

**REORGANIZATION & REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**Tuesday, January 7, 2014 at 7:30PM**

**MINUTES**

**Municipal Complex, 12 Mercedes Drive in Council Chambers**

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

**PLEDGE OF ALLEGIANCE-Chairman DePinto opened the meeting at 7:30 pm and led everyone in the Pledge of Allegiance.**

**OPEN PUBLIC MEETINGS STATEMENT-Chairman read the open public meetings act.**

**ROLL CALL: Mr. Culhane, Councilmember Cudequest, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Vogt, Ms. Solomon, Chairman DePinto**

**Also Present: Mr. Regan, Board Attorney, Mr. Preiss, Board Planner, Mr. Hipolit, Board Engineer, Mr. Jahr, Traffic Engineer, Keenan Hughes, Planner, Ms. Hutter, Land Use Administrator, Ms. Scordo, Deputy Clerk**

**Absent: Mr. Webber**

**OATHS OF OFFICE: Mr. Regan swore in all of the below:**

**ALL APPOINTMENTS MADE BY MAYOR FYFE ON 1/6/2014**

- |    |   |                    |
|----|---|--------------------|
| 1) | Class III – 1 Year<br>Theresa Cudequest             | 01/06/14– 12/31/14 |
| 2) | Class II-1 Year<br>Jeffrey Fette                    | 01/06/14-12/31/14  |
| 3) | Class IV-4 Years<br>Dante Teagno                    | 01/06/14-12/31/17  |
| 4) | Class IV-Mayor’s Designee<br>Chet Webber-1 Year     | 01/06/14-12/31/15  |
| 5) | Class IV- 1 <sup>st</sup> Alternate<br>Kari Solomon | 01/6/14-12/31/15   |

**REAPPOINTMENT OF R. LORRAINE HUTTER, BOARD SECRETARY FOR 2014-Councilmember Cudequest made a motion for the reappointment and it was seconded it by Mr. Stefanelli with all stating aye.**

**NOMINATION OF BOARD CHAIRMAN**

- 1) Ms. Hutter called for a motion to open nominations. Mr. Culhane nominated John DePinto for Chairman. No other nominations from the board. It was seconded by Mr. Vogt with all in favor stating aye.

**NOMINATION OF BOARD VICE-CHAIRMAN**

- 1) Ms. Hutter called for a motion to open nominations. Mr. Culhane nominated Mr. Frank Stefanelli and it was seconded by Mr. Fette. No other nominations from the board a motion to close the nominations was made by Mr. Culhane and seconded by Mr. Teagno. A roll call vote was taken with all stating aye.

**RESOLUTION TO APPOINT ANDREW R. HIPOLIT, PE, PP., CME OF MASER CONSULTING PA, AS PROFESSIONAL ENGINEERING CONSULTANT FOR 2014.- A motion to reappoint Mr. Hipolit was made by Councilmember Cudequest and seconded by Mr. Vogt. A roll call vote was taken with all stating aye.**

**RESOLUTION TO APPOINT ROBERT T. REGAN, ESQ., TO CONTINUE AS PLANNING BOARD ATTORNEY FOR 2014-A motion to reappoint Mr. Regan as board attorney was made by Councilmember Cudequest and seconded by Mr. Fette. A roll call vote was taken with all stating aye. Mr. Regan thanked the board for their vote of confidence.**

**RESOLUTION TO APPOINT RICHARD PREISS, P.P., PHILLIPS PREISS GRYGIEL LLC., TO CONTINUE AS THE PROFESSIONAL PLANNER TO THE PLANNING BOARD FOR 2014. A motion was made by Mr. Culhane to reappoint Mr. Preiss as the board planner. Mr. Stefanelli seconded the motion. A roll call vote was taken with all stating aye.**

**RESOLUTION TO APPROVE THE PLANNING BOARD MEETING SCHEDULE:** Meetings to be held on the first and third Tuesdays of the month, unless otherwise specified, convening at 7:30PM and to be adjourned subject to the call of the Chairman. A motion to approve the meeting schedules was made by Councilmember Cudequest and seconded by Mr. Culhane. A roll call vote was taken with all stating aye.

**RESOLUTION TO APPROVE THE PLANNING BOARD BY-LAWS. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Vogt. A roll call was taken with all stating aye.**

**RESOLUTION TO DESIGNATE THE RIDGEWOOD NEWS AND THE BERGEN RECORD AS THE OFFICIAL NEWSPAPERS. A motion to designate the Ridgewood News and the Bergen Record as the official newspapers was made by Mr. Teagno and seconded by Mr. Culhane with a roll call vote and everyone stating aye.**

**CHAIRMAN'S APPOINTMENT OF MEMBERS TO THE SITE PLAN REVIEW COMMITTEE. Chairman DePinto appointed Councilmember Cudequest, Mr. Stefanelli, Mr. Vogt and the board professionals to the Site Plan Review Committee.**

**CHAIRMAN'S APPOINTMENT OF LIAISON TO ENVIRONMENTAL COMMISSION. Mr. Vogt was appointed the liaison to the Environmental Commission from the planning board.**

**INTRODUCED BY: Councilmember Cudequest**

SECONDED BY: Mr. Stefanelli

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPOINTING PLANNING BOARD SECRETARY**

BE IT RESOLVED by the Planning Board of the Borough of Montvale that R. Lorraine Hutter be and is hereby appointed as Secretary to the Planning Board/Land Use Administrator for the calendar year 2014

BE IT FURTHER RESOLVED that said compensation for said position shall be established by the Mayor and Council of the Borough of Montvale.

DATE: January 7, 2014

Planning Board  
Borough of Montvale

---

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014

Attest:

---

R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPROVING PLANNING BOARD BY-LAWS**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the By-Laws of the Board be approved annually and incorporated into the permanent records of the Planning Board minutes.

DATE: \_\_\_\_\_

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**AWARDING PROFESSIONAL SERVICES CONTRACT FOR  
LEGAL SERVICES GENERAL – 2014**

WHEREAS, the Borough of Montvale, Planning Board requires professional legal services of a general nature for the period January 1, 2014 through December 31, 2014; and

WHEREAS, it is the desire of the Planning Board to appoint Robert Regan, Esq., 345 Kinderkamack Road, Westwood, NJ 07675 as Planning Board Attorney to provide general legal services for the Planning Board for this period; and

WHEREAS, it is necessary to establish a rate and method of payment; and

WHEREAS, the Planning Board has determined it is in the best interest of the Borough to enter into a contract with Robert T. Regan, Esq. Legal Counsel for general legal services as a Professional Service contract; and

WHEREAS, the terms and conditions of said contract are as follows:

- 1) For the annual sum of \$12,000 legal services shall be rendered for attendance at meetings of the Planning Board, essentially advice and consultation services regarding municipal matters to the appointed officials and staff of the Planning Board, said retainer to be paid quarterly during 2014.
- 2) For all required legal services which are not included in the above i.e. preparation of resolutions for applications, review of applications, the charge of an hourly rate of \$150.00, to be paid monthly, as billed.
- 3) For all required legal services provided to the Borough on any litigation, the charge of an hourly rate of \$150.00, to be paid monthly, as billed.
- 4) Reasonable costs for reimbursables as billed shall be paid by the Borough.

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2014 Budget for the retainer and litigated matters and funds for preparation of resolutions for applications, review of applications and preparation of Developer's Agreements shall be paid by the applicant/developer from escrow funds, same as appended to the original of this resolution; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

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

- 1) That a contract for professional legal services be awarded to Robert T. Regan, Esq. for the period January 1, 2014 through December 31, 2014.
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.

- 3) The fees to be paid for such services are based upon rates as specified. The cost of the retainer portion of the contract for annual services is not to exceed \$12,000 unless an amendment revising that figure is approved by the Planning Board and funded by the Mayor and Council. In addition to said retainer, the Attorney shall be compensated at the rate of One Hundred Fifty (\$150.00) Dollars per hour for any litigation, plus disbursements incident thereto. The amount of the contract for all other legal services provided on an as needed basis in connection with review of developer's applications, preparation of memorializing resolutions, preparation of developer's agreements, correspondence and related matters, the attorney shall be compensated at the rate of One Hundred Fifty (150.00) Dollars per hour.
- 4) The line item appropriation or ordinance to be charged is Planning Board Other Expense – 2014 Budget and the appropriate Escrow Fund depending upon the development or application.
- 5) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (a) General Liability; Certificate naming the Borough of Montvale required.
  - (b) Worker's Compensation: Statutory requirements to be met.  
Certificate required.
  - (c) Auto Liability; Certificate required.
  - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1, et seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and will be on file, available for public inspection, in the office of the Secretary to the Montvale Borough Planning Board, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Kenneth Sesholtz, Chief Financial Officer of the Borough of Montvale, have ascertained, that funds are available in the 2014 Temporary Municipal Budget and subject to adequate appropriation in the 2014 Municipal Budget as finally adopted, to award a contract for professional legal services – Planning Board, to Robert Regan, Esq., Westwood, N.J. Funds for certification are therefore being made available and certified against the appropriation for Planning Board – Other Expenses.

Account Number: 4-01-21-720-028

Resolution Number: Planning Board

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chief Financial Officer

**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD  
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL  
ENGINEERING SERVICES – 2014**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of an Engineer for the year 2014, January 1 through December 31, to provide for contractual engineering services for application review; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Andrew R. Hipolit, P.E., P.P., C.M.E., Principal of Maser Consulting, PA, 200 Valley Road, Suite 306, Mount Arlington, NJ 07856 as Engineer for the Planning Board for the year 2014.

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

- 1) That the contract for professional general engineering services be awarded to Andrew R. Hipolit, P.E., C.M. E., Principal of Maser Consulting, PA
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2014 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of Maser Consulting PA as the Planning Board Engineer for the borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (a) General Liability; Certificate naming the Borough of Montvale required.
  - (b) Worker's Compensation: Statutory requirements to be met. Certificate required.
  - (c) Auto Liability; Certificate required.
  - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in The Ridgewood News, be on file, available for public inspection, in the office of the Land Use Administrator to the Planning Board, Borough Hall, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted on Tuesday, January 7, 2014.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD  
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL  
PLANNING SERVICES – 2014**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of a Planner for the year 2014, January 1 through December 31, to provide for contractual planning services for application review; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Richard Preiss, P.P. of **PHILLIPS PREISS GRYGIEL LLC/Planning and Real Estate Consultants,33-41 Newark Street /Third Floor, Suite D/Hoboken, NJ 07030**, as Planner for the Planning Board for the year 2013.

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

- 1) That the contract for professional general planning services be awarded to Phillips Preiss Grygiel LLC/Planning and Real Estate Consultants.
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2014 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of Phillips Preiss Grygiel LLC as the Planning Board Planner for the Borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (e) General Liability; Certificate naming the Borough of Montvale required.
  - (f) Worker's Compensation: Statutory requirements to be met. Certificate required.
  - (g) Auto Liability; Certificate required.
  - (h) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Borough Hall, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPROVING THE PLANNING BOARD MEETING SCHEDULE**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, that the combined executive sessions and regular public meetings of the Planning Board for the year 2014 be held on the first and third Tuesday of every month at 7:30 PM, except as otherwise noted, all as set forth in the attached meeting notice; and,

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board post a schedule of meetings in the Municipal Building and send a copy to the official newspaper of the Borough of Montvale.

DATE:

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**MONTVALE PLANNING BOARD  
2014 ANNUAL SCHEDULE OF MEETINGS**

NOTICE IS HEREBY GIVEN that regular meetings of the Montvale Planning Board will be held at 7:30 PM in the Municipal Complex Building, 12 Mercedes Drive, Montvale, New Jersey, on the dates hereinafter set forth:

Tuesday, January 7-**Reorganizational and Regular Meeting**

Tuesday, January 21

Tuesday, February 4

Tuesday, February 18

Tuesday, March 4

Tuesday, March 18

Tuesday, April 1

**Tuesday, April 15 cancelled Passover**

Tuesday, May 6

Tuesday, May 20

Tuesday, June 3

Tuesday, June 17

Tuesday, July 1

Tuesday, July 15

Tuesday, August 5

Tuesday, August 19

Tuesday, September 2

Tuesday, September 16

Tuesday, October 7

Tuesday, October 21

**Tuesday, November 4-cancelled- Election Day**

**Tuesday, November 18-cancelled**

Tuesday, December 2

Tuesday, December 16

By Order of the Montvale Planning Board  
R. Lorraine Hutter  
Land Use Administrator

The Bergen Record  
The Ridgewood News  
Bulletin Board

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the year 2014:

The Bergen Record - Hackensack, N.J.

The Ridgewood News – Ridgewood, N.J.

DATE:

Planning Board  
Borough of Montvale

---

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 7, 2014.

Attest:

---

R. Lorraine Hutter, Land Use Administrator

**EXHIBIT A**  
**P.L. 1975, C. 127 (N.J.A.C. 17:27)**  
**MANDATORY AFFIRMATIVE ACTION LANGUAGE**  
**PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to attempt to in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:2705.2 promulgated by the Treasurer pursuant to P.L.1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor union, that it does not discriminate on the basis of age, creed, color national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with applicable employment goals, consistent with the statues and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**MINUTES**

**Tuesday, January 7, 2014**

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

**Chairman DePinto went into the regular portion of the meeting and asked for another roll call.**

**Roll Call: Mr. Culhane, Councilmember Cudequest, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Vogt, Ms. Solomon, Chairman DePinto**

**Also Present: Mr. Regan, Board Attorney, Mr. Preiss, Board Planner, Mr. Hipolit, Board Engineer, Mr. Jahr, Traffic Engineer, Keenan Hughes, Planner, Ms. Hutter, Land Use Administrator, Ms. Scordo, Deputy Clerk**

**Absent: Mr. Webber**

**MISC.MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER:**

**NONE**

**ZONING REPORT: Mr. Fette gave his report. 155 Chestnut Ridge Road building is being sold. Dumpster enclosure installed has been fixed.**

**Culhane Property he has issued a stop work order. Hughes Environmental building on Grand Avenue is being sold different uses are calling in.**

**Old 7-11 building property has been sited for maintenance.**

**ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Vogt stated they didn't meet in December. He stated that the commission did an inspection for 'Lifetime Fitness and they failed.**

**SITE PLAN REVIEW COMMITTEE: MR. Stefanelli stated there were two applicants. 7 June Lane in an R40 undersized lot came before the committee. It was suggested that they moved forward trying to adhere from towards the R15 zone as that is what the size lot is that they have.**

**Life Time Fitness came for adding security mesh screening on the first floor screening. They will work with Mr. Hipolit's office and supply a sample of the meshing.**

**MASTER PLAN COMMITTEE REPORT: none**

**CORRESPONDENCE: on the back tabl**

**APPROVAL OF MINUTES:**

**October 15, 2013- A motion to approve was made by Mr. Culhane and seconded by Mr. Teagno. A roll call was taken with Mr. Councilmember Cudequest and Ms. Solomon abstaining and all others stating aye.**

**November 25, 2013-A motion to approve was made by Mr. Vogt and seconded by Mr. Stefanelli. A roll call vote was taken with Mr. Fette and Ms. Solomon abstaining and all others present voting aye.**

**DISCUSSION:**

## USE PERMITS:

1. **Block 2404 Lot 1**-Pet Valu, Inc.-18 S. Kinderkamack Road-(4,400 sq. ft.)-MR. Meese represented the applicant. Jennifer Green represented Pet Valu, Inc. Chairman read the application into the record. Signatures were verified. Sworn in Michael Potts construction manager spoke in regard to the improvements. Mr. Fette property maintenance was discussed. Trash issues were discussed. Building signage was discussed. Building permits will be required. Architect will address those issues. Neon signs were discussed. Applicant was in agreement to all that was discussed. A motion to approve was made by Mr. Vogt and seconded by Mr. Teagno with all present voting aye.
2. **Block 2002, Lot 15**-PCN Medical Group, Inc.-221 W. Grand Avenue, -(1087 sq. ft.) Dan Steinhagen –Chairman read the application into the record. David Alvarez represented the applicant. Presently in Wallington moving to Montvale. Mr. Fette stated they will require building permits. A motion to approve was made by Mr. Vogt and seconded by Mr. Teagno with all present stating aye.
3. **Block 2602- Lot 1**-New Jersey Realty Management, LLC-210 Summit Avenue-(1000 sq. ft.)- Swore in was Ronald Holebetz. Mr Francis Uzzi represented the applicants. Chairman read the application into the record. Mr. Holebetz identified the signatures. A revision of just zip codes of employees will be resubmitted to the board secretary. Mr. Holebetz gave a brief description of their management property. CCO will be required. A motion to approve was made by Mr. Culhane and seconded by Mr. Teagno with all present voting aye.
4. **Block 2405- Lot 1, 2, & 26**-NJ Energy Corp.28-30 Kinderkamack Road-(700 sq. ft.)-Mr. Gortez came forwarded. Scott Parker represented NJ Energy and stated will be the operated of the pumps. Resolution is required. Parking area is to be kept clear. For employee parking only not for parking over night. Amended 4g to read yes. Chairman read the application into the record. 5d. parking in common. Existing sign to remain. Signatures were identified as Chris Gent, construction manager. 8 spaces for parking not 20. 4j intended use. No food or cigarettes 128.9.10c.6. was reiterated. Verify lighting and candle foot. Sidewalks were in need of repair. Sidewalks are to be repaired stated the applicant.. Mr. Fette spoke about other storage area. They are planning to come before the board for amended site plan. Mr. Teagno stated that coordination with the county on the driveway he believes needs to be made. No cars are permitted for sale on the lot. Soda machines have been removed. Mr. Parker stated that it is their intent to be submit an amended site plan. Applicant was given three months to submit an amended site plan. A motion was made by Mr. Lintner and seconded by Mr. Vogt to have the board attorney to prepare a resolution stating all the conditions that were discussed. A roll call vote was taken with all present stating aye. Mr. Regan stated that escrow would need to be posted for the resolutions to be prepared.
5. **Block 2405- Lot 1,2, & 26**- NJ Energy Corp., Tenant Vitacars, Inc.-28-30 Kinderkamack Road- (1,020 sq. ft.) 8 parking spaces were listed. Parking was limited to the eastern portion of the site. Sale of vehicles is prohibited. No neon signs. A motion was made by Mr. Lintner and seconded by Mr. Culhane to have the board attorney prepare a resolution setting forth all the conditions. A roll call vote was taken with all stating aye.

## PUBLIC HEARINGS (new):

### PUBLIC HEARINGS (con't): Ms. Solomon recused herself for the application for Shoppes of DePieros.

1. **Block 2802, Lots 2 and 3- 300 West Grand Avenue, Block 1002, lots 3 and 5 159-161 Summit Avenue-Montvale Development Associates, LLC-Shoppes at DePieros**-Application for Preliminary and Final Site Plan Approval, Preliminary and Final Subdivision Approval, Planned Unit Development and Soil Moving –see transcript
2. **Block 702- Lots 1 and 39- Ali Enterprises LLC Kinderkamack and Magnolia Avenue- Amended Site Plan Application- Carried to February 18, 2014 -7:30pm**

## RESOLUTIONS:

1. Pay to Play- A motion to introduce Mrs Cudequest and seconded by Mr. Teagno with a roll call vote following and everyone stating aye.
2. Block 710 Lot 8-Randall and Laurie Preston-156 Bryan Drive-Variance Relief Resolution-Chairman read by title only. A motion to introduce was made by Mr. Lintner and seconded by Mr. Teagno. A roll call vote was

**taken with all Councilmember Cudequest and Ms. Solomon abstaining and all others stating aye.**

Other Business-

Open Meeting to the Public-no one

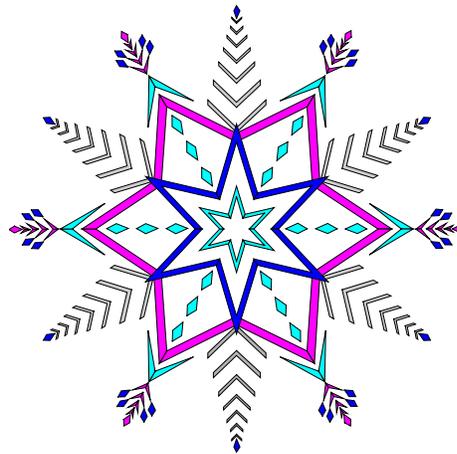
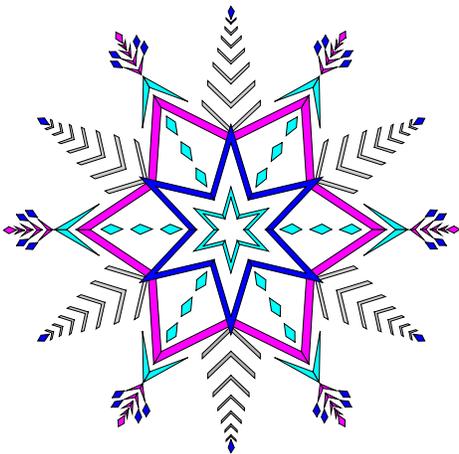
Adjournment- A motion to adjourn was made by Councilmember Cudequest and seconded by Mr. Fette. A roll call vote was taken with all stating aye.

Next Regular Scheduled Meeting: January 21, 2014

Special Meeting-Monday, January 13, 2014-7:30pm- K. Hovnanian-Del Ben



**THE REORGANIZATION MEETING WILL BEGIN AT  
7:30PM.**



- **THERE IS SITE PLAN REVIEW AT 6:30 P.M.**