

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:50 pm. Adequate notification was published in the official newspaper of the Borough of Montvale.

**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 Arendacs	Councilmember Koelling
Councilmember Curry	Councilmember Lane
Councilmember Gloeggler	Councilmember Weaver

Also present: Mayor Mike Ghassali; Borough Engineer, Andy Hipolit; Borough Attorney, Joe Voytus; Municipal Clerk/Administrator, Maureen Iarossi-Alwan; Deputy Municipal Clerk, Fran Scordo

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE NO. 2017-1438** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 128 OF THE CODE OF THE BOROUGH OF MONTVALE TO ESTABLISH A NEW AH-26 AFFORDABLE HOUSING DISTRICT AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO (Planning Board Resolution)

**WHEREAS**, the Borough Council of the Borough of Montvale desires to create a realistic opportunity for the creation of affordable housing within the Borough; and  
**WHEREAS**, the Borough Council has determined that certain lands comprised of approximately 7.043 acres within the OR-4 Office and Research District commonly referred to as Block 3302, Lot 1 are suited for inclusionary development; and  
**WHEREAS**, the Borough has a constitutional obligation to create a realistic opportunity for the construction of its fair share of the region's need for affordable housing; and  
**WHEREAS**, the Borough wishes to foster development that provides an affordable housing set-aside; and  
**WHEREAS**, the location of the site next to the Garden State Parkway and neighboring fitness facility eliminates any concern for impacts on residential neighbors within the Borough located to the west and north; and  
**WHEREAS**, a residential apartment development serves as an effective transitional use between the core single-family residences within the Borough and the Garden State Parkway and office uses to the north and east; and  
**WHEREAS**, the location of the site next to an existing fitness complex will encourage a healthy lifestyle and provide an important and easily accessible fitness opportunity for residents; and  
**WHEREAS**, the site is located adjacent or nearby to existing structures with increased permitted heights; and

**WHEREAS**, the site contains significant existing wooded areas and natural screening and berming that minimize the visual impact of the development with respect to Sony Drive from the east.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Montvale in the County of Bergen and the State of New Jersey as follows:

**Section 1.** Chapter 128 of the Code of the Borough of Montvale, Section 128-2.1, "Classes of districts" is hereby amended and supplemented by adding the underlined text alphabetically, as follows:

**§ 128-2.1 Classes of districts.**

AH-26 Affordable Housing District

**Section 2. AH-26 Affordable Housing District.** Chapter 128 of the Code of the Borough of Montvale is hereby amended and supplemented by adding a new Section 128-5.17, "AH-26 Affordable Housing District" as follows:

**§ 128-5.17. AH-26 Affordable Housing District.** The following standards shall apply to development within the AH-26 District. All other provisions of Chapter 128, Zoning of the Montvale Borough Code shall apply to development in the AH-26 District only where specifically indicated as applicable in **§ 128-5.17** of the Montvale Code. When the standards herein conflict with other provisions of Chapter 128, the standards herein shall apply.

A. **Purpose and planning rationale.** The purpose of the AH-26 District is to provide a realistic opportunity for the construction of affordable housing as part of a comprehensively planned inclusionary development, in conformance with the regulations of this chapter governing affordable housing. In addition, the Borough has determined that this site is specially and particularly appropriate for a higher residential density than is characteristic in the Borough substantially for the following reasons:

1. Sound planning supports a holistic approach to planning for affordable housing where inclusionary neighborhoods are located near services. Sound planning also involves the conservation of neighborhood character, an objective achieved in part by maintaining the existing scale, density and character of the Borough's core single-family neighborhoods. This can be achieved in part through a gradation of density across the Borough, maintaining higher densities and greater building heights further away from the core single-family residential zones within the Borough, and requiring lower densities and lower permitted building heights as the properties approach core single-family districts within the Borough.

B. **Definitions.** The following definitions shall apply only within the AH-26 District, shall supplement any non-conflicting definitions within Chapter 128 of the Borough Code, and shall supersede any conflicting definitions in the Borough Code:

- (1) "*Building Height*" shall be defined as the vertical distance in feet between the average Ground Elevation around the foundation of the building and the elevation of the roof deck if the building is flat, or in the case of sloping roofs, to a point half the distance between the rafter plate and the uppermost point of the roof. Exclusions from the definition of Building Height shall include the following: any parapet, structure, apparatus, amenities and/or equipment located on the roof.
- (2) "*Ground Elevation*" shall be the elevation of the property in its final/finished grade at building wall.

- (3) “*Story*” shall be defined as that portion of a building included between the surface of any floor and the surface of the floor above it or, if there be no floor above it, then the space between the floor and the ceiling next above it. Any structures, apparatus, utilities, amenities, and equipment on the roof shall not constitute a Story. Any level of parking, structures, apparatus, utilities, amenities, and equipment that is below or partially below finished grade and underneath a residential story within the AH-26 District shall be explicitly excluded from being characterized as a Story, Basement, or Cellar, and shall not count towards the Building Height.
- (4) “*Tract*” shall be defined as contiguous parcels of land under common ownership, at least one of which is located within the AH-26 District. The parcels making up a Tract may be located within or without the Borough of Montvale.
- (5) “*Wall Sign*” shall be defined as all flat signs of duramesh, or windscreen which are placed against a building or other structure and attached to the exterior front, rear or side wall of any building or other structure so that the display surface is parallel with the plane of the wall.

**C. Application Requirements.**

- (1) Any application for development for any portion or the entirety of the AH-26 District shall be submitted in accordance with the requirements of **§ 128-8.4** through **§ 128-8.9**.
- (2) Contribution of the pro-rata share of off-site improvements shall be governed by **§ 128-8.15**. Notwithstanding the foregoing, consistent with N.J.A.C. 5:93-10.1(b), no unnecessary cost generative provisions of the Montvale Borough Code shall apply to any proposed Inclusionary Development within the AH-26 District.

**D. Permitted uses.** In the AH-26 District, the following uses shall be permitted:

- (1) Permitted Principal Uses. Inclusionary multi-family residential development in accordance with the provisions below and the development standards enumerated in Subsection E:
  - a. All units within the Inclusionary Development shall be apartment-style units.
- (i) Residential market-rate units shall have the following minimum unit sizes:
  - One-bedroom – 700 square feet
  - Two-bedroom – 850 square feet
  - Three-bedroom – 1,100 square feet
- (ii) A maximum of 10% of the market-rate units may be three-bedroom units.
  - b. Twenty (20) percent of all units shall be set aside for low- (including very-low-) and moderate-income households (“Affordable units”).

c. Affordable units shall be governed by deed restrictions ensuring long-term affordability controls in accordance with **§ 128-5.12(G)**.

d. The development, unit distribution and marketing of all Affordable units shall be undertaken consistent with the Uniform Housing Affordability Controls, **Section 5.12** of this Chapter, and all other applicable laws, rules and regulations, including applicable COAH regulations, the Fair Housing Act and its requirement that at least ten (10) percent of all affordable units associated with this project be made affordable to very-low-income households.

e. Developer shall be responsible for all costs associated with the initial rental of the affordable units, and for the continuing administration of the affordable units and the preservation of the creditworthiness of the units.

f. All uses not expressly permitted are deemed prohibited.

(2) Permitted Accessory Uses. In connection with a permitted principal use, the following may be permitted as an accessory use:

- a. Recreational facilities, lobbies, fitness facilities, outdoor barbecues, fire pits, gazebos, leasing and management offices, club rooms, lounges, libraries, business centers, game rooms, pool rooms, community gardens, rec rooms, children's play rooms, private theater rooms, community kitchens for tenant use, bath house, locker rooms, mail rooms, package storage areas, valet spaces, or related mechanical equipment, and similar interior tenant amenities
- b. Sports facilities, including but not limited to fields, courts, putting greens and swimming pools
- c. Playground facilities
- d. Dog park or dog run
- e. Dog spa or grooming facility, not including boarding or veterinarian services, only for the residents of the inclusionary multi-family residential development
- f. Storage spaces unattached to the units, but used by occupants of units, which are incorporated into the multi-family residential building
- g. Waste and recycling receptacles
- h. Parking structures incorporated into the multi-family residential building for storage of vehicles, and loading area spaces
- i. Any use customary and incidental to a permitted principal use
- j. Signs
- k. Fences
- l. Landscaping and buffering

**E. Development standards.**

(1) Area, Yard and Bulk Standards.

<b>Requirement</b>	<b>AH-26 District Regulation</b>
Minimum Lot Size	7 Acres
Minimum Setbacks	
Inter-Municipal Boundary Within a Tract	0 Feet
Garden State Parkway/Front Yard <sup>1</sup>	40 Feet
Rear Yard <sup>2</sup>	30 Feet
Side Yard <sup>3</sup>	30 Feet
From internal access road	0 feet
Maximum Building Height – Flat Roof (Feet)	59 Feet
Accessory Building Height (Feet)	14 Feet
Maximum Building Height (Story)	4 Stories
Maximum Number of Units per Acre	26.5 Units/Acre
Maximum Building Coverage (%)	45%
Maximum Lot Coverage (%)	60% (up to 70% with pervious materials)

(2) All setbacks shall be measured from the property lines of the entire Tract and not from zoning or lot lines that are established by municipal boundaries. No internal setbacks shall apply to any structure, parking, public or private street, driveway, or municipal boundary line internal to the Tract as a whole, except as required by New Jersey Building and/or Fire Codes. Retaining walls, sidewalks, walkways, fences, freestanding signs, above and below-ground storm water detention basins, and above-ground and underground utilities, shall be permitted within the setbacks.

(3) Signage. Within the AH-26 District, the following shall apply:

- a. **§ 128-9.7A.1 through § 128-9.7A.4.**
- b. **§ 128-9.7A.8 through § 128-9.7A.15**, except that **§ 128-9.7A.9A(1), § 128-9.7A.9A(3), § 128-9.7A.9A(6), § 128-9.7A.9C, § 128-9.7A.9G, § 128-9.7A.9N and § 128-9.7A.9Q** shall not apply.
- c. Notwithstanding **§ 128-9.7A.3**, the area of a sign face shall be computed by drawing a square or rectangle that encompasses the extreme limits of the verbiage, logo or emblem.

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<sup>1</sup> The portion of the property fronting on the Garden State Parkway shall be considered the “Front Yard” of the property located in the AH-26 Zone. Notwithstanding the foregoing, the property is only accessible via adjacent properties located in a neighboring municipality.

<sup>2</sup> In the event that any Rear Yard fronts upon an Inter-Municipal Boundary, the Inter-Municipal Boundary Minimum Setback shall supersede the Rear Yard Minimum Setback and control.

<sup>3</sup> In the event that any Side Yard fronts upon an Inter-Municipal Boundary, the Inter-Municipal Boundary Minimum Setback shall supersede the Side Yard Minimum Setback and control.

- d. Two (2) freestanding signs per parcel shall be permitted in accordance with the following:
  - i. One freestanding sign fronting along the Garden State Parkway shall be permitted, which may be a maximum of four (4) feet high. In addition, the sign may be placed atop a base that is a maximum of two (2) feet in height, or a maximum of three (3) feet in height in the event that landscaping is to be installed at the base. The maximum area of a sign fronting along the Garden State Parkway shall be sixty (60) square feet.
  - ii. One freestanding sign that does not front along the Garden State Parkway shall be permitted, which may have a maximum area of thirty-six (36) square feet and a maximum height of six (6) feet.
  - iii. Notwithstanding Section 128-9.7A.9J of the Borough Code, freestanding signs may include three colors, assuming one of the colors is white or black.
  - iv. No freestanding sign shall be located in a sight triangle.
  - v. External illumination shall be permitted for freestanding signs.
- e. Wall Signs.
  - i. One (1) temporary Wall Sign is also permitted on one (1) façade of the building not facing the Garden State Parkway, which Wall Sign may not exceed one hundred forty four (144) square feet. Such temporary Wall Sign may remain for a six month period, which period may be extended for to two (2) additional six (6) month periods upon application to the Borough Planning Board.
  - ii. Notwithstanding Section 128-9.7A.9J of the Borough Code, Wall Signs may include three colors, assuming one of the colors is white or black.
- f. Wayfinding and directional signs, building identification signs, parking restriction and other community restriction signs shall be permitted throughout the AH-26 District, to the extent necessary.

(4) Parking Requirements. The following parking requirements shall apply:

<b>Requirement</b>	<b>AH-26 District Regulation</b>
Parking Spaces	In accordance with Residential Site Improvement Standards (RSIS)
Parking Dimensions (Aisle Width)	Parallel Parking – 12 feet 30 degree angle – 12 feet 45 degree angle – 13 feet 60 degree angle – 18 feet Perpendicular Parking – 24 feet
Parking Dimensions (Parking Space)	9 feet x 18 feet
Parking Dimensions (Compact Parking Space)	8.5 feet x 16 feet

- a. Up to ten percent (10%) of parking spaces may be Compact Parking Spaces.
- b. The Planning Board may liberally grant de minimis waivers and exceptions from RSIS to facilitate the Inclusionary Development within the AH-26 District.

## F. Site Standards.

## (1) Circulation.

- a. Walkways shall link all residential buildings within the development.
- b. Where sections of walkways branch off or join up, a decorative marker, signpost, or circle is recommended. Where walkways traverse vehicular driveways, crosswalks shall be provided and marked with textured paving in a contrasting material and color.
- c. Benches are encouraged to be located throughout the development along the pedestrian walkway network.

## (2) Retaining Walls. Notwithstanding anything to the contrary in Chapter 39, Section 2 of the Borough Code:

- a. To the extent possible, the use of retaining walls should be used in the form of terraces to accommodate severe grade changes, rather than single tall retaining walls. However, no retaining walls shall exceed a height of 15 feet. Where provided, retaining walls shall be screened with a variety of landscaping materials, in groupings, rather than utilizing hedges or uniform plant species and spacing.
- b. Ornamental walls utilizing loose laid stone may be provided throughout the site as appropriate, up to a height of four feet.
- c. Fences shall be installed along the tops of all retaining walls that exceed a height of four (4) feet. Chain-link fencing, including vinyl-coated chain-link fencing, is prohibited.
- d. No fence on the site may exceed a height of four feet, except for fences for the screening of loading areas, utility enclosures and dumpsters.

## (3) Architecture.

- a. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as canopies and recesses shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, in the case of a pitched roof, roofline offsets, dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
- b. The maximum spacing between building wall offsets shall be 80 feet.
- c. The minimum projection or depth of any individual vertical offset shall be 1.0 feet.
- d. The maximum spacing between roof offsets shall be 80 feet.

- e. The architectural treatment of the front façade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors and details.
- f. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
- g. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- h. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties. Section 128-6.4, regarding satellite antennas, shall apply.
- i. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.
- j. Placement of any packaged terminal air conditioner units within the façade is prohibited.
- k. Balconies are prohibited to be included on the outward facing sides of any building, except that all corner residential units may have balconies. Nonfunctional, decorative "Juliet" balconies, which cannot be accessed from the interior of a unit, shall be permitted on the outward facing sides of any building. Inward-facing balconies shall also be permitted.

(4) Trash.

- a. All trash/recycling storage areas shall be enclosed on all four sides and screened using wood fencing or other attractive material. Trash may be stored inside the buildings.

(5) Lighting.

- a. LED (light-emitting diode) light of the soft white category shall be incorporated into site, service and parking lot lighting.
- b. All exterior lights shall be designed so as to reduce glare, lower energy usage and direct lights only to where they are needed.

(6) Landscaping.

- a. A mix of deciduous and evergreen trees and low ground cover landscaping shall be planted along the entire site perimeter, with the exception of any Inter-Municipal Boundary, in order to form an effective year-round screening. Tree spacing shall be 40 feet on center, or closer. In addition, where a row of parking stalls runs in a straight line for more than 20 spaces, landscaped islands shall be

provided between every 15 parking spaces, planted with trees and low ground cover.

- b. Eighty percent (80%) of the perimeter of the building(s) shall be surrounded on all sides by a landscaped, planted strip at least three feet in width. Paved walkways leading to pedestrian entrances may cross this landscape strip in a perpendicular fashion.
- c. Use of berming, retaining walls, trees and other vegetation shall be utilized to the extent practicable in order to minimize the visual impact of the development on adjacent properties. Where possible to accommodate an inclusionary development, existing, mature trees shall remain in place in order to provide sufficient visual buffering.

G. Miscellaneous.

(1) Consistent with N.J.A.C. 5:93-10.1(b), no unnecessary cost generative provisions of the Montvale Borough Code shall apply to any proposed Inclusionary Development within the AH-26 District.

(2) Additional applicable provisions to the AH-26 District. The following sections of Chapter 128 of the Montvale Borough Code shall apply to development in the AH-26 District.

- (1) **Article X**, Enforcement.
- (2) **Article XI**, Interpretation.
- (3) **Article XIII**, Violations and Penalties.
- (4) **Article XIV**, Validity.
- (5) **Article XVI**, Effect.
- (6) **Article XVIII**, Site Work Permit.

**Section 3.** The Official Zoning Map shall be changed for Block 3302, Lot 1 from OR-4 Office and Research District to AH-26 Affordable Housing District.

**Section 4.** The Planning Board hearing an application for an Inclusionary Development within the AH-26 District shall be authorized to grant such variances, waivers, and exceptions as are necessary to facilitate the Inclusionary Development.

**Section 5.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 6.** All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 7.** Effective date. This Ordinance shall take effect immediately upon final passage and publication as required by law and upon receipt of an Order from the Superior Court of New Jersey approving of the Settlement Agreement, dated November 14, 2017, between the

Borough of Montvale, the Planning Board of the Borough of Montvale, and Hornrock Properties MPR, LLC in the litigation In re Montvale, Docket No. BER-L-6141-15.

Ordinance No. **2017-1438** was introduced for second reading by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only; Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Gloeggler - all ayes

**NO PUBLIC COMMENT**

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

Motion to adopt on Second and Final Reading in Bergen Record by Councilmember Lane; seconded by Councilmember Gloeggler; Clerk read by title only ----- A roll call vote was taken - Councilmember Arendacs and Weaver – No and Councilmembers Curry, Gloeggler, Koelling and Lane - Yes

**PUBLIC HEARING OF ORDINANCE NO 2017-1439**

AN ORDINANCE TO PROVIDE FOR THE PRESERVATION OF TREES ON RESIDENTIAL PROPERTIES THROUGHOUT THE BOROUGH OF MONTVALE AND CREATING A NEW CHAPTER 119A IN THE BOROUGH CODE ENTITLED “TREES AND PLANTS”

**BE IT ORDAINED** by the Mayor and Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, as follows:

**Section 1.** The Code of the Borough of Montvale is hereby amended and supplemented by adding a new Chapter 119A, “Trees and Plants,” as follows:

**Chapter 119A  
Trees and Plants**

**Article 1      Tree Removal**

- § 119A-1      Findings and purpose**
- § 119A-2      Tree removal permit required**
- § 119A-3      Exemptions**
- § 119A-4      Compensatory plantings**
- § 119A-5      Violations**

**Article 2      Demolition**

- § 119A-6      Tree removal during demolition**
- § 119A-7      Demolition permit required**
- § 119A-8      Exemptions**
- § 119A-9      Violations**

**Article 3      Bamboo**

§ 119A-10 Purpose  
§ 119A-11 Prohibition of the planting, growing or cultivating of bamboo  
§ 119A-12 Exemptions  
§ 119A-13 Complaint notice; order for removal and compliance  
§ 119A-14 Violations

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**Article 1 Tree Removal**

**§ 119A-1 Findings and purpose**

The Borough Council of the Borough of Montvale does find and determine that:

- A. Indiscriminate and uncontrolled tree removal upon lots and tracts of land within the Borough contributes to drainage problems, increased soil erosion and dust conditions tending to decrease property values and adversely affects the public health, safety and general welfare of the community.
- B. The Borough desires to control and regulate tree removal and to preserve the maximum number of trees during the course of development of lots or parcels of land.
- C. This ordinance is not intended to directly affect those property owners not involved in construction activities.

**§ 119A-2 Tree removal permit required**

- A. Tree removal as set forth in this Article shall be prohibited within the Tree Preservation Zone, which is defined as the area between the lot or parcel perimeter property lines and the front, side and rear building set-back lines as established in each zoning district. Notwithstanding the foregoing, the Tree Preservation Zone shall not include any area within 5 feet of the boundary of any dwelling structure on the property.
- B. Except as may be otherwise set forth in this Chapter, no applicant, developer, contractor or other person or entity shall cut down or remove trees of a caliper of six (6) inches or greater measured 4.5 feet above the high side of existing grade within the Tree Preservation Zone as part of a site plan, subdivision or building addition application without first obtaining a tree removal permit from the Construction Code Official in accordance with this Article.
- C. The Construction Code Official shall adopt a standard application form for use by applicants seeking a tree removal permit, whether such application is made to the Construction Code Official or to the reviewing Board.
- D. In the case of site plan and subdivision applications, the reviewing Board shall request recommendations from the Environmental Commission on tree removal prior to any Board decision. For applications not subject to Board review, the Construction Code Official shall request the recommendations of the Montvale Environmental Commission before issuing a tree removal permit.

- E. A site survey or other reasonably sufficient plan or drawing showing the tree removal limits shall be provided for review and approval with the tree removal application. In evaluating the application, the Environmental Commission shall consider the following;
1. Light and air flow
  2. Property screening, both from public roadways and neighboring properties
  3. Relative size and health of trees and benefits/detriments to removal
  4. Proposed distribution of tree species
  5. Potential safety hazards among existing trees
  6. Number and density of remaining trees
  7. Property circulation (walkways, driveways, etc.)
- F. The Montvale Environmental Commission shall submit a letter to the Construction Code Official, or the reviewing Board, as appropriate to the application, describing the Commission's recommendations as to permitted tree removal limits. The final determination on the tree removal permit shall be within the jurisdiction of the Construction Code Official or the reviewing Board, as appropriate to the application.
- G. In connection with the submission of a site plan, subdivision or building addition application, the applicant shall be required to detail any tree removal activities undertaken on the property within the past two (2) months. If any trees were removed during said two-month period that would have been impermissible under this Article as part of such application, the Montvale Environmental Commission shall review such activities and recommend compensatory plantings consistent with this Article.

### § 119A-3 Exemptions

The following shall be exempt from the requirements of this Article:

- A. Single or two-family residential lots containing an existing dwelling that are not subject of a site plan, subdivision or building addition application.
- B. Tree removal is permitted within the Tree Preservation Zone to allow for the following:
1. Driveway or roadway access from an existing road frontage.
  2. Land grading necessary to establish the appropriate proposed grade elevations to foster proper drainage and construction of the proposed building or buildings on a lot or parcel.
  3. Construction or installation of underground utilities that serve the building or buildings.
  4. Removal of trees that are dead, dying or diseased, or trees that have sustained significant storm damage, or trees that due to their location or physical condition render them a hazard to structures, vehicles and/or people.
  5. Removal of any tree with a caliper below six (6) inches measured from 4.5 feet above the highest side of existing grade.

6. Any tree growing in the public right-of-way or on publicly-owned land or property.
7. Tree removal as part of a Municipal, County or State agency or authority improvement project.
8. Commercial nurseries, Christmas tree plantations and farming activities requiring tree removal.
9. Any trees hindering sight triangles from property or impeding proper sight distances.

**§ 119A-4      Compensatory plantings**

In the event that preservation of existing trees within any designated Tree Preservation Zone is impossible or impractical based on the proposed development, compensatory plantings shall be required for each live tree within the Tree Preservation Zone being removed. Compensation shall be planted on a one for one basis on the project lot or parcel with each compensatory tree being 2 inches caliper minimum. The Montvale Environmental Commission will review and recommend compensatory planting as a result of actions described in this Chapter.

**§ 119A-5      Violations**

- A. A fine of five hundred dollars (\$500) shall be imposed for each tree removed in violation of this Article.

**Article 2      Demolition**

**§ 119A-6      Tree removal during demolition**

The Borough Council of the Borough of Montvale does hereby find and determine that there is a desire to control and regulate tree removal as part of the demolition of buildings and structures, because uncontrolled demolition and clearing of land can be detrimental to the public safety, health and general welfare.

**§ 119A-7      Demolition permit required**

- A. Pursuant to the Borough Code, no applicant, developer, contractor or any other person or entity shall initiate or commence demolition or removal of any buildings or structures without first obtaining a demolition permit from the Construction Code Official.
- B. A site survey showing the limits of disturbance (defined as the foundation line of the structure being demolished plus an additional 20 feet in each direction) required to accomplish the demolition or removal shall be provided as part of the demolition permit application.

- C. Tree removal outside the approved limits of disturbance shall not be permitted without first obtaining a Tree Removal Permit pursuant to this Chapter, except as may be otherwise set forth herein.

**§ 119A-8 Exemptions**

- A. Tree removal is permitted outside the limits of disturbance as defined herein to allow for the removal of any tree with a caliper below six (6) inches measured 4.5 feet above the highest side of existing grade.
- B. Tree removal shall be permitted inside the limits of disturbance without regard to the size of the tree without obtaining a Tree Removal Permit.

**§ 119A-9 Violations**

- A. A fine of five hundred dollars (\$500) shall be imposed for each tree removed in violation of this Article.

**Article 3 Bamboo**

**§ 119A-10 Purpose**

The Borough Council of the Borough of Montvale does hereby find and determine that it is necessary and proper to control the planting, cultivating and/or growing of bamboo in the Borough of Montvale and to require barriers to prevent the spread of existing bamboo into other areas of the Borough.

**§ 119A-11 Prohibition of the planting, growing or cultivating of bamboo**

Subject to certain exemptions set forth in this Article, no persons, residents, citizens, property owners, tenants or other entities shall plant, cultivate or cause to grow, any bamboo upon any lot and/or parcel of ground anywhere within the territorial boundaries of the Borough of Montvale.

**§ 119A-12 Exemptions**

The following shall be exempt from the requirements of this Article:

- A. Any existing bamboo plant located on any property within the Borough limits. Notwithstanding the foregoing, no portions of such bamboo shall be allowed to grow upon, extend roots across, or extend branches, stalks or leaves past the property boundary or onto any public right-of-way. Furthermore, the general prohibitions set forth in §119A-11 shall apply with respect to any bamboo plant whose presence on property located in the Borough does not pre-date the effective date of this Article.

- B. Any bamboo plant where the root system of such bamboo plant is entirely contained within an above-ground-level planter, barrel, or other vessel of such design, material and location as to entirely prevent the spread of growth of the bamboo plant's root system beyond the container in which it is planted. Whether planted or growing in a container as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than ten (10) feet from any property line or public right-of-way.

#### **§ 119A-13 Complaint notice; order for removal and compliance**

Whenever a complaint is received by the Borough regarding the encroachment of any bamboo plant or root, or whenever the Borough, on its own observations and inspections, determines that there is an encroachment or bamboo plants or roots onto the property of another land owner, the Borough shall cause Notice to be served on the owner of the offending property, according to the following procedure:

- A. The Notice shall specify the nature of the violation(s).
- B. The Notice shall state specifically what must be done by the responsible party to correct the violation(s).
- C. The Notice shall state that the violation(s) must be corrected within thirty (30) calendar days from the date of the Notice is received.
- D. If the violation is not remedied within the time frame set forth in the aforesaid Notice, the Borough is hereby authorized and empowered to remove or to have removed any encroaching bamboo and to take all reasonable steps to eradicate the re-growth of the bamboo on the public right-of-way, including sidewalks, and to restore such land to its normal condition, prior to such removal and eradication.
- E. The Notice shall be mailed by Certified Mail, Return Receipt Requested, properly addressed and with sufficient postage, and also by First Class mail. Notice by Certified Mail shall be deemed complete on the date of personal delivery, or the date the Certified Mail is marked refused or unclaimed or otherwise undeliverable by the United States Post Office. First Class mail shall be deemed delivered on the fifth calendar day after mailing by the Borough.

#### **§ 119A-14 Violations**

- A. Any person or entity determined by a court of competent jurisdiction to have violated any provision of this Article shall be subject to pay a fine of one hundred dollars (\$100.00). Each day of a continuing violation shall constitute a separate offense for which an additional fine may be levied.
- B. In addition to any penalty imposed as set forth above, the cost of any action taken by the Borough to remove and/or eradicate any prohibited bamboo, together with legal fees and other costs incurred by the Borough shall be recoverable from the responsible party.

**Section 2.** Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 3.** Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 4.** Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 5.** Effective Date.

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

Councilmember Gloeggler made a motion to withdraw Ordinance No. 2017-1439; seconded by Councilmember Lane; the borough attorney explained that due to some legal and other considerations, it would be best to withdraw the ordinance and re-introduce the ordinance in January with some amendments; a roll call was taken – all ayes

**MINUTES:**

November 14, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Gloeggler  
- all ayes with the exception of Councilmember Lane abstaining

December 11, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Gloeggler  
- all ayes with the exception of Councilmember Weaver abstaining

**MINUTES CLOSED/EXECUTIVE SESSION:**

December 11, 2017

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Gloeggler  
- all ayes with the exception of Councilmember Weaver abstaining

**RESOLUTIONS:**

**237-2016 Authorize Change Order No. 2/Montvale 2017 Paving Program DLS Contracting**

**WHEREAS**, The Borough of Montvale awarded a contract on June 13, 2017 to DLS Contracting, 271 Highway 46 West, Fairfield, NJ 07004 for the Montvale 2017 Road Paving Program; and

**WHEREAS**, the original contract amount including Alternate A & Alternate B is \$620,068.50 via Resolution #133-2017; and

**WHEREAS**, the Borough Engineer in a letter dated December 19, 2017 which is attached to the original of this resolution has been monitoring the project and recommends in detail Change Order #2 in the amount of \$6,900.00; and

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

Total Contract Amount	\$620,068.50	Resolution 133-2017
Change Order #1	\$58,477.50	Resolution 152-2017
Change Order #2	\$ 6,900.00	Resolution 237-2017

**NOW THEREFORE BE IT RESOLVED**, By the Governing Body of the Borough of Montvale authorize Change Order #2 in the amount of \$6,900.00 to complete the paving for additional risers during the course of construction and added some safety measures to the guiderail that was installed.

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

**238-2017 Authorize Change Order #2 /Fieldstone Middle School Synthetic Turf Replacement /Landed Group**

**WHEREAS**, the Borough of Montvale awarded a contract on August 8, 2017 to The Landed Group in connection with the Fieldstone Middle School Synthetic Turf Replacement; and

**WHEREAS**, contract amount was awarded in the amount of \$395,033.50; and

**WHEREAS**, this contract was awarded via Resolution #159-2017; and

**WHEREAS**, the Borough Engineer in a letter dated September 1, 2017 recommends Change Order #2 in the amount of \$52,439.75 as an increase to the contract ; and

**WHEREAS**, Change Order #2 is hereby authorized to be issued to The Landed Group in the amount of \$52,439.75; and

**WHEREAS**, the Borough’s Chief Financial Officer has certified that funds have been appropriated and are available for this purpose and will be appropriated out of the Open Space Trust Fund.

Total Contract Base Bid Amount	\$395,033.50
Change Order #1	\$14,913.75
Change Order #2	\$52,439.75
<b>Adjusted Contract Amount</b>	<b>\$462,387.00</b>

Introduced by: Councilmember Lane; seconded by Councilmember Gloeggler - All ayes  
Councilmember Weaver asked for clarification, the borough engineer explained that there was an issue with recycling of the turf and adding additional lines; - a roll call vote was taken – all ayes

**239-2017 Award Professional Service Contract /Environmental Services/NJDEP Air Quality Permitting/Boiler For the Municipal Building/Maser Consulting, LLC**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Environmental Engineer to provide professional services to apply for an air quality permit from the NJDEP Air Quality Permitting Program for the Borough Hall’s boiler under the NJDEP general permit with an expiration date of February 2018, further details have been provided in the proposal dated December 7, 2017 which is attached 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**, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated December 7, 2017 to provide the environmental engineering services which are detailed and attached to the original of this resolution, and

**WHEREAS**, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

- 1) That the proposal for the scope of environmental engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: NJDEP Air Quality Permitting Program.
- 3) The cost not to exceed shall be \$4,820.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645.

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

**240-2017 Award Professional Service Contract /Environmental Services/Preparation of EPA SPCC Plan Maser Consulting, LLC**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Environmental Engineer to provide professional services for the Municipal Building. This proposal specifically addresses the Environmental Protection Agency's requirements for spill prevention, control and countermeasure for oil filled equipment at the Municipal Buildings; 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**, Maser Consulting, 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 has submitted a proposal dated December 7, 2017 to provide the environmental engineering services which are detailed and attached to the original of this resolution, and

**WHEREAS**, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

- 1) That the proposal for the scope of environmental engineering services is attached to this resolution which is made part of this resolution shall be awarded to Maser Consulting.
- 2) That the following be provided: Preparation of EPA SPCC Plan Emergency Diesel Generators & Oil Filled Transformer at the Municipal Building
- 3) The cost not to exceed shall be \$6,500.00. The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645.

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

**241-2017 Cancellation of 2017 Current Fund Appropriations**

**WHEREAS**, there exists an unexpended 2017 Current Fund budget appropriation balance; and

**WHEREAS**, it is necessary to formally cancel said balance so that the unexpended balance may be credited to surplus;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the following unexpended 2017 Current Fund budget appropriation balance be cancelled:

<b>GENERAL APPROPRIATIONS</b>	
Operations - Excluded from "CAPS"	
Public and Private Programs Offset by Revenues	
Municipal Alliance Program	\$9,876.00
	=====

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

**242-2017 Cancellation of Prior Year Outstanding Checks**

**WHEREAS**, There exists outstanding checks from the prior year drawn against the General Checking Account and Payroll Account, and

**WHEREAS**, it has been determined that the outstanding checks from the prior year be cancelled to Current Fund surplus;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, that the following outstanding checks from the prior year be cancelled:

**GENERAL CHECKING ACCOUNT**

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>ACCCOUNT</u>
05/31/16	11800	\$90.00	Current	Surplus
06/28/16	11954	80.00	Current	Surplus
08/02/16	12075	40.00	Current	Surplus
08/02/16	12076	40.00	Current	Surplus
10/13/16	12338	80.00	Current	Surplus
10/13/16	12342	<u>160.00</u>	Current	Surplus
		\$490.00		
		=====		

**PAYROLL ACCOUNT**

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>ACCCOUNT</u>
11/17/16	2966	54.31	Current	Surplus
11/30/16	80198	329.95	Current	Surplus
11/30/16	80202	<u>89.51</u>	Current	Surplus
		\$473.77		
		=====		

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

**243-2017 Cancellation of Various Balances**

**WHEREAS**, there exists certain receivable and reserve balances on the Current Fund balance sheet of the Borough of Montvale; and

**WHEREAS**, the funds creating these receivable and reserve balances have been investigated, and it has been determined that these receivable and reserve balances should be cancelled; and

**WHEREAS**, it is necessary to formally cancel said balances so that the uncollected receivable balances may be charged to fund balance and the unexpended reserve balance may be credited to fund balance;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, that the following receivable and reserve balances from the Current Fund be cancelled:

	<u>&lt;CHARGES&gt;/</u> <u>CREDITS</u>
<b><u>Current Fund</u></b>	
Grants Receivable:	
unicipal Alliance Program - 2017	<\$6,674.43>
N.J. Department of Transportation:	
Magnolia/Terkuile	<6,283.20>
	<\$12,957.63>
	=====
Reserve for Grants – Appropriated:	
N.J. Department of Transportation:	
Magnolia/Terkuile	\$45,659.14
	=====

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

**244-2017 Cancellation of Improvement Authorizations**

**WHEREAS**, there exists unexpended improvement authorization balances on the balance sheet of the General Capital Fund; and

**WHEREAS**, the unexpended improvement authorization balances remain dedicated to projects now completed or the balances are determined to be in excess of the amounts necessary for the completion of the projects; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to deferred charges to future taxation unfunded, reserve for payment of debt or fund balance and the unused debt authorizations may be cancelled;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the following unexpended improvement authorization balances be cancelled:

**GENERAL CAPITAL FUND:**

<u>ORDINANCE</u>	<u>DESCRIPTION</u>	<u>FUNDED</u>	<u>UNFUNDED</u>
2001-1153	Various Capital Improvements	\$3,780.00	
2011-1348	Various Capital Improvements	53,037.66	
2014-1389	Improvements to the Sanitary Sewer System	12,920.50	
		\$69,738.16	\$0.00
		=====	=====

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

**245-2017 Transfer of Appropriations**

**WHEREAS**, certain transfer of funds for various 2017 budget appropriations are necessary to cover anticipated expenditures; and

**WHEREAS**, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the transfers be made between the 2017 budget appropriations as follows:

<b><u>CURRENT FUND</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
General Appropriations		
Operations – Within “CAPS”		
Financial Administration:		
Salaries and Wages	\$250.00	
Environmental Commission:		
Salaries and Wages		\$250.00
Tax Assessment Administration:		
Other Expenses	9,000.00	
Elevator Subcode Official:		
Other Expenses		9,000.00
	\$9,250.00	\$9,250.00
	=====	=====

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

**246-2017 Cancellation of Tax and Excess Sewer Overpayments or Delinquent Amounts Less than \$10.00**

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax and excess sewer overpayments or delinquent amounts in the amount of less than \$10.00; and

**WHEREAS**, the Mayor and Council may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax and excess sewer overpayments or delinquencies of less than \$10.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said property tax and excess sewer amounts as deemed necessary.

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution be forwarded to the Tax Collector, Chief Finance Officer and the Municipal Auditor

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

**BILLS: Municipal Clerk read the Bill Report**

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

**ENGINEER’S REPORT:**

Andrew Hipolit  
Report/Update

The camera’s at the intersection of Spring Valley and Summit were adjusted; Councilmember Curry asked when will the new digital sign be up and running; the company installing the software is closed for the holidays a meeting will be scheduled in early January. Councilmember Weaver asked about the process and timeline for the back stops at Memorial and what needs to be done as far as bids; the back stops will cost approximately \$15,000 each and you can get quotes, no need to go out for bids;

**ATTORNEY REPORT:**

Joe Voytus, Esq.  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**PUBLIC HEARING:** Notice of Public Hearing: Advertised Tuesday, December 12<sup>th</sup>, 2017 & Tuesday, December 19<sup>th</sup>, 2017

- a. BCUW/Madeline Housing Partnership, LLC/Reverter Clause Conveyance To BCUW
  - 1) Adoption of Resolution Approving Subordinate of Reverter Provision In Deed From Borough of Montvale  
TO BCUW/Madeline Housing Partners, LLC./Subordination Of Reverter

**Resolution 247-2017 A Resolution Approving Subordination Of A Reverter Provision In A Deed From The Borough of Montvale To BCUW/Madeline Housing Partners, LLC.**

**WHEREAS**, the Borough of Montvale conveyed certain property identified as 11 East Grand Avenue and commonly known as Block 1606, Lot 6.02 to BCUW/Madeline Housing Partners, LLC for the purpose of providing affordable housing; and

**WHEREAS**, the conveyance is subject to a reverter provision if the property is not used for the purpose of providing affordable housing (*N.J.S.A.*) 40A:12-21(e)); and

**WHEREAS**, BCUW /Madeline Housing Partners, LLC ("BCUW") has obtained financing for this project from the New Jersey Housing Mortgage Finance Agency ("NJHMFA") which has requested the Borough's reverter be subordinate to such financing; and

**WHEREAS**, pursuant to *N.J.S.A. 40:60-51.2*, the Borough of Montvale is permitted to waive, release, modify or subordinate building restrictions subject to the conduct of a public hearing; and

**WHEREAS**, the property will remain deed-restricted for the specific purpose of providing affordable housing; and

**WHEREAS**, notice of the public hearing was published twice in *The Record* on December 12,2017 and December 19, 2017; and

**WHEREAS**, the Borough Council of the Borough has considered the request of the NJHMFA to subordinate the reverter and determined that the subordination of the reverter would be in the best interests of the Borough

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized and directed to execute any documentation necessary to subordinate the reverter in the within matter consistent with the terms of this resolution; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is directed to forward a copy of this resolution to the BCUW /Madeline Housing Partners, LLC and the New Jersey Housing Mortgage Finance Agency, as well as to the Business Administrator and Borough Attorney.

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

Motion to open the meeting to the public for the Madeline Housing Partnership, LLC; seconded by Councilmember Curry – all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public for the Madeline Housing Partnership, LLC; seconded by Councilmember Curry – all ayes

**COMMUNICATION CORRESPONDENCE:**

The Mayor received a letter from the Food Pantry thanking the council for allowing Demarest Farm to donate towards their Thanksgiving food drive.

**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 Lane; seconded by Councilmember Curry – all ayes

NO PUBLIC COMMENT

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

**ADJOURNMENT:**

Motion to go into closed session by Councilmember Lane; seconded by Councilmember Gloeggler  
– all ayes

Motion to adjourn by Councilmember Lane; seconded by Councilmember Curry – all ayes

Meeting adjourned at 8:45pm

The Re-Organization Meeting of the Mayor and Council for 2018 will be held on Monday, January 1<sup>st</sup>, 2018 at 7:00 p.m.

The Regular Meeting of the Mayor and Council will be held on Tuesday, January 9, 2018 at 7:30pm

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**