  
government, or in any other fund or depository approved for such deposits by the State, in an account  
bearing interest at the minimum rate currently paid by the institution or depository on time or savings  
deposits.

**Section 3. Escrow Funded**

Applicant by execution of this agreement shall pay to the Borough, to be deposited in the  
depository referred to in Section 2, such sums as are required by the Zoning Ordinance/Land  
Development Ordinance. The applicant shall be notified by the Borough in writing of the name and  
address of the institution or depository in which the deposit is made and the amount of the deposit.  
Execution of this agreement by the Borough acknowledges receipt of the sums referred to under this  
paragraph.

**Section 4.**     *Increase in Escrow Fund*

If during the existence of this agreement the funds held by the Borough shall be insufficient to cover any voucher or bills submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fourteen (14) days from the date of receipt of written notice deposit additional sums with the Borough to cover the amount of the deficit referred to above. During this period the professional staff shall cease all review activities. The written notice shall be sent by the Treasurer setting forth the amount of the deficit and the member or members of the professional staff to whom the additional sums are due. Unless otherwise shown, receipt shall be presumed to have occurred within three (3) days after mailing.

**Section 5.**     *Submission of Vouchers by Professional Staff*

The professionals referred to in this agreement, upon the completion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Borough for vouchers of the type and kind referred to under this paragraph. Said vouchers shall include the total of all fees and costs incurred as a result of the services set forth under Section 1 of this agreement and shall contain a brief description of the services including the Block and Lot, and name of application, which have been rendered by the professional concerning the applicant's application.

**Section 6.**     *Board Review*

The Treasurer shall review all vouchers to determine whether they have been submitted in the appropriate form. If the Treasurer determines that the vouchers are in the appropriate form then the vouchers shall be submitted to the Land Use Administrator for review to determine whether the services have been performed in the manner and to a degree required by this agreement. The Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for work performed on behalf of the Borough. Following the determination by the board that services have been performed properly, the Treasurer shall mail a copy of each approved voucher to the Applicant. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the Borough from the escrow established pursuant to the agreement.

**Section 7.**     *Applicant's Objection*

It is expressly agreed to by the Applicant that the right to object to the payment of any voucher is hereby expressly waived unless written notice is received by the Land Use Administrator by certified mail no later than three (3) days prior to the next regularly scheduled Board meeting following the meeting in which the contested voucher of vouchers had been approved. The writing notice shall have accompanying it a copy of each voucher being objected to. The standard of review to be utilized by the Land Use Administrator and Planning Board Chairman in determining whether the payment of any voucher is proper is whether the fees incurred are reasonable and whether the work has been performed properly. It is furthermore understood that the Applicant shall have the right to make periodic inspections of the records maintained by the Borough during normal office hours to determine the status of the escrow account.

**Section 8.**     *Interest Allocations*

Except as otherwise set forth hereinafter all interest earned on money deposited pursuant to this agreement which shall be held in escrow shall become the property of the Borough as compensation for administrative services rendered in connection with this agreement. An Applicant shall be entitled to payment of interest whenever the Applicant shall have deposited an amount of money in excess of \$5,000.00 and the amount of interest paid on that money shall exceed \$100.00 for the year. If the amount of interest exceeds \$100.00, that entire amount shall belong to the Applicant and shall be refunded by the Borough annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be, i.e., for professional services rendered to review applications for development, for municipal inspection fees pursuant to N.J.S.A. 40:55D-53 or to satisfy the guarantee requirements of 40:55D-53.a., however at that time the Borough shall deduct 33 1/3% of the interest for administrative and custodial expenses incurred by the Borough in fulfilling its obligations pursuant to this agreement.

**Section 9.**     *Refund*

In the event that the escrow sums posted are more than those required, or in the event that the Applicant shall abandon the application, excess funds shall be returned to the Applicant within ONE HUNDRED AND TWENTY(120) days of the issuance of the final certificate of occupancy for the project which is the subject of the application or receipt of written notice of the abandonment of the application. Prior to the issuance of the final certificate of occupancy for any project for which Board approval has been received or upon receipt of written notice of abandonment of an application, the Treasurer shall determine from the professional staff whether there are any additional sums required to be paid from the escrow fund. In the event that there are, monies will be held by the Treasurer until notice is received by the professionals, Environmental Commission, Land Use Administrator and Construction Code Official that work has been completed.

**Section 10.**    *Failure to Maintain Escrow Fund*

In the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 then the Board shall cease further consideration of the application or of any other then pending application of the Applicant until the additional sum is given to the Treasurer for deposit into the escrow fund. The Applicant hereby expressly consents to a continuance of the statutorily mandated period for completion of Board review pursuant to the Municipal Land Use Law for a period of forty-five (45) days from the date of the notice from the Land Use Administrator and hereby expressly consents to an automatic rejection of Applicant's application without prejudice and without any further action by the Board if within said period the additional sum has not been given to the Treasurer.

Furthermore, in the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 and Board review of the application has been completed, the Applicant is hereby placed on notice that the Borough

will not cause certificates of occupancy to be issued and may take such further action including, but not limited to, refusing to perform any and all further inspection, issuance of stop work orders and other relief as may be necessary, including a lien on the subject property.

**Section 11.** *Performance Escrow – Inspections*

The provisions of this agreement shall apply to the performance escrow for inspection to be paid to the Borough. The performance escrow shall be posted prior to construction of an onsite, offsite, on-tract or off-tract improvement. The amount of the escrow shall be 10% of the cost of improvements as calculated by the Board’s Engineer.

The Applicant hereby agrees that the Board Engineer will be notified in writing forty-eight (48) hours prior to the start of any construction. Failure of the Applicant to provide such notice may result in additional inspection costs.

**Section 12.** *Addresses to which Notices are to be Sent*

All notices required by this agreement in writing shall be sent to the following addresses:

Borough of Montvale  
Treasurer and Land Use  
Administrator  
12 Mercedes Drive  
Montvale, NJ 07645  
201-391-5700

Address of Applicant:

\_\_\_\_\_  
NAME  
  
\_\_\_\_\_  
ADDRESS  
  
\_\_\_\_\_  
MUNICIPALITY STATE ZIP CODE  
  
\_\_\_\_\_  
TELEPHONE NUMBER

above.