

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:41pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Koelling let the Pledge of Allegiance -

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).

ROLL CALL:

| | |
|-------------------------|-----------------------------|
| Councilmember Curry | Councilmember LaMonica |
| Councilmember Gloeggler | Councilmember Lane - absent |
| Councilmember Koelling | Councilmember Weaver |

Also present: Mayor Mike Ghassali; Borough Attorney, Phil Boggia; Borough Engineer, Chris Doer; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

Mayor Ghassali asked councilmembers if they wanted to continue the meeting in the executive conference room or stay in council chambers – a roll call vote was taken

All councilmembers with the exception of Councilmember Weaver wanted to go in the executive conference room. The meeting will resume in the executive conference room after voting on the ordinance.

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2017-1423 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128, "ZONING," OF THE BOROUGH CODE IN ORDER TO AMEND CERTAIN ZONING REGULATIONS FOR THE OFFICE-RESEARCH (OR) DISTRICTS IN THE BOROUGH TO IMPLEMENT THE RECOMMENDATIONS OF THE MASTER PLAN REEXAMINATION ADOPTED BY THE PLANNING BOARD ON JULY 19, 2016

Attending: Darlene Green, Municipal Planner/John DePinto, Planning Board Chairman

WHEREAS, the Borough of Montvale recognizes that in order to stay competitive with the corporate market and in order to encourage reinvestment in Montvale's existing office complexes, it is necessary to re-examine the zoning ordinances applicable to the Borough's Office and Research (OR) districts; and

WHEREAS, in furtherance thereof, the Borough of Montvale Planning Board did undertake a Reexamination of the Borough of Montvale's Master Plan in order to specifically analyze how to guide the development and redevelopment of properties located in the OR districts, and to determine whether the regulations pertaining to such uses needed to be updated to advance the goals of the Master Plan in light of any changed goals or assumptions regarding such uses; and

WHEREAS, the Master Plan Reexamination Report was prepared by Darlene A. Green, P.P., AICP of Maser Consulting, P.A.; and

WHEREAS, the Reexamination Report made a number of recommendations concerning the OR districts, including new and amended definitions and new lot size and bulk requirements; and

WHEREAS, after complying with the statutory requirements pertaining to the adoption of a Master Plan Reexamination under the *Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.*, the

Reexamination Report was adopted by the Borough of Montvale Planning Board on July 19, 2016; and

WHEREAS, the Governing Body is desirous of adopting an Ordinance to implement the recommendations contained in the Reexamination Report.

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

Section 1. Chapter 128 of the Code of the Borough of Montvale is hereby amended and supplemented by adding the following definition alphabetically in Section 128-3.1(B):

ASSISTED LIVING RESIDENCE

A residential health-care facility which is licensed by the State of New Jersey Department of Health to provide housing with congregate dining and a coordinated array of supportive personal and health-care services, available twenty-four hours a day to elderly and/or handicapped residents unrelated to the proprietor. Each unit in an assisted living facility shall, as part of the living quarters, include a private bathroom, kitchenette and lockable entrance doors. Common dining, recreational and laundry facilities, housekeeping and maintenance services, personal and health-care services and community and administrative facilities and services, all in support of and for the sole benefit of the residents of the facility, shall be considered customary accessory uses to an assisted living facility.

NURSING HOME or CONVALESCENT HOME

Any home, house or other place conducted or maintained by any person or entity which is advertised or held out by such person or entity as a rest home, hospital, or sanitarium where one or more persons are cared for or attended during a convalescent period or the attending of the aged. This term shall not include an Assisted Living Residence as that term is defined herein.

Section 2. Chapter 128 of the Code of the Borough of Montvale, Section 128-5.4, is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§ 128-5.4 Office and Research OR-1, OR-2, OR-3 or OR-4 Districts.

In the Office and Research Districts, no building or land shall be used and no building or other structure shall be built, altered or erected to be used for any purpose other than those specified in Subsections A through F of this section.

- A. Office buildings, including buildings housing professional offices.
- B. Scientific or research laboratories, testing, experimental or computation centers, provided that there shall be no use thereof that is noxious, offensive or hazardous by reason of emission of odor, dust, smoke, noise or electric, magnetic or radioactive waves.
- C. Medical center buildings, hospitals, medical and dental offices, clinics and offices for the practice of veterinary medicine. Nursing homes are specifically prohibited.
- D. Public and private schools (subject to the provisions of § 128-9.5.1 et seq.).
- E. Municipal buildings, libraries, playgrounds, parks, recreation and essential municipal uses.
- F. Conditional uses.

- (1) Fitness centers and hotels shall be permitted only in the OR-4 District, provided such uses are located on lots of at least five acres in size and with a minimum lot width of 300 feet. Additionally, fitness centers and hotels shall also adhere to the requirements of § 128-7.5.1. Relief from the requirements of § 128-7.5.1 shall be treated as "c" variances pursuant to N.J.S.A. 40:55D-70(c).
- (2) Public utility building or structure other than an electricity generating plant, gas manufacturing plant or gasometer, subject to the conditional use standards of § 128-9.10.2.
- (3) Assisted Living Residences shall be permitted in the OR-3 or OR-4 District provided that a minimum of 10% of the units are reserved for Medicaid-eligible persons such that the units will qualify as affordable units for the purposes of the Borough of Montvale's Housing Element and Fair Share Plan and that the following requirements are met:
 - (a) Primary access shall be achieved from a road under the jurisdiction of Bergen County.
 - (b) Minimum lot size: ten (10) acres.
 - (c) Minimum lot width: two hundred (200) feet.
 - (d) Minimum front yard setback: seventy-five (75) feet.
 - (e) Minimum side yard setback: fifty (50) feet. Aggregate minimum side yard setback (both sides): one hundred (100) feet.
 - (f) Minimum rear yard setback: fifty (50) feet.
 - (g) Maximum lot coverage: as regulated in the underlying zone.
 - (h) Maximum FAR: 0.35.
 - (i) Maximum building height: fifty (50) feet and three stories.
 - (j) Parking: 0.5 parking spaces per residential unit.
 - (k) Building exteriors shall have vertical and/or horizontal offsets and variations of construction materials to create visual breaks on the exterior.
 - (l) There shall be provided a safe and convenient system of sidewalks, accessible to all occupants. Due consideration should be given in planning walks, paths, and ramps to prevent slipping or stumbling. Handrails and ample space for rest shall be provided. All walks, paths and risers shall be designed according to the requirements of the Americans with Disabilities Act (ADA).
 - (m) A buffer area as defined in §128-3.1, which shall be no less than 15 feet in width from all external property lines of the site.
 - (n) Sign regulations: as regulated in the underlying zone.

(o) Maximum 25 units per acre.

G. Accessory uses. Within the OR-1, OR-2, OR-3 and OR-4 Districts, the following accessory uses shall be permitted:

- (1) Storage of materials or supplies incidental to the principal uses permitted in this district, provided that the materials or supplies are stored within an enclosed building.
- (2) Only within the principal building itself and not as freestanding uses, banks and financial institutions and other service establishments where no products are manufactured, processed or sold, such as the offices of a real estate broker, insurance broker and travel agency.
- (3) Heliports, helistops and related facilities intended for the takeoff and landing of helicopters and other forms of aircraft are specifically prohibited as an accessory use within the districts.
- (4) Uses customary and incidental to the principal use.
- (5) [In the OR-4 District only, m]Multilevel parking garages, provided the lot is more than five acres in size and subject to the provisions of § 128-7.5E.

H. (Reserved)

I. (Reserved)

J. Access to apartment, condominium, or townhouse development in the RCO District.

- (1) A roadway or driveway through land in the OR-2 Office and Research District shall be permitted by conditional use to apartment, condominium, or townhouse development in the RCO-Retirement Community Overlay District, meeting the following requirements:
 - (a) The roadway or driveway shall meet minimum standards as required by the residential site improvement standards.
 - (b) The roadway or driveway shall be reviewed and approved by the Montvale Fire and Police Departments for purposes of assuring safe access for emergency vehicles.

Section 3. Chapter 128 of the Code of the Borough of Montvale, Section 128-7.5, is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§ 128-7.5 Off-street parking in the OR-1, OR-2, OR-3 and OR-4 Districts.

- A. [A.] Except for fitness centers and hotels, as pursuant to § 128-7.5.1, and for Assisted Living Residences pursuant to § 128-5.4(F)(3), all uses in the OR-1, OR-2, OR-3 and OR-4 Office and Research Districts shall provide a minimum of one parking space for each 300 square feet of building floor area and a maximum of one parking space for every 200 square feet of building floor area.

B. Except as provided for in § 128-7.5.1C:

- (1) No more than 15% of the total number of parking spaces provided on the lot shall be permitted in the front yard, and shall be utilized primarily for visitors parking, and no more than 15% of the maximum permitted lot or impervious surface coverage shall be devoted to parking areas in the front yard inclusive of parking spaces, aisles and driveways; and
- (2) No front yard parking areas or access drives shall be located closer than 75 feet to the front property line.

C. Notwithstanding anything herein to the contrary, no on-surface parking, driveways or access-ways shall be located less than 50 feet from a boundary line of a residential district except where such boundary line lies in the bed of a mapped street. The location of multilevel parking garages [in the OR-4 District], in relation to property lines and adjacent uses and zones, shall meet the minimum requirements of § 128-7.5E.

D. On sites designated as corner lots, parking shall be permitted in the front yard where such yard does not lie adjacent or opposite to the main entrance to the building, provided that at least one front yard is designated and to the extent that such parking does not extend beyond the building wall associated with such remaining front yard in accordance with the setback requirements established in this article; provided, however, that the setback from the front property line as defined in this ordinance shall not be less than 50 feet.

E. Multilevel parking garages shall be permitted [in the OR-4 District] subject to the following requirements.

- (1) No multilevel parking garage shall be permitted on a lot that is smaller than five acres in size.
- (2) For the purposes of calculating floor area ratio (FAR), the floor area of multilevel parking garages shall not be counted towards the maximum permitted FAR within the district.
- (3) The aggregate floor area of all levels of such multilevel parking garages, excluding that level at or nearest the finished grade, shall not exceed 20% of the total lot area.
- (4) The maximum permitted lot coverage shall be reduced by one percentage point, or proportion thereof, for each five percentage points calculated in § 128-7.5E(3) above.
- (5) No more than one multilevel parking garage structure shall be permitted per lot, except that a second multilevel parking garage shall be permitted on a lot that exceeds fifteen acres in size.
- (6) No multilevel parking garage shall exceed two levels above grade surface parking. The height of the multilevel parking garage shall be at least five feet lower than the height of the principal building on the lot. Nothing contained in this Subsection E(6) is intended to limit the number of cellar levels of a multilevel parking garage. Notwithstanding the foregoing, a multilevel parking garage that is built into a slope may have a maximum of three levels above grade surface parking on the downhill side; provided, however, that the uphill side of

- (7) the garage shall remain limited to two levels above grade, and the highest point of the downhill side shall not exceed the highest point of the uphill side.
- (8) A roof shall not be required to cover the top level of the multilevel parking garage, provided that a parapet or similar structure is provided around the entire perimeter of the top level. Such parapet or similar structure shall be sufficiently tall to screen all permanently fixed structures, such as stairways or mechanical space, as well as parked vehicles which are to be located on the top level, when viewed from the front, side or rear lot lines.
- (9) The minimum required setbacks for multilevel parking garages, which may be attached or detached from the principal building, shall be the same as that required for a principal building in that district. However, if the lot on which the multilevel parking garage is to be built adjoins a residential district, the setback from the property line adjoining the residential district shall be increased by an additional 50 feet.
- (10) A multilevel parking garage may be attached to a principal building or may be connected to the principal building by roofed bridges or other similar covered walkways. The floor area of such bridges or walkways shall be excluded from the calculation of maximum permitted floor area ratio and the required yard setbacks in the zone, provided such roofed bridges or walkways are no closer than 25 feet to a property line.
- (11) No detached multilevel parking garage shall be located more than 100 feet from the principal building.
- (12) A multilevel parking garage shall be architecturally consistent or compatible with the principal building, and all exposed exterior walls and appurtenances shall be faced with finished materials such as brick or masonry and the like. No more than 50% of any exterior facade shall be open, and a solid wall of not less than 3 1/2 feet in height above each floor level along the exterior of each level of the multilevel garage shall be provided.
- (13) A solid screen vegetated buffer of at least 15 feet in width shall be provided and maintained between the multilevel parking garage and any rear or side lot line.
- (14) On the top level of any above-grade multilevel parking garage, no light stanchion shall be located within 40 feet of the façade wall of the multilevel parking garage. Lighting for that portion of the top level of the multilevel parking garage in which light stanchions are not permitted may be provided by fixtures mounted below the top of the parapet wall. All light fixtures shall be so arranged and shielded so as to reflect light downward and away from all adjoining properties, residential districts and streets. Illumination levels on the top level of a multilevel parking garage shall be reduced to code minimum egress levels 1/2 hour before the use it serves is closed and no earlier than 1/2 hour before it opens, but in no event shall it exceed code minimum levels between 11:00 p.m. and 5:30 a.m. Light fixtures used to provide code minimum egress lighting after hours shall not be mounted above the top of the parapet wall.

- (15) Section § 128-7.1, Subsections B and K shall not apply to multilevel parking garages.
- (16) Landscaping or berming or a combination thereof shall be provided around the perimeter of a multilevel parking garage, except for those portions of perimeter walls that face a principal building or those portions of the multilevel parking garage which are used for access to the parking garage. The height of such landscaping and berming shall be a minimum of eight feet and may consist of existing and new plant material.
- (17) No above-grade multilevel parking garages shall be permitted above or below habitable space of the principal building. No parking levels of cellar parking garages located below habitable space of the principal building shall be visible above the finished grade of the lot upon which it is situated.
- (17) Relief from the requirements of this subsection 128-7.5E shall be treated as a "c" variance pursuant to N.J.S.A. 40:55D-70(c).

Section 4. Chapter 128 of the Code of the Borough of Montvale, Section 128-7.5.1, is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§ 128-7.5.1 Supplementary requirements for fitness centers and hotels.

- A. Fitness centers in the OR-4 District shall provide a minimum of one parking space for each 250 square feet of gross floor area and a maximum of one parking space for each 150 square feet of gross floor area.
- B. Hotels in the OR-4 District shall provide a minimum of one parking space per hotel room or 0.75 spaces per hotel room, plus one space per three seats for any restaurant, conference or meeting room within the hotel, whichever is greater.
- C. Parking in the front yard shall be permitted, but shall be limited to visitors only, and shall not be located closer than 25 feet to the front of the property line.
- D. The maximum impervious lot coverage shall be 50[45]% utilizing standard impervious parking techniques for all paved surfaces. However, alternative porous paving systems may be used to attain a total lot coverage of 70%, with no more than 50[45]% of the lot coverage being impervious surface and up to 20[25] additional percent of the lot coverage being pervious paving surfaces.
- E. The following paving types shall be counted as alternative porous paving systems:
 - (1) Pavers, over a pervious base or turf blocks, both of which are suitable for pedestrian-only surfaces, or overflow parking areas and emergency-only accessways; and
 - (2) Porous pavement, suitable for more general and heavier-use vehicular surface applications. Upon approval, an approved, bonded maintenance plan incorporating best management practices shall be required for all pervious surface areas, to minimize siltation of porous paving areas.

- F. In the OR-4 zone the maximum height of fitness centers shall be three stories and 45 feet, whichever is less, and the maximum height for hotels shall be four stories and 60 feet, whichever is less. The maximum height of accessory structures for these uses, such as water slides, umbrellas, lifeguard stations, playground equipment and similar installations, shall be 20 feet.

Section 5. Chapter 128, Schedule A, "Limiting Schedule," shall be amended and supplemented by replacing the existing Limiting Schedule with the revised version attached hereto. The revised Limiting Schedule adds a new footnote with reference to standards for assisted living residences, and adds or removes footnotes from various locations on the schedule. The Limiting Schedule has been further amended to implement the various zoning amendments set forth in Sections 1 through 4 of this Ordinance and to correct clerical errors in the existing Limiting Schedule.

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 pursuant to N.J.S.A. 40:55D-26.

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 passage and 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.

Darlene Green spoke

Ms. Green explained, this ordinance would permit uses such as assisted living residences; parking garages and to increase the number of stories from 2 to 3 in certain OR zones; these changes were recommended in the master plan which was approved in July 2016.

Ordinance No. **2017-1423** was introduced for second reading by Councilmember Gloeggler; seconded by Councilmember Curry; Clerk read by title only;

Motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember LaMonica - all ayes

Carolee Adams

Asked for clarification regarding the sloping of the three level parking garages; how many parking spaces will it have; Ms. Green stated the size of the lot will vary site by site, depending on need; is there a maximum number of allowable spaces;

Motion to close meeting to the public by Councilmember Koelling; seconded by Councilmember LaMonica - all ayes

Motion to adopt on Second and Final Reading in Bergen Record by Councilmember LaMonica; seconded by Councilmember Curry; Clerk read by title only -----

Councilmember Weaver asked what is driving force for the change; Ms. Green stated the master plan recognizes the problems within the office research zones and the need to keep them viable; Some of the buildings have reach their useful life; how do we make it attractive to investors; plus the borough has the burden of affordable housing obligations and assisted living facilities can be credited towards the obligation. Councilmember Weaver added he would like to see the council to focus on the needs of the residents and the community to continue to make Montvale viable.

A roll call vote was taken --- all ayes

MINUTES:

February 14, 2017

A motion to accept the minutes by Councilmember Koelling; seconded by Councilmember Curry - all ayes

Councilmember Curry mentioned a correction in her report, under recreation, it should read only egg coloring event will take place in April. Minutes were approved pending correction.

MINUTES CLOSED/EXECUTIVE SESSION:

February 14, 2017

A motion to accept the minutes by Councilmember Koelling; seconded by Councilmember Curry - all ayes

RESOLUTIONS:**63-2017 Authorize Payment #1/Caravella Demolition, Inc. for the Montvale Swim Club Building/Pool Demolition Site Restoration Project**

WHEREAS, the Borough of Montvale awarded a contract on December 13, 2016 to Caravella Demolition, Inc. 40 Deforest Avenue, East Hanover, New Jersey 07936 for the Montvale Swim Club Building and Pool Demolition and Site Restoration Project; and

WHEREAS, the original contract amount is \$150,903.79 via Resolution #193-2016; and

WHEREAS, the Borough Engineer in a letter dated February 22, 2017 which is attached to the original of this resolution has been monitoring the project and recommends payment in the amount of \$76,712.43; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Montvale Payment #1 in the amount of \$76,712.43 shall be issued to Caravella Demolition, Inc.

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

64-2017 Authorize Release of Maintenance Bond/Remaining Cash Escrow/Block 1601/Lot 21 Nottingham Court/Regan Development/Montvale Commons

WHEREAS, Regan Development Corp./Sphere Construction Group, LLC Montvale Commons, LLC is requesting a release in their Maintenance Bond No. 35298 The Service Insurance Company, Inc. in the amount of \$36,629.55; and

WHEREAS, an inspection of the site has been conducted by Borough Engineer, which recommends said release of the above referenced in letter dated February 10, 2017 which is attached to the original of this resolution; and

WHEREAS, the Borough Engineer recommends the cash escrow in the amount of \$660.00 be held until such time as site improvements are repaired as stated in the attached letter and a final inspection is conducted; and

WHEREAS, by the Borough of Montvale hereby releases the two year Maintenance Bond #35298 in the amount of \$36,629.55; and

NOW THEREFORE BE IT FUTHER RESOLVED, The Borough Treasurer shall receive a copy.

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

65-2017 Setting Forth Recreational Program Fees Year 2017

WHEREAS, The Recreation Department hereby establishes the programs, times and fees for various programs; and

WHEREAS, the Recreation Director has recommended that the following fees, programs, and times be revised as described; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following fees and programs and services be and are hereby established

TIME SCHEDULE FOR SKATING RINK:

| | | | |
|------------|-------|------------|----------------------|
| 8:00 a.m. | Until | 10:00 a.m. | Roller/street Hockey |
| 10:00 a.m. | Until | 12:00 p.m. | Free Skate |
| 12:00 p.m. | Until | 2:00 p.m. | Roller/street Hockey |
| 2:00 p.m. | Until | 4:00 p.m. | Free Skate |
| 4:00 p.m. | Until | 6:00 p.m. | Roller/street Hockey |
| 6:00 p.m. | Until | Dusk | Free Skate |

PROGRAMS:

Basketball - 18+
Basketball - 30+
Sewing
Summer Camp

RESIDENT

NON-RESIDENT

\$50

\$75

\$75

\$95

\$80

\$100

\$200/CHILD

\$650/FAMILY MAXIMUM

Non-resident

\$250/CHILD

\$800 FAMILY MAXIMUM

\$25 late charge for every 15 minutes a child is left under care after dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.

Tae Kwon-Do

Tae Kwon-Do - Youth

\$120

*\$180

(*space permitting)

Tae Kwon-Do – Adult

\$80

\$100

Tennis Lessons

Tennis Lessons adult/child

\$80 resident

per session (6 weeks)

\$120 per session for non-residents

Tennis

Resident

(Green Acres/Approval Required)

\$30

Adult

\$10

Child/Student 13-18 yrs.

\$50

Family max.

Free

Seniors 62+

BOROUGH OF MONTVALE**FEBRUARY 28, 2017****Non-resident**

| | |
|-------|--------------------------|
| \$60 | Adult |
| \$20 | Child/Student 13-18 yrs. |
| \$100 | Family max. |
| \$10 | Seniors 62+ |
| \$10 | Fee for Replacement Card |

*Students registering alone must register as an adult

| | | |
|-----------------------|------|-------|
| Volleyball - Adult | \$50 | \$75 |
| Volleyball- Girls | \$80 | \$100 |
| Yoga | \$80 | \$100 |
| Yoga – mini | \$40 | \$50 |
| Special Needs Program | \$80 | \$100 |

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

66-2017 Authorize Cancellation of Uncollectable Taxes for Block 2411; Lots 7 & 8

WHEREAS, the two lots listed above were sub-divided in July 2016; these lots no longer exist; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Montvale, County of Bergen, State of New Jersey, that the tax collector is hereby authorized to cancel the following current year taxes:

Block 2411; Lot 7 in the amount of \$819.00 – 21 Hillside Terrace

Block 2411; Lot 8 in the amount of \$5,739.82 – 19 Hillside Terrace

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

67-2017 Authorizing the Execution of a Collectively-Negotiated Agreement with Montvale PBA Local 303

WHEREAS, the Borough of Montvale had previously entered into a series of collectively-negotiated agreements with Montvale PBA Local 303 (the “PBA”) covering the terms and conditions of employment of the members of the PBA; and

WHEREAS, the most recent agreement covered a period ending December 31, 2016; and

WHEREAS, the parties have engaged in collective negotiations for the purpose of agreeing upon a new agreement; and

WHEREAS, the parties have reached a mutual agreement on the terms of a new agreement, a copy of which is attached hereto (the “PBA Agreement”); and

WHEREAS, it has been represented to the Borough that the PBA has voted to ratify the terms set forth in the PBA Agreement.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Montvale that the terms of the PBA Agreement attached hereto are hereby approved; and

BE IT FURTHER RESOLVED, that the PBA Agreement shall be deemed effective from January 1, 2017, through December 31, 2020, or until a successor agreement is agreed upon; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the PBA Agreement in substantially the form attached hereto.

Introduced by: Councilmember ; seconded by Councilmember - All ayes
Councilmember Weaver would like to see the contract before voting on it, therefore, this resolution was tabled until next meeting

68-2017 Resolution for Municipalities to Confirm Endorsement of Community Development Projects

WHEREAS, a Bergen County HOME Investment Partnerships application of \$600,000 has been proposed by BCUW/Madeline Housing Partners for Montvale Senior Housing in the municipality of Montvale, and

WHEREAS, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the Mayor and Council, and

WHEREAS, the aforesaid project is in the best interest of the people of Montvale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid HOME application,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Montvale hereby confirm endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

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

69-2017 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the EDGREN WAY PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Montvale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2017-EDGREN WAY-00504** to the New Jersey Department of Transportation on behalf of the Borough of Montvale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Montvale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement

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

70-2017 Award Contract/Air Group LLC/Replace Air Conditioning Unit/Second Floor Server Room

WHEREAS, the Borough of Montvale is in need of a replacement air conditioning unit that serves the second floor server room within the Montvale Police Department located at the Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645; and

WHEREAS, the Borough of Montvale has solicited quotations with two quotations being received which are attached to the original of this resolution; and

WHEREAS, The Borough of Montvale hereby enters into an agreement with Air Group LLC, 1 Prince Road, Whippany, New Jersey 07981 as per the attached January 16, 2017 proposal in the amount of \$9,300.00; and

WHEREAS, the warranty is included as detailed in the attached proposal; and

WHEREAS, the Certified Municipal Finance Officer certified funds are available in an Ordinance; 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 Ridgewood News or Bergen Record, be on file, available for public inspection, in the office of the Municipal Clerk, 12 Mercedes Drive, Montvale, NJ 07645.

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

BILLS: *Municipal Clerk read the Bill Report*

Motion to pay bills by Councilmember Curry; seconded by Councilmember Koelling - All ayes

ENGINEER'S REPORT:

Chris Doer

Report/Update

a. County Road Improvements / Update

Bids were received; being reviewed by Maser as well as the attorneys

b. Siren Re-location/Cell Tower/12 Mercedes Drive/Proposal Wireless Edge

The cost will be \$25,000; after a brief discussion by councilmembers, it was decided to measure the decibels to see if moving it would make a difference;

c. Discussion 2017 Road Improvement Program/List of Potential Road/Funding

Councilmember Weaver asked for clarification on cost to pave Old Chestnut Ridge Road; the engineer will research;

The remainder of all projects within the borough will be included with the original minutes.

ATTORNEY REPORT:

Phil Boggia, Esq.

Report/Update

a. Twice Per Week Solid Waste Collection/June/July & Aug./Waste Management/Additional Funding Cost

The cost is \$57,000; the council decided not to approve – a roll call vote was taken - all nays

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a. Montvale Evangelical Free Church/Donation To Borough of Montvale/Discuss Municipal Use of Donation

The amount of the donation \$3,565

Carolee Adams spoke in response to the donation; she recalled an incident at the church of a couple of ladies falling; Tri-Boro ambulance was dispatch; Ms. Adams stated that the EMT's serve so selflessly, their compassionate, their professionalism and receive no compensation; they serve all types of people, regardless of their religion, financial status.

After a brief discussion, councilmembers decided to contact Tri-Boro to see what their needs are and donate money to them

b. Review/Tree Removal Form/Montvale Building Department

The form has been revised; it has been reviewed by Planning Board, Environmental Commission and the Construction department; it was decided by Councilmembers to leave it the way it is; it will be posted to the website.

- c. Review 2016 Field Scheduling & Fees For Use of Fields In 2017/Resident/Non-Resident/Arsenal Soccer Club

Councilmember Weaver suggested that being that the turf might be replaced this year, they should only use the field for the spring only

- d. Appointment/Deputy OEM Coordinator/Greg March

Mayor Ghassali appointed Greg March for Deputy Coordinator – councilmembers approved the appointment

- e. Request To Fill Vacancy/Sergeant/Montvale Police Department/Promotional Process

Councilmembers approved to fill the vacancy a motion by Councilmember Koelling; seconded by Councilmember Curry – all ayes

- f. Montvale Access Cable TV Studio – Inventory/Equipment Upgrades

Councilmember Gloeggler stated that some of the equipment is broken and old; will get estimates on replacing some needed equipment; some volunteers came forward, will provide names at next meeting.

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.

A motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember LaMonica – all ayes

Carolee Adams

Mentioned at a prior meeting about a program called Snow Angels, which is assistance for seniors with snow removal; a few towns throughout the state have this program; Ms. Adams spoke with the Board of Ed to see if students would be interested as a community service project; also Ms. Adams will speak with the Senior Club President as well; at the last council meeting, Ms. Adams mentioned that at recent boy scout function, she had a conversation with one of its members, and how he stated that having a SRO in the schools provides the students with having a great mentor; Lastly, Ms. Adams, reminded the councilmembers to get involve with the school funding issues.

A motion to close meeting to the public by Councilmember Koelling; seconded by Councilmember Curry – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Koelling ; seconded by Councilmember Curry – all ayes
Meeting adjourned at 9:25pm

The next Meeting of the Mayor and Council will be held March 14, 2017 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk