

PUBLIC MEETING
MINUTES

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:32 p.m. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Ghassali led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

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

ROLL CALL:

Councilmember Arendacs -absent
Councilmember Curry - absent
Councilmember Gloegler

Councilmember Koelling – via phone
Councilmember Lane
Councilmember Russo-Vogelsang - absent

ORDINANCES:

PUBLIC HEARING OF ORDINANCE 2019-1474 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 128 OF THE BOROUGH CODE TO PROVIDE STANDARDS AND PROCEDURES FOR THE APPROVAL OF SPORTS COURTS

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

Section 1. Chapter 128, Section 5.1A.2, of the Code of the Borough of Montvale is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text, as follows:

§ 128-5.1A.2. Special accessory uses.

A. Sports [Tennis] courts. Sports [Tennis] courts shall only be permitted as accessory uses subject to the following conditions:

(1) Only one sports [tennis] court, which term shall include tennis courts, half basketball courts, and other similar sports courts, shall be located on a lot.

(2) The sports [tennis] court, if allowed, shall be located on a lot on which there exists at the time of construction a permitted principal use.

(3) No sports [tennis] court shall be located within the front yard or forward of the front building setback line as prescribed by this ordinance.

(4) No sports court shall be located on a lot exhibiting an area of less than 38,000 square feet, except that n[N]o tennis court shall be constructed on a lot exhibiting an area of less than 60,000 square feet[.]. No sports court [nor] shall [it] be located closer than 25 feet to any side or rear property line [or 25 feet from any principal building].

(5) Any fence constructed around the perimeter of the sports [tennis] court shall not exceed [10] 8 feet, notwithstanding any ordinance to the contrary.

(6) The sports [tennis] court and fencing shall be screened by use of plantings so as to obscure the view of the same from any street or adjacent property. Said plantings shall be comprised of evergreens, a minimum of six feet tall.

(7) Sports courts within a residential zone shall not be used for commercial purposes.

(8)[(7)] Lighting shall be permitted only under certain conditions as follows:

(a) Lighting fixtures must be a minimum of 25 feet from the rear and side lot lines. No lighting shall be permitted in any front yard.

(b) At all times the lighting intensity at the property lines shall be a maximum of 0.15 footcandle. This measurement shall be conducted in accordance with generally accepted engineering standards, and the measurement shall include and be the sum of the combined illumination of the sports [tennis] court lighting, other lighting on the property and lighting from any natural light sources.

(c) Lighting on sports [tennis] courts shall not be permitted after 10:00 p.m. [except on Friday and Saturday evenings, when lighting will be permitted until 11:00 p.m.]

(d) Fixtures shall be of a type and shall be mounted and shielded in such a manner as to prevent the light source from being visible off the property. Such lighting shall further be of a type and located and positioned in such a manner as not to illuminate adjacent properties.

(e) The mounting height of lighting fixtures shall not exceed [25] 15 feet [or the height of the principal building, whichever is less].

B. Permit required. No sports [tennis] court shall be constructed prior to the issuance of a building permit, and where applicable an electrical permit, from the Construction Official and Zoning Officer of the Borough of Montvale.

C. Application for permit. A permit shall be granted upon application to the Building Department and approval of the Building Department and the Borough Engineer [Planning Board] of a plan exhibiting that the conditions herein imposed have been satisfied and that no detrimental effect will be visited upon the surrounding area by the establishment of the requested accessory use. The Applicant shall take any other appropriate and reasonable measures as determined by the Borough Engineer to ensure that no detrimental effect will be created. The application presented to the Building Department [Board] shall be [in accordance with Ordinance No. 77-665, as the same has been amended and supplemented. Said application shall be] submitted with a site grading plan demonstrating that surface water runoff will not adversely affect adjoining properties. All applications for a sports court shall comply with §119A regarding tree removal.

D. Permit fees. The fee for a building permit shall be two hundred dollars (\$200). In the event that an electrical inspection is necessary, the fee for an electrical permit shall be as set forth in § 23-10.

E. Escrow fees. In addition, the applicant shall post engineering escrow fees in an amount to be determined by the Construction Official, but in no event less than one thousand dollars (\$1,000). Said escrow funds shall be administered consistent with the procedures set forth in § 128-8.6(D).

Section 2. 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.

Section 3. 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 4. 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 5. 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 6. Effective Date.

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

A motion Introduced for second reading Ordinance No 2019-1474 by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to 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 Ridgewood News by Councilmember Lane; seconded by Councilmember Gloeggler - All ayes on a roll call vote

MEETING OPEN TO PUBLIC:

Agenda Items 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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

September 24, 2019

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Gloeggler - all ayes

MINUTES CLOSED/EXECUTIVE SESSION:

September 24, 2019

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

RESOLUTIONS: (CONSENT AGENDA*)

*All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

189-2019 Authorize Hiring / Part Time On Call / Crossing Guard / Nikitas Zardas

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

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to the position of Part-time On Call Crossing Guard, effective October 8, 2018.

190-2019 A Resolution Approving a Concession Contract with American Recycling Technologies Concerning the Sponsoring of Certain Donation Bins in the Borough of Montvale

WHEREAS, the Borough of Montvale Police Department currently administers the placement of clothing donation bins in the Borough pursuant to N.J.S.A. 40:48-2.60 through 2.64; and

WHEREAS, the Borough has solicited three quotations for a concession in which four (4) donation bins will be sponsored by the Montvale Police Department in order to benefit Police Community Programs in the Borough; and

WHEREAS, the highest quoted price received was one thousand five hundred dollars (\$1,500.00) per unit, per year, which was submitted by American Recycling Technologies, 98 Cutter Mill Road, Suite 290-North, Great Neck, New York; and

Whereas, the Borough is desirous of awarding this contract to ART for an initial five-year term commencing January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that a concession contract is hereby awarded to American Recycling Technologies to place four (4) clothing donation bins in the Borough with the name and logo of the Montvale Police Department, for the benefit of Police-sponsored Community Programs; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute a contract and to take all steps reasonably necessary to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

191-2019 Award Professional Service Contract /Engineering Services/Preparation of Bid Specifications/Montvale Senior Community Center/Toilet Renovations/Maser Consulting

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepare bid specification for the toilet room renovations at the Montvale Senior Community Center within the Borough of Montvale; 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, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a detailed proposal dated October 3, 2019 to provide the engineering services for this services which is 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 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: Prepare Specifications for Bidding, 1 Memorial Drive Toilet Renovations
 - 1) Bid Specifications \$5,500.00
- 3) The cost not to exceed shall be \$5,500.00. 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 Gloeggler - a roll call was taken - all ayes

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue – September

COMMITTEE REPORTS:

Councilmember President Gloeggler

TV Access

New interviews will be added shortly including Maria Hopper about her book of the History of Montvale, in her interview, Mrs. Hopper, mentioned that some long time residents also have stories to tell about the History of Montvale. Their interviews will be held at the community center on October 15 at 7pm so if anyone is interested to come and ask questions please do so.

Unity in the Valley

Mayor Ghassali, Superintendent Gunderson, and Councilmembers from Hillsdale, Montvale, Woodcliff Lake and River Vale met to discuss inclusiveness and unity in the community.

Councilmember Lane

Fire Dept

Fire Prevention Week

Finance

Suggested to start the budget process earlier this year because of our current CFO's retirement and the hiring of a new CFO;

Councilmember Koelling

Police

Monthly report included in original minutes;

Environmental Commission

A new program starting September 15, collecting plastic bags; the collection bins will be located at Memorial School, Fieldstone, the high school, borough hall, senior/community center and at the recycle center;

Councilmember Gloeggler stated that currently they have over 100 pounds of plastic bags

Mayor's Report

Mayor Ghassali mentioned that from the discussions had from the Unity in the Valley committee, a diversity committee will be considered in January including cultural, religious and social events like an international food festival; Met with some residents along the Pascack Brook regarding flooding issues.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Report Status 2019 Road Improvement Program

Road improvement program has been completed, micro-surfacing will be done in the Spring; will be preparing bid specifications for the DOT grant for the entire length of Edgren Way, this project will be for June 2020.

b. Authorize Proposal/2020 Emergency Plumbing & Electrical Repairs Public Bidding

Specification Preparation/Municipal Bldgs./Buildings & Grounds

Draft Resolution 192-2019 Award Professional Service Contract /Engineering Services/Preparation of Bid Specifications/Emergency Repairs/Electrical & Plumbing/Municipal Buildings/2020
Maser Consulting

192-2019 Award Professional Service Contract /Engineering Services/Preparation of Bid Specifications/Emergency Repairs/Electrical & Plumbing/Municipal Buildings/Maser Consulting

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepare bid specification for public bidding for the 2020 Emergency Plumbing and Electrical Repairs at all of the Municipal owned Buildings in the Borough of Montvale; 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, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a detailed proposal dated October 3, 2019 to provide the engineering services for these services which is 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 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: Prepare Specifications for Bidding Emergency Repairs/Electrical & Plumbing Municipal Buildings: Bid Specifications \$5,500.00
- 3) The cost not to exceed shall be \$5,500.00. 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 Gloeggler - all ayes

Mr. Hipolit mentioned an update on the Magnolia Bridge, stating he has all the documents regarding easements needed to meet with the residents affected by the construction. Lastly, LaTrenta field is ready to go out to bid. Councilmember Gloeggler asked for an update regarding the HVAC and heating units at borough hall, Mr. Hipolit stated it's 85% completed.

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

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

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

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

NO PUBLIC COMMENT

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

ADJOURNMENT

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

Meeting was adjourned at 7:55pm

The next Meeting of the Mayor and Council will be held October 29, 2019 at 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk