

**AGENDA**  
**BOROUGH OF MONTVALE**  
**WORK SESSION MEETING**  
**Mayor and Council Meeting**  
**July 26, 2022**  
**Meeting to Commence 7:30 P.M.**  
**(No Closed Executive Session)**

**ROLL CALL:**

Councilmember Arendacs	Councilmember Lane
Councilmember Cudequest	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

**NOTICE OF PUBLIC HEARING CONCERNING THE BOROUGH OF MONTVALE'S POTENTIAL DESIGNATION OF BLOCK 1606 LOT 6 AS A HISTORIC LANDMARK**

Montvale "School #2"  
11 East Grand Avenue  
Montvale New Jersey 07645  
Block 1606, Lot 6 on the official Tax Map of the Borough of Montvale

MEETING OPEN TO THE PUBLIC:  
MEETING CLOSED TO THE PUBLIC:

**THE LAND CONSERVANCY OF NJ: Presenter: Barbara Heskins Davis**  
Presentation on the Draft Open Space Plan/Update

MEETING OPEN TO THE PUBLIC:  
MEETING CLOSED TO THE PUBLIC:

**MILLENNIUM STRATEGIES PRESENTATION: Grant Writer, Peter Blanos**

**ORDINANCES:**

None.

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

July 12, 2000

**CLOSED/EXECUTIVE MINUTES:**

None

**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.

- 122-2022 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Terkuile Road Resurfacing Project
- 123-2022 Authorizing Hiring McNerney & Associates for Preparation of Appraisal Report / 2 Blauvelt Court
- 124-2022 Resolution Awarding Purchase Under New Jersey State Contract / Montvale Police Department Speed Signs / All Traffic Solutions Inc.
- 125-2022 Resolution Awarding Purchase Under New Jersey State Contract / Montvale Police Department Server

**BILLS:****REPORT OF REVENUE:****COMMITTEE REPORTS:****ENGINEER'S REPORT:**

Andrew Hipolit  
Report/Update

**ATTORNEY REPORT:**

Joe Voytus, Esq.  
Report/Update

- a. Discussion Draft Ordinance Establishing a New Chapter "Site Plans" and to also establish waivers from the Borough's site plan requirements

**UNFINISHED BUSINESS:**

- a. Proposed New Community Center / Designation of Committee Members

**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.

**MEETING CLOSED TO THE PUBLIC:****ADJOURNMENT:**

The next Regular Public Regular Meeting of the Mayor & Council to be held on August 9<sup>th</sup> 2022 at 7:30 pm. Please note: No Workshop Session will be held at the end of August.

**\*\*\*\*\*Disclaimer\*\*\*\*\* Subject to Additions And/Or Deletions**

**BOROUGH OF MONTVALE**  
**NOTICE OF PUBLIC HEARING**  
**CONCERNING**  
**THE BOROUGH OF MONTVALE'S POTENTIAL DESIGNATION OF**  
**BLOCK 1606 LOT 6**  
**AS A HISTORIC LANDMARK**

**PLEASE TAKE NOTICE** that at a public meeting to be held on July 26, 2022, the Borough of Montvale Mayor and Council will conduct a public hearing to determine whether the following property should be designated as a historic landmark pursuant to criteria set forth in Borough Code §228-12:

Montvale "School #2"  
11 East Grand Avenue  
Montvale New Jersey 07645  
Block 1606, Lot 6 on the official Tax Map of the Borough of Montvale

**PLEASE TAKE FURTHER NOTICE** that at the time of said hearing, all interested persons may present their opinions concerning the potential designation of Block 1606, Lot 6 as a historic landmark.

**PLEASE TAKE FURTHER NOTICE** that a copy of the criteria for designation of historic landmarks, Borough Code §228-12, is on file with the Borough Clerk at 12 DePiero Drive, Montvale, New Jersey, 07645, and is also available at <https://ecode360.com/36141634>.

BY ORDER of the Montvale Mayor and Council  
Maureen Iarossi-Alwan, Borough Administrator/Clerk

**BOROUGH OF MONTVALE  
PLANNING BOARD  
NOTICE OF PUBLIC HEARING ON  
THE BOROUGH OF MONTVALE'S HISTORICAL DESIGNATION OF  
BLOCK 1606 LOT 6**

**PLEASE TAKE NOTICE** that the Planning Board of the Borough of Montvale will conduct a public hearing to consider the designation for historic landmark Block 1606 Lot 6, at a public hearing to be held on April 5, 2022, at 7:30 p.m. in the Council Chambers of the Municipal Building, 12 DePiero Drive, Montvale, New Jersey. At such meeting, members of the public will be given an opportunity to be heard as to the designation of the property as an historic landmark. The following site is being considered for historic landmark designation status:

**Montvale School #2  
Block 1606, Lot 6  
11 E. Grand Avenue  
Montvale, NJ 07645**

**PLEASE TAKE FURTHER NOTICE**, Action may be taken at this meeting.

**A copy of the proposed Criteria for Designation of an Historic Landmark for Montvale school No. 2, Block 1606, Lot 6, 11 E. Grand Avenue, Montvale, NJ is on file in the office of the Planning Board Secretary in the Municipal Building and is available for inspection during normal business hours.**

**BY ORDER of the Planning Board  
R. Lorraine Hutter, Land Use Administrator  
Montvale Planning Board**

**The Record  
The Ridgewood News-FYI  
Bulletin Board**

Date: February 4, 2022

To: John DePinto, Chairman, Montvale Planning Board

From: Dawn-Cherie Hopper, Chairperson, Montvale Historic Preservation Commission

Subject: MONTVALE SCHOOL NO. 2

Block 1606, Lot 6  
11 East Grand Avenue  
Montvale, NJ 07645  
Historic Landmark Designation

You will recall that some years ago our Commission submitted for your Board's consideration a request that subject property be designated as an Historic Landmark. After due deliberation, your Board approved our request and passed it along to the Governing Body for final approval. However, the property was under consideration for redevelopment at that time, and the Mayor and Council did not want to place a perceived restriction on said redevelopment, so final approval was tabled.

Now the old school has been redeveloped and repurposed to serve as senior affordable housing by Bergen County United Way/Madeleine Housing Partners, and we would like to proceed again with Historic Landmark approval. The attached Criteria for Designation has been reworded from the original Criteria in recognition of a modest addition at the rear of the building to accommodate an elevator and minor renovations made to the original structure. The Criteria has been submitted to Tom Toronto, President of BC UW, and he has approved said wording with one or two modest changes, which are reflected in the attached. He has also given verbal approval for Historic Landmark designation.

Therefore, we are asking you to schedule reconsideration of Historic Landmark designation by the Planning Board for MONTVALE SCHOOL NO. 2 as soon as possible. Thank you for your cooperation.

Cc: Maureen Iarossi-Alwan, Borough Administrator/Clerk

**Maureen Iarossi**

---

**From:** Tom Toronto <ttoronto@bergenunitedway.org>  
**Sent:** Thursday, July 07, 2022 9:28 AM  
**To:** Maureen Iarossi  
**Subject:** RE: FYI... Public Hearing Designation Historic Landmark - School #2 Montvale

Morning Maureen – All good and hope same for you. Thanks for sharing. I've been assured the designation won't effect our operations or maintenance. At some point, we may want to replace windows – we have issues with the fabricator – but would be of a type and size currently in place. That is about the only change, aside from point up brick, roof repairs, etc that I can foresee in the years ahead.

All the best,

Tom

---



## Borough of Montvale

12 Mercedes Drive, 2nd Floor  
Montvale NJ 07645

www.montvale.org

Ph: 201-391-5700  
Fx: 201-391-9317

# Planning Board Memo

Date: May 19, 2022

To: Mayor and Council

cc: Maureen Iarossi-Alwan, Administrator/Municipal Clerk

From: R. Lorraine Hutter, Land Use Administrator

RE: Block 1606 Lot 6-Historic Preservation Commission Designated Historical Landmark

Please be advised that at the Planning Board meeting Tuesday, May 17, the attached Resolution was memorialized and approved by the board members.

This Resolution recommends the designation as an historical landmark Block 1606, Lot 6 11 East Grand Avenue being commonly known as Montvale School No. 2 and formerly as the Montvale Library.

The owner of the property was notified by certified return receipt and takes no acceptance to the designation. See attached memos.

RLH

Attached



# Borough of Montvale

12 DePiero Drive, 2nd Floor  
Montvale NJ 07645

www.montvale.org  
Certified and Regular Mail

Ph: 201-391-5700

Fx: 201-391-9317

May 18, 2022

Bergen County Planning Board Administration Building One Bergen Plaza-4 <sup>th</sup> Fl Hackensack, NJ 07601-7000	Borough Clerk Borough of Upper Saddle River 376 W. Saddle River Road Upper Saddle River, NJ 07458
Municipal Clerk River Vale Township 406 River Vale Road River Vale, NJ 07675-5798	Municipal Clerk Town of Orangetown 26 Orangeburg Road Orangetown, NY 10962
Municipal Clerk Park Ridge Borough 55 Park Avenue Park Ridge, NJ 07656	Municipal Clerk Woodcliff Lake Borough 188 Pascack Road Woodcliff Lake, NJ 07675
Municipal Clerk Township of Ramapo 237 Route 59 Suffern, NY 10901	Village Clerk Village of Spring Valley 200 North Main Street Spring Valley, NY 10977
Village Clerk Village of Chestnut Ridge 277 Old Nyack Turnpike Chestnut Ridge, NY 10977	Bergen County Clerk's Office One Bergen Plaza-4 <sup>th</sup> Floor Hackensack, NJ 07601-7000
County of Rockland Department of Planning 50 Sanatorium Road-Bldg. T Pomona, NY 10970	

Ladies and Gentlemen:

**PLEASE TAKE NOTICE** that the Planning Board of the Borough of Montvale conducted a public hearing on a proposed recommendation of the following Site to be designated as an historic landmark: Block 1606, Lot 6, 11 East Grand Avenue and being commonly known as Montvale School #2 and formerly as the Montvale Library. The hearing was held on Tuesday, April 5, 2022 at 7:30 p.m. in the Council Chambers of the Municipal Building, 12 Mercedes Drive, Montvale, New Jersey.

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of the Borough of Montvale that it did hereby adopt the Resolution for the designation t in its entirety at the meeting of May 17, 2022.

A copy of a Resolution is enclosed and on file in the Office of the Planning Board Secretary/Land Use Administrator in the Municipal Building and is available for inspection during normal business hours.

**BY ORDER of the Montvale Planning Board**

*R. Lorraine Hutter*  
R. Lorraine Hutter, Land Use Administrator

Introduced By: *Mr. Stefanelli*

Seconded By: *Mr. Magno*

## **BOROUGH OF MONTVALE**

### **PLANNING BOARD**

### **RESOLUTION**

**WHEREAS**, Ordinance No. 97-1051, as amended by Ordinance No. 97-1074, establishes within the Borough of Montvale a Historic Preservation Commission (hereinafter "the Commission") and further provides for the designation and preservation of historic landmarks within the Borough; and

**WHEREAS**, Section 11 of said Ordinance provides that the Commission shall undertake a comprehensive survey of the Borough for the purposes of identifying historic landmarks which are worthy of protection and preservation; and

**WHEREAS**, the Commission is required to forward its recommendation to the Planning Board, which is thereafter required to conduct a public hearing upon notice to owners of properties being considered for landmark designation;

**WHEREAS**, Section 11C requires that the Planning Board conduct a hearing on the recommendation of the Commission upon notice thereof as required by Ordinance;

**WHEREAS**, at its meeting held on April 5, 2022, the Planning Board recommended the following site to be designated as an historic landmark:

1. Block 1606, Lot 6, 11 East Grand Avenue and being commonly known as Montvale School No. 2 and formerly as the Montvale Library.

**WHEREAS**, no objections were voiced to the designation of the aforesaid property as an historic landmark during the public hearing; and

**WHEREAS**, the January 2008 draft of the Borough Master Plan includes in Table 11 this property as deemed worthy of historic landmark designation.

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of the Borough of Montvale that it does hereby recommend the above property to the Governing Body for designation as an historic landmark, which designation shall be applicable to the principal structure as well as accessory structures and outbuildings; and

**BE IT FURTHER RESOLVED** by the Planning Board of the Borough of Montvale that a copy of this resolution shall be forwarded to the Borough Clerk for dissemination to the Mayor and members of the Council.

**Dated: May 17, 2022**

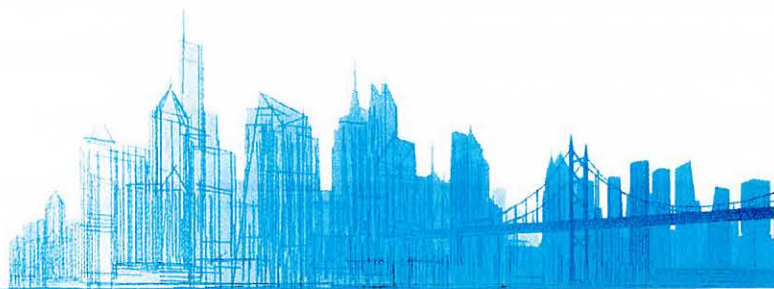
**PLANNING BOARD OF THE  
BOROUGH OF MONTVALE**

By: John DePinto  
**John DePinto, Chairman**

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its regular meeting on Tuesday, May 17, 2022.

R. Lorraine Hutter  
**R. Lorraine Hutter, Land Use  
Administrator**

# MILLENNIUM STRATEGIES



## THE TRUSTED NAME IN GRANT CONSULTING

### ABOUT US

Founded in 2005, Millennium Strategies is the largest full-service grants consulting firm in the region. We help our clients finance critical programs and projects by working to identify and secure funding through federal, state, county, corporate, and philanthropic grant programs. We currently represent local governments and boards of education entities throughout New Jersey, New York, and Pennsylvania.

### OUR CLIENTS

Millennium Strategies works with municipalities, counties, and boards of education throughout several states



### OUR STATS

**\$1 billion+** in grant funding secured on behalf of our clients

**150+** years of combined grant and consulting experience

**120+** local government clients throughout the region

**30+** experienced grant writers and support personnel on staff

### OUR APPROACH

#### Grant Research

Our team works to identify, analyze, and prepare memos for relevant public and private sector grant opportunities applicable to our clients.

#### Grant Writing

Once a client has identified a grant opportunity as being viable for pursuit, our team will work to organize, prepare and submit the corresponding grant application on their behalf.

#### Grant Administration

In the event that a previously submitted grant application has been awarded, our team will assist with the execution of the grant agreement and the filing of requisite grant reports.

### OUR SERVICE MODELS

#### Grant Consulting

Extension of your organization's operations serving as your external grants department.

#### Grant Research Portal

Powerful interactive tool that puts new grant opportunities and project support services at your organization's fingertips.

#### Special Projects

Complete and comprehensive project support when needed and requested.



60 Columbia Road, Bldg B, Ste 230  
Morristown, NJ 07960  
pblanos@m-strat.com  
**www.m-strat.com**

## OUR SUCCESS

Millennium Strategies has considerable experience securing funding on behalf of our clients in a variety of areas. Below we've outlined recent awards we have helped to secure.

### **Borough of Cliffside Park**

**\$727,300**

US Federal Emergency Management Agency  
Assistance to Firefighters Grant  
For the acquisition of a new ladder truck for the  
volunteer fire department

### **Borough of Bound Brook**

**\$1,000,000**

NJ Department of Transportation  
Transportation Alternatives Program Grant  
For the completion of the Hamilton Plaza Pedestrian  
Improvement Project

### **Township of Bloomfield**

**\$450,000**

NJ Historic Trust  
Capital Preservation Grant  
For interior and exterior renovations to the historic  
Collins House

### **Borough of Lodi**

**\$23,303**

Firehouse Subs Foundation  
Public Safety Grant  
For the purchase of new radios for the  
police department

### **City of Hoboken**

**\$325,000**

NJ Department of Transportation  
Bikeways Grant  
For the installation of bike lanes along Sinatra Drive

### **Township of West Orange**

**\$3,098,217**

NJ State Library  
Library Construction Bond Act Grant  
For the construction of a new public library

### **Township of Evesham**

**\$1,000,000**

NJ Department of Transportation  
Safe Streets to Transit Grant  
For the completion of sidewalk improvements  
throughout the community

### **Township of Sparta**

**\$299,000**

NJ Department of Community Affairs  
Local Efficiency Achievement Program  
Grant  
For the creation of a shared municipal court  
service with surrounding communities

### **Borough of Hopatcong**

**\$857,000**

NJ Department of Transportation  
Safe Routes to School Grant  
For pedestrian safety improvements near  
several public schools

### **Borough of North Caldwell**

**\$300,000**

US Congress  
Community Project Funding Grant  
For security improvements at the municipal  
water treatment center

### **City of Englewood**

**\$606,658**

US Federal Emergency Management Agency  
Staffing for Adequate Fire Emergency  
Response Grant  
For the hiring of four career firefighters

### **Township of Middletown**

**\$75,000**

NJ Department of Community Affairs  
Local Recreation Improvement Grant  
For improvements to the municipal community  
center



60 Columbia Road, Bldg B, Ste 230

Morristown, NJ 07960

[pbplanos@m-strat.com](mailto:pbplanos@m-strat.com)

[www.m-strat.com](http://www.m-strat.com)

# Municipalities Grant Research Portal Service

*Grant Research Made Easy*

## Time is **Money**

Identifying grant opportunities can be a long and tiring process. It can take hours to find available opportunities and evaluate whether these opportunities are the right fit for your organization. Hours spent researching and evaluating grants means less time spent managing your municipality.

## Our **Solution**

Our Grant Research Portal Service provides a solution to this challenge. We post detailed summaries of all available federal, state, county, corporate and philanthropic grants within our Portal on a weekly basis, reducing the time it takes to research and reach a confident decision on which opportunities are best to pursue.

### Our Portal is:

- ✔ Web-based
- ✔ User-friendly
- ✔ Easy to navigate

No extra downloads or expensive software is required.

## Who We **Serve**

Our service is tailored to meet the needs of municipal governments in New York, New Jersey and Pennsylvania. Whether you are a Mayor or Manager, or a Supervisor or Secretary, our service can be a useful tool for staying up to speed on available opportunities.

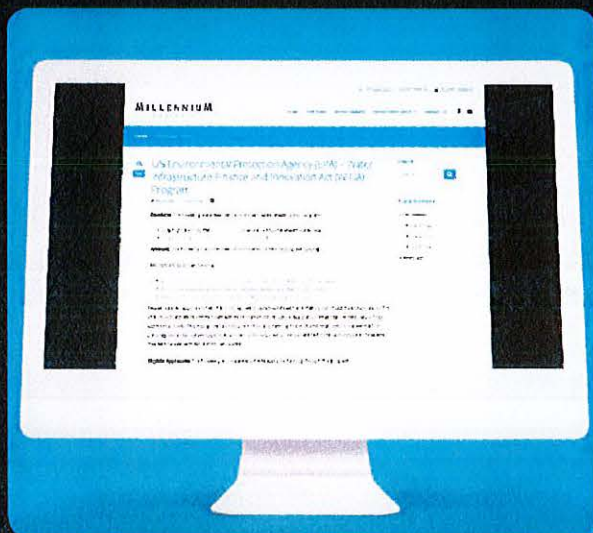
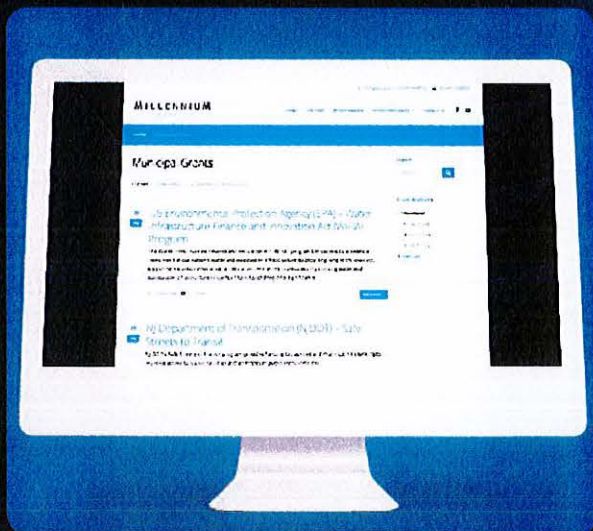
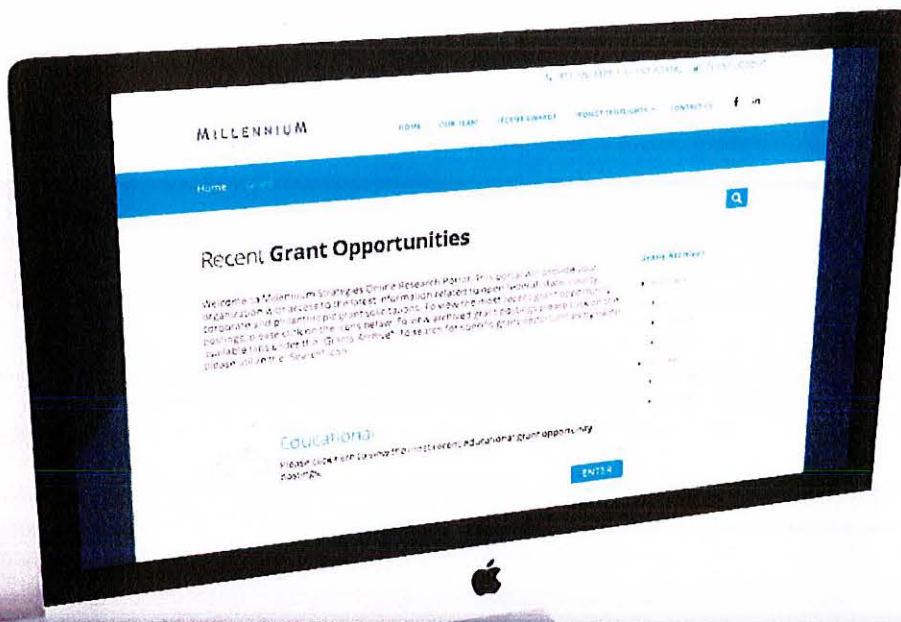
## Funding **Themes**

**Grant opportunities posted within our portal focus on a wide range of themes that include, but are not limited to:**

Arts and Culture  
Economic Development  
Environmental Planning and  
Restoration Downtown Revitalization  
Historic Preservation  
Community and Human Services  
Open Space Preservation  
Parks and Recreation  
Disaster Recovery and Resiliency  
Public Safety  
Sustainable Energy  
Transit Oriented Development  
Transportation Infrastructure  
Health and Human Services  
Tourism

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STRATEGIES





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by calling 973-226-3329.

PUBLIC MEETING  
MINUTES

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:31PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling 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 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, Andy Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo.

**ROLL CALL:**

Councilmember Arendacs  
Councilmember Cudequest  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

**RESOLUTION 113a-2022: SWEARING IN SERGEANT:** Brian Lamendola

**WHEREAS**, the Borough of Montvale finds it necessary and appropriate to promote a police officer to the vacant position of Sergeant; and

**WHEREAS**, the Borough did conduct a promotional process in according with the Borough Code and the Rules and Regulations of the Police Department; and

**WHEREAS**, the Mayor and Council find that Police Officer Brian Lamendola is the most qualified candidate for promotion to Sergeant, with a salary increase pursuant to the Collective Negotiations Agreement between the Borough and the PBA; and

**WHEREAS**, funds have been appropriated and are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council do hereby promote Police Officer Brian Lamendola to the position of Sergeant in the Montvale Police Department effective July 1, 2022, to serve at the pay scale set forth in the applicable Collective Negotiations Agreement and to perform the duties set forth in the Borough Code and the Rules and Regulations of the Police Department.

Introduced by: Councilmember Koelling; seconded by Councilmember Russo-Vogelsang  
- a roll call was taken - all ayes

**ORDINANCES:**

None

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

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

**No public comment**

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**June 28, 2022

A motion to accept minutes by Councilmember Cudequest; seconded by Councilmember Lane – all ayes with the exception of Councilmember Roche abstaining

**CLOSED/EXECUTIVE MINUTES:**June 28, 2022

A motion to accept closed session minutes by Councilmember Cudequest; seconded by Councilmember Lane – all ayes with the exception of Councilmember Roche 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.

**114-2022 Award Professional Service Contract /Engineering Services/NJDOT FY 2021 Various Streets/ Craig Road /Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide construction observation services for the 2021 NJDOT Grant Program – Roadway Improvements Project. The Borough will be receiving \$210,000.00 in funding for the year 2021 fiscal year. NJDOT Various Streets – Craig Road; 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated June 29, 2022 to provide the engineering services for 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 engineering services is attached to this resolution which is made part of this resolution shall be awarded to Colliers Engineering & Design.
- 2) That the following be provided: Construction Observation Services
- 3) The cost not to exceed shall be \$18,500.00. 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.

**115-2022 Award Professional Service Contract /Engineering Services/2023 NJDOT Municipal Aid Grant Application/Terkuile Road From Summit Avenue To Hering Road /Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional engineering services associated with the 2023 NJDOT Municipal Aid Grant Application for Terkuile Road from Summit Avenue to Hering Road; 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated June 30, 2022 to provide the professional engineering services for 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 professional engineering services is attached to this resolution which is made part of this resolution shall be awarded to Colliers Engineering & Design.
- 2) That the following be provided: Preparation of a complete 2023 Grant Application
- 3) The cost not to exceed shall be \$3,500.00. 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.

**116-2022 Award Professional Service Contract /Engineering Services/LaTrenta Parking Lot Improvements Colliers Engineering & Design**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide construction observation services for LaTrenta Parking Lot Improvements; 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**, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated June 30, 2022 to provide the engineering services for 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 engineering services is attached to this resolution which is made part of this resolution shall be awarded to Colliers Engineering & Design.
- 2) That the following be provided: Construction Observation Services
- 3) The cost not to exceed shall be \$33,000.00. 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.

**117-2022 2022-2024 County of Bergen Municipal Snow Plow Agreement**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the appropriate municipal officials be and are hereby authorized to execute the attached two-year consecutive snow seasons agreement to participate in the 2020-2024 County Snow Plowing Program.

**BE IT FURTHER RESOLVED**, that the Borough of Montvale shall use the Pascack Valley Department of Public Works and/or contractor to perform the snow/ice pushing and removal control operations on all roads and streets located within the Borough of Montvale.

**118-2022 Appointing / Probationary Montvale Police Officer / Daniel Wynohradnyk**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Daniel Wynohradnyk be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

**BE IT RESOLVED**, the effective date of employment is June 29, 2022.

**119-2022 Appointing / Probationary Montvale Police Officer / Joshua Garran**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Joshua Garran be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

**BE IT RESOLVED**, the effective date of employment is June 29, 2022.

**120-2022 Appointing / Probationary Montvale Police Officer / Diego Salazar**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Diego Salazar be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

**BE IT RESOLVED**, the effective date of employment is June 29, 2022.

**121-2022 Appointing / Probationary Montvale Police Officer / Glenn Moran**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that Glenn Moran be and is hereby appointed as a 12 month Probationary Police Officer with the Borough of Montvale Police Department; and

**BE IT RESOLVED**, the effective date of employment is June 29, 2022.

Introduced by: Councilmember Lane; seconded by Councilmember Cudequest - a roll call was taken - all ayes

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

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

**REPORT OF REVENUE:** Municipal Clerk read the Report of Revenue - June

**COMMITTEE REPORTS:**

**Council President Russo-Vogelsang**

Local school board will be having an informal session at the Memorial School library on Wednesday, July 13 at 6:30pm on the new curriculum on Health and Physical Education.

**Councilmember Koelling**

**Police**

Monthly report included in original minutes; Congratulation the Sergeant LaMendola and the 4 new recruits.

**Councilmember Arendacs**

**Engineering**

Road program is completed; LaTrenta parking lot will be completed in the next few weeks; Memorial fields will be completed in August.

**Councilmember Cudequest****Library**

Circulation numbers are back up to pre-pandemic numbers; classes are well attended; summer reading program had a 130 participants by the second day of registration; there was an increase of middle schoolers attending the program this year, the director was thankful to Fieldstone for publicizing it so well; please go to the library website for a full list of their programs and classes.

**Board of Health**

Held their last meeting in June, Gina, the Health Officer is retiring the end of August; they are actively looking for a replacement; Flu clinic is scheduled for October 8<sup>th</sup> from 9am-11:30am; the next BOH meeting is scheduled for September 6<sup>th</sup>.

**Councilmember Roche****Chamber of Commerce**

Street Fair is scheduled for October 23<sup>rd</sup>

Reminder: the fields on Memorial Drive will be closed from July 25 to the beginning of the school year

**Councilmember Lane****Fire Dept**

28 fire calls; 2 drills; 3 extra credit and 1 meeting;

**Finance**

In the next few months will start the budget process once again

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Proposed Concept Plan/Community Center/Recreation Center/One Memorial Drive Location

Mayor Ghassali gave a brief explanation stating that we have a community center that seems to be costly in maintenance and in need of repairs. Every year we reach out to Park Ridge and Woodcliff Lake to get our residents into their pools with a discount and it feels our residents are asking for a favor to join their pools. We had a pool that was run by a nonprofit and went out of business in 2017. The following presentation is only a concept plan. Our borough engineer, Andy Hipolit will further explain.

Mr. Hipolit gave a brief overview of the possibilities that can be done including indoor walking track, basketball courts, weigh room, meeting rooms, senior activities, an outdoor pool to name a few.

A motion to open to the public by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

There were about 50 or so residents in attendance. Many of them who spoke, were in favor of the concept. Some concerns that were mentioned are:

- Do you have a budget of how much you want to spend
- What plans are for the senior activities
- What happens to the current senior center while this is being built
- What happens during summer camp
- What about traffic??? Will there be a study done?
- Sidewalks should be installed around the area
- The pool should be year round

- What will the tax implication be

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

Mayor Ghassali polled the councilmembers and they all agreed to form a committee to start the discussion.

b. Woodcliff Lake/Paved/Woodmont Drive/Montvale's Portion/Request For Reimbursement

The engineer explained that unknown to Montvale, Woodcliff Lake paved Woodmont Drive, they are asking for reimbursement of \$29,859.60. Councilmembers agreed that they should have notified the borough before paving the road. This will be included with the 2023 budget.

**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 Cudequest; seconded by Councilmember Lane - all ayes

**Mike Weaver**

Suggested once again to have the Planning Board televise their meetings; he mentioned the properties located at 20 and 24 Spring Valley Road and that should there be a chance that the borough can purchase those properties, it should be considered.

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT:**

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

Meeting was adjourned at 9:34pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on July 26, 2022 in person  
only.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 122-2022**

**Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Terkuile Road Resurfacing Project**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Montvale formally approve 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-2023-Terkuile Road Resurfacing - 00666*" 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.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

**Adopted: July 26, 2022**

ATTEST:

APPROVED:

\_\_\_\_\_  
Maureen Iarossi-Alwan  
Municipal Clerk

\_\_\_\_\_  
Michael Ghassali  
Mayor

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

AFFIX SEAL

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 123-2022**

**RE: Authorizing Hiring McNerney & Associates for Preparation of Appraisal Report / 2 Blauvelt Court**

**WHEREAS**, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal borders; and,

**WHEREAS**, the owner of real property located at 3 Blauvelt Court and identified as Block 2501 Lot 8.02 has filed a property tax appeal challenging the Borough's assessment of the property for the 2020, 2021 and 2022 tax years; and,

**WHEREAS**, the Borough is seeking to retain the services of a licensed appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified trial-ready appraisal report that covers the aforementioned tax years; and,

**WHEREAS**, the Borough had received a Proposal, dated July 8, 2022, from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare an appraisal report for the total amount of \$2,500.00; and,

**WHEREAS**, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution; and,

**WHEREAS** the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that McNerney & Associates, Inc. is hereby appointed and authorized to prepare a trial ready appraisal report for the property located at 3 Blauvelt Court, at Block 2501 Lot 8.02 in the Borough of Montvale, in accordance with the terms set forth in the July 8, 2022 Proposal attached herein.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

**Adopted: July 26, 2022**

ATTEST:

APPROVED:

\_\_\_\_\_  
Maureen Iarossi-Alwan  
Municipal Clerk

\_\_\_\_\_  
Michael Ghassali  
Mayor

# McNerney & Associates, Inc.

Real Estate Appraisal Services · 266 Harnistown Road., PO Box 67, Glen Rock, New Jersey 07452-0067 · (201) 670-8558 · Fax (201) 670-0913

July 8, 2022

William Betesh, Esq.  
Boggia, Boggia, Betesh & Voytus, LLC  
71 Mt. Vernon Street  
Ridgefield Park, New Jersey 07660

**Re: AAron vs. Borough of Montvale**  
**Block 2501 Lot 8.02**  
**3 Blauvelt Court**  
**Montvale, New Jersey**

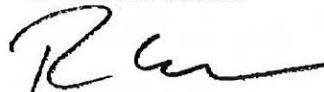
Dear Mr. Betesh:

I am in receipt of your request for proposal relative to the above referenced property. Please be advised that the fee for preparing an appraisal report for the pending Tax Appeal of the subject property for tax years 2020-2022 is \$2,500 and will include all out-of-pocket expenses. This report will be delivered within 30 days of authorization by the Mayor and Council to proceed.

In addition to said professional fee for this assignment, we will be compensated at a rate of \$100 per hour, for any time expended by us should we be required (by subpoena or otherwise) or requested by you or your representatives to become involved in any litigation or legal proceeding in any way involving this engagement, the appraisal work we produce of the property which is the subject of this assignment.

In the event you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely yours.



Robert McNerney, MAI, SRA, CRE  
President

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 124-2022**

**RE: Resolution Awarding Purchase Under New Jersey State Contract / Montvale Police Department Speed Signs / All Traffic Solutions Inc.**

**WHEREAS**, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Montvale that the following purchases under New Jersey State Contract are hereby authorized:

**PURCHASE OF Speed Signs**

All Traffic Solutions Inc.  
14201 Sullyfield Circle  
Suite 300  
Chantilly, VA 20151

**STATE CONTRACT NJ-17-FLEET-00776**

Total \$11,104.50

**WHEREAS**, attached is a detailed description of the purchase of Speed Signs Quote Q-69316 dated July 8, 2022 which is attached to the original of this resolution.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

**Adopted: July 26, 2022**

ATTEST:

APPROVED:

\_\_\_\_\_  
Maureen Iarossi-Alwan  
Municipal Clerk

\_\_\_\_\_  
Michael Ghassali  
Mayor

Acct #2-01-44-822-00  
\$11,104.50

**Mail Purchase****Orders to:**

3100 Research Dr.  
State College, PA  
16801

All Traffic Solutions Inc.  
14201 Sullyfield Circle,  
Ste 300  
Chantilly, VA 20151  
Phone: 814-237-9005  
Fax: 814-237-9006  
DUNS #: 001225114  
Tax ID: 25-1887906  
CAGE Code: 34FQ5

Contract:  
NJ: 17-FLEET-00776

**QUOTE Q-69316****DATE:** 07/08/2022**PAGE**  
**NO: 1****Questions contact:****MANUFACTURER:****All Traffic Solutions**

Julie Styskin  
(866) 366-6602  
x 250  
jstyskin@alltrafficsolutions.com

**Independent Sales Rep:****BILL TO:**

Montvale Police Department  
12 Depiero Dr,  
Montvale NJ 07645

**SHIP TO:**

Montvale Police Department  
12 Depiero Dr,  
Montvale NJ 07645  
Attn: Joseph Sanfilippo

**Billing Contact:****PAYMENT****TERMS:**

Net 30

**CUSTOMER:** Montvale  
Police Department**CONTACT:** 201-391-4640

ITEM NO:	DESCRIPTION:	QTY:	EACH:	EXT. PRICE:
4000999	Bundle; SpeedAlert 18, TrafficCloud Traffic Suite 12mos, Solar Kit with 26Ah Battery & 90W Solar w/ Pole Bracket, Strobe Red and Blue, BT, Data, Pictures	2	\$5,417.25	\$10,834.50
4001299	3 Year Warranty	2	\$0.00	\$0.00
4000641	Shipping and Handling Common Carrier	2	\$135.00	\$270.00

**Special Notes:****SALES  
AMOUNT:**

\$11,104.50

**TOTAL  
USD:**

\$11,104.50

**Duration:** This quote is good for 60 days from date of issue.**Shipping Notes:** All shipments shall be FOB shipper. Shipping charges shall be additional unless listed on quote.**Taxes:** Taxes are not included in quote. Please provide a tax-exempt certificate or sales tax will be applied.**Warranty:** Unless otherwise indicated, all products have a one year warranty from date of sale. Warranty extensions are a component of some applications that are available at time of purchase. A Finance Charge of 1.5% per month will be applied to overdue balances. GSA GS-07F-6092R

Authorization: By Signing below, I indicate that my organization does not require a purchase order and I am authorized to commit my organization to this order.

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

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

2-01-44-822-000

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 125-2022**

**RE: Resolution Awarding Purchase Under New Jersey State Contract / Montvale Police Department Server**

**WHEREAS**, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Montvale that the following purchases under New Jersey State Contract are hereby authorized:

**PURCHASE OF Power Edge R450 Server**  
Dell Technologies

**STATE CONTRACT NJ-19-TELE-00656**  
Total \$6,865.03

**WHEREAS**, attached is a detailed description of the purchase of Power Edge R450 Server in the Police Department Quote 3000126217365.1 dated July 12, 2022 which is attached to the original of this resolution.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Cudequest							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

**Adopted: July 26, 2022**

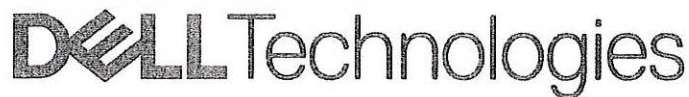
ATTEST:

APPROVED:

\_\_\_\_\_  
Maureen Iarossi-Alwan  
Municipal Clerk

\_\_\_\_\_  
Michael Ghassali  
Mayor

Acct #2-01-55-271-027  
\$6,865.03



## A quote for your consideration

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your Premier page, or, if you do not have Premier, use this Quote to Order.

Quote No.	3000126217365.1	Sales Rep	Alec Stunkel
Total	\$6,865.03	Phone	(800) 456-3355, 6178809
Customer #	37516900	Email	Alec_Stunkel@Dell.com
Quoted On	Jul. 12, 2022	Billing To	ACCOUNTS PAYABLE
Expires by	Jul. 31, 2022		MONTVALE POLICE DEPT
Contract Name	Dell NASPO Computer		12 MERCEDES DR
	Equipment PA - State of NJ		1ST FL
Contract Code	C000000005003		MONTVALE, NJ 07645
Customer Agreement #	M0483/19TELE00656		
Solution ID	16378959.1		
Deal ID	24057042		

### Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,  
Alec Stunkel

PowerEdge R450 Server for Police Dept

### Shipping Group

NJ State Contract # 19-TELE-00656

### Shipping To

ACCOUNTS PAYABLE  
MONTVALE POLICE DEPT  
12 MERCEDES DR  
1ST FL  
MONTVALE, NJ 07645  
(201) 391-4640

### Shipping Method

Standard Delivery

AG#

2-01-55-271-027

### Product

PowerEdge R450 Tailor Made Instant Saving - [pe\_r450\_tm]

Unit Price	Quantity	Subtotal
\$6,865.03	1	\$6,865.03

## RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the following bills, having been referred to the Borough Council and found correct, be and the same hereby be paid:

<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>	<b><u>NOTES</u></b>
Current	\$579,186.76	Bill List Wire 7/26/2022
	<u>334,961.70</u>	Wires/Manual Checks
Current TOTAL	914,148.46	
Escrow	28,406.75	Bill List Wire 7/26/2022
Housing Trust	376,548.66	Bill List Wire 7/26/2022
Open Space Trust	2,112.25	Bill List Wire 7/26/2022
General Trust	135.75	Bill List Wire 7/26/2022
Recreation Trust	338.06	Bill List Wire 7/26/2022
Dog Trust	6.00	Bill List Wire 7/26/2022

*This resolution was adopted by the Mayor and Council of Montvale  
at a meeting held on 7/26/22*

Introduced by: \_\_\_\_\_

Approved: 7/26/22

Seconded by: \_\_\_\_\_

\_\_\_\_\_  
Michael Ghassali, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Iarossi-Alwan, Municipal Clerk

**MANUAL/VOID CHECKS - WIRES**  
**July 26, 2022**

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Transaction/Vendor</u>	<u>Amount</u>
WIRE		7/13/22	Payroll Account-Current	217,547.63
WIRE		7/13/22	Salary Deduction Account	117,364.07
WIRE		7/13/22	FSA Account	50.00
<b>Total</b>				<u>334,961.70</u>

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 1

P.O. Type: All  
Range: First to Last  
Format: Condensed  
Include Non-Budgeted: Y

Open: N  
Rcvd: Y  
Bid: Y

Paid: N  
Held: N  
State: Y

Void: N  
Aprv: N  
Other: Y

Exempt: Y

First Enc Date Range: First to 12/31/22

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00019	MUNICIPAL CAPITAL CORPORATION								
	22-00008	01/03/22		COPY MACHINE LEASE - MAILROOM	Open	399.00	0.00		B
	22-00009	01/03/22		COPY MACHINE LEASE - POLICE	Open	179.00	0.00		B
	22-00010	01/03/22		WIDE FORMAT COLOR COPIER	Open	444.00	0.00		B
						1,022.00			
00022	BERGEN CTY MUNICIPAL JIF								
	22-00048	01/05/22		2022 LIABILITY & WORK COMP INS	Open	107,219.00	0.00		B
00023	BERGEN CTY UTILITIES AUTHORITY								
	22-00190	01/27/22		2022 SEWER SERVICE CHARGES	Open	230,961.00	0.00		B
00071	SUEZ WATER NEW JERSEY								
	22-00852	07/11/22		10003825412222 SUEZ - JULY	Open	15,402.88	0.00		
00097	CABLEVISION								
	22-00832	07/05/22		07873-240495-01-5 CABLEVISION	Open	116.23	0.00		
	22-00833	07/05/22		07873-218840-01-0 CABLEVISION	Open	21.04	0.00		
	22-00853	07/11/22		07873-109890-01-7 CABLEVISION	Open	161.68	0.00		
	22-00854	07/11/22		07873-204461-01-0 CABLEVISION	Open	135.45	0.00		
						434.40			
00114	CORBI PRINTING CO. INC.								
	22-00734	06/07/22		CASE JACKETS	Open	830.00	0.00		
00116	VERIZON								
	22-00825	06/30/22		651-285-414-0001-73 VERIZON	Open	286.51	0.00		
00125	NORTHWEST BERGEN REGIONAL								
	22-00121	01/18/22		2022 HEALTH SERVICES	Open	5,159.00	0.00		B
00139	SCORDO, FRANCES								
	22-00886	07/19/22		PETTY CASH FOR JUNE	Open	362.13	0.00		
00146	PSE&G CO.								
	22-00807	06/27/22		PSE&G - MAY 2022	Open	706.87	0.00		
	22-00894	07/19/22		PSE&G - JUNE 2022	Open	193.85	0.00		
						900.72			
00258	ROCKLAND ELECTRIC COMPANY								
	22-00804	06/24/22		ROCKLAND ELECTRIC CO. - MAY	Open	609.38	0.00		
	22-00845	07/07/22		ROCKLAND ELECTRIC CO. - JUNE	Open	8,433.89	0.00		
						9,043.27			
00329	NJ STATE DEPT. OF HEALTH								
	22-00835	07/06/22		STATE DOG LICENSE FEE	Open	6.00	0.00		

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00375	BOROUGH OF PARK RIDGE								
		22-00732	06/07/22	TRI-BORO FOOD PANTRY UTILITY	Open	374.29	0.00		
		22-00780	06/17/22	TRI-BORO FUEL - MAY 2022	Open	<u>6,964.04</u>	0.00		
						7,338.33			
00400	FAIRFIELD MAINTENANCE, INC.								
		21-01558	12/08/21	AB OPERATOR / MONTHLY INSPECT.	Open	774.00	0.00		B
00554	BERGEN MUNI.EMPL.BENEFITS FUND								
		22-00105	01/13/22	2022 HEALTH CARE BENEFITS	Open	53,423.00	0.00		B
00619	INSTITUTE FORENSIC PSYCHOLOGY								
		22-00661	05/20/22	PD 4 NEW HIRE PSYCHOLOGICAL EX	Open	2,100.00	0.00		
00699	ATLANTIC TOMORROWS OFFICE								
		22-00195	01/27/22	2022 MAINTENANCE CONTRACT	Open	1,160.26	0.00		B
		22-00819	06/30/22	PAPER FOR KIP MACHINE	Open	<u>140.00</u>	0.00		
						1,300.26			
00730	BOGGIA,BOGGIA,BETESH & VOYTUS								
		22-00112	01/18/22	2022 LEGAL FEES	Open	15,207.42	0.00		B
		22-00829	07/05/22	AFFORDABLE HOUSING	Open	<u>708.66</u>	0.00		
						15,916.08			
00731	COLLIER'S ENGINEERING & DESIGN								
		22-00117	01/18/22	2022 ENGINEER RETAINER	Open	450.00	0.00		B
		22-00118	01/18/22	2022 GENERAL ENGINEERING	Open	3,936.75	0.00		B
		22-00123	01/18/22	BOROUGH PLANNER	Open	398.25	0.00		B
		22-00140	01/19/22	AFFORDABLE HOUSING 2021 SVCS	Open	442.50	0.00		B
		22-00465	04/07/22	MEMORIAL BASEBALL/SOFTBALL FLD	Open	1,312.25	0.00		B
		22-00696	06/03/22	MUNICIPAL ENGINEERING REVIEW	Open	4,557.25	0.00		
		22-00761	06/14/22	MUNICIPAL ENGINEERING REVIEW	Open	3,393.75	0.00		
		22-00762	06/14/22	MUNICIPAL ENGINEERING REVIEW	Open	1,176.50	0.00		
		22-00774	06/16/22	MUNICIPAL ENGINEERING REVIEW	Open	3,167.50	0.00		
		22-00805	06/27/22	MUNICIPAL PLANNING REVIEW	Open	1,749.00	0.00		
		22-00820	06/30/22	MUNICIPAL ENGINEERING REVIEW	Open	5,475.25	0.00		
		22-00822	06/30/22	MUNICIPAL ENGINEERING REVIEW	Open	4,505.00	0.00		
		22-00836	07/06/22	MUNICIPAL ENGINEERING REVIEW	Open	135.75	0.00		
		22-00838	07/06/22	MUNICIPAL ENGINEERING REVIEW	Open	<u>2,081.50</u>	0.00		
						32,781.25			
00769	URBAN AUTO SPA								
		22-00864	07/13/22	CAR WASH & OIL CHANGE SRVC	Open	14.00	0.00		
00801	WESTPHAL WASTE SERVICES, INC.								
		22-00185	01/27/22	2022 GARBAGE COLLECTION	Open	67,333.33	0.00		B
00812	NJ STATE ASSOCIATION OF								
		22-00706	06/06/22	PD 2022 PROGRAM FEE	Open	1,334.00	0.00		
00891	RIDGEMONT PIZZA & RESTAURANT								
		22-00803	06/23/22	COUNSELOR TRAINING LUNCH	Open	280.00	0.00		

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00979	SANFILIPPO, JOSEPH	22-00860	07/12/22	REIMB POLICE EXPO SEMINAR	Open	267.69	0.00		
00996	ULINE, INC.	22-00478	04/11/22	BLUE RECYCLING LINERS-ENV COMM	Open	119.99	0.00		
01020	WORLD INSURANCE ASSOCIATES, LLC	22-00847	07/08/22	ACCIDENT&HEALTH INS. SUMM. CMP	Open	1,466.00	0.00		
01036	PODS LANDSCAPING LLC	22-00754	06/13/22	LAWN MAINT 79 W GRAND	Open	650.00	0.00		
01098	SPIOTTI & ASSOCIATES P.C.	22-00902	07/20/22	TAX COURT SETTLEMENT	Open	2,703.80	0.00		
01120	GTBM INC.	21-01572	12/09/21	PD VEHICLE LAPTOPS	Open	7,695.48	0.00		
01123	ENCLAVE AT MONTVALE	21-00109	01/12/21	2021 SNOW REMOVAL & LIGHTING	Open	2,636.00	0.00		
01132	COOPERATIVE COMMUNICATIONS, INC	22-00180	01/27/22	2022 BORO PHONE 201-391-5700	Open	2,023.96	0.00		B
01151	GILL ID SYSTEMS	22-00683	05/31/22	VALIDATION BADGES	Open	525.00	0.00		
01156	DIRECT ENERGY BUSINESS	22-00851	07/11/22	DIRECT ENERGY - JUNE 2022	Open	359.71	0.00		
01167	MUNICIPAL CLKS ASSOC.OF NJ	22-00849	07/08/22	MUNICIPAL CLERKS ASSOC DUES	Open	175.00	0.00		
01227	PIAZZA & ASSOCIATES, INC.	22-00116	01/18/22	2022 AFFORDABLE HOUSING SVCS.	Open	300.00	0.00		B
01368	ROBALINO, ERIC	22-00808	06/27/22	REIMB CLOTHING ALLOWANCE	Open	150.00	0.00		
01464	SURENIAN, EDWARDS & NOLAN	22-00119	01/18/22	2022 SPECIAL COUNSEL	Open	1,079.50	0.00		B
01471	RICCIARDELLA ELECTRIC INC.	22-00741	06/09/22	LATRENTA/TENNIS COURT LIGHTS	Open	1,605.00	0.00		
		22-00767	06/14/22	FIXED CIRCUIT BREAKER LATRENTA	Open	622.00	0.00		
		22-00797	06/22/22	BURNED BALLAST LATRENTA	Open	510.00	0.00		
						2,737.00			
01473	CREATIVE PRODUCT SOURCING, INC.	22-00664	05/20/22	PD DARE T-SHIRTS 2022 6TH GR	Open	1,405.56	0.00		
01515	LAWSOFT INC.	22-00758	06/14/22	LAW SOFT SUPPORT AND MAINT	Open	6,700.00	0.00		

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 4

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01535	ROCKLAND BOULDERS								
		22-00679	05/27/22	PD DARE GRADUATION CELEBRATION	Open	1,600.00	0.00		
01624	CMRS-FP								
		22-00812	06/29/22	COURT POSTAGE-2ND QUARTER 2022	Open	235.53	0.00		
01680	WEGMANS BUSINESS								
		22-00817	06/29/22	FLOWERS SZABO RETIREMENT	Open	30.00	0.00		
01767	VERIZON								
		22-00806	06/27/22	555-569-014-0001-55 VERIZON	Open	175.64	0.00		
01807	LIGHTHOUSE COMPUTERS, INC.								
		22-00858	07/12/22	LEIGHTRONIX SYSTEM SUPPORT	Open	7,190.00	0.00		
01856	MONTVALE FLORIST								
		22-00796	06/22/22	BEREAVEMENT FLOWERS ZURICH	Open	100.00	0.00		
01892	AC DAUGHTRY INC.								
		22-00542	04/26/22	MAXPRO MONITORING	Open	598.80	0.00		
01894	JERSEY MAIL SYSTEMS, LLC								
		22-00830	07/05/22	INK	Open	447.25	0.00		
01924	AIR SYSTEMS MAINTENANCE, INC								
		22-00687	06/01/22	WORK DONE IN 2020	Open	7,241.69	0.00		
		22-00742	06/09/22	A/C SYSTEM DOWN IN POLICE ST.	Open	684.00	0.00		
						7,925.69			
01969	SCORDO, GABRIELLE								
		22-00549	04/26/22	CERTIFICATION FEE	Open	100.00	0.00		
01979	MONTVALE FAMILY APTS URBAN								
		22-00900	07/19/22	COAH -WALTERS GRP-25 UNITS	Open	375,000.00	0.00		
02056	LERCH, VINCI & HIGGINS, LLP								
		22-00800	06/23/22	EXCESS SEWER BILLING	Open	655.00	0.00		
02141	REGAN, ROBERT T., ESQ.								
		22-00789	06/21/22	ESCROW PAYMENT	Open	1,209.00	0.00		
		22-00813	06/29/22	TRUST - RESERVE FOR HOUSING	Open	97.50	0.00		
		22-00814	06/29/22	ESCROW PAYMENTS	Open	955.50	0.00		
		22-00855	07/11/22	ESCROW PAYMENT	Open	136.50	0.00		
						2,398.50			
02426	VERIZON WIRELESS								
		22-00887	07/19/22	242317487-00001 VERIZON	Open	2,169.16	0.00		
02559	INS.DESIGN ADMINSTRATORS								
		22-00171	01/25/22	2022 VISION BENEFITS	Open	231.00	0.00		B
02679	EDMUNDS GOVTECH								
		22-00801	06/23/22	PRINTING ESTIMATED TAX BILLS	Open	1,116.32	0.00		

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 5

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
02757	TYCO ANIMAL CONTROL SERVICES	22-00462	04/07/22	2022 GEESE CONTROL SERVICES	Open	800.00	0.00		B	
03060	TRI-STATE TECHNICAL SERVICES	22-00785	06/21/22	MOVED REC COMP TO SENIOR CNTR	Open	419.00	0.00			
03084	WESLEY SICOMAC DAIRY	22-00184	01/27/22	2022 MILK DELIVERY	Open	35.44	0.00		B	
03683	PIERRI, JASON	22-00823	06/30/22	REIMB PIERRI CLOTHING	Open	71.75	0.00			
04008	GASTON, SCOTT	22-00824	06/30/22	REIMB CLOTHING ALLOWANCE	Open	219.30	0.00			
<hr/>										
Total Purchase Orders:		90	Total P.O. Line Items:		0	Total List Amount:		986,734.23	Total Void Amount:	0.00

July 21, 2022  
03:17 PM

Borough of Montvale  
Purchase Order Listing By Vendor Id

Page No: 6

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 2022 BUDGET	1-01	11,319.36	0.00	0.00	11,319.36
CURRENT FUND 2022 BUDGET	2-01	567,867.40	0.00	0.00	567,867.40
BOA ESCROW ACCOUNTS	E-08	28,406.75	0.00	0.00	28,406.75
OTHER TRUST ACCOUNT	T-03	376,684.41	0.00	0.00	376,684.41
DOG TRUST ACCOUNT	T-12	6.00	0.00	0.00	6.00
OPEN SPACE TRUST ACCT	T-14	2,112.25	0.00	0.00	2,112.25
RECREATION TRUST FUND	T-19	338.06	0.00	0.00	338.06
Year Total:		379,140.72	0.00	0.00	379,140.72
Total of All Funds:		986,734.23	0.00	0.00	986,734.23

## **BOROUGH OF MONTVALE**

### **ORDINANCE NO.**

**AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ESTABLISHING A NEW CHAPTER 326 ENTITLED "SITE PLANS," AND AMENDING AND SUPPLEMENTING CHAPTER 400, "ZONING," OF THE BOROUGH CODE TO TRANSFER THE BOROUGH'S SITE PLAN REQUIREMENTS FROM CHAPTER 400 TO A NEW CHAPTER 326, AND ESTABLISHING CERTAIN PROVISIONS RELATED TO OBTAINING WAIVERS FROM THE BOROUGH'S SITE PLAN REQUIREMENTS**

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

**Section 1.** Chapter 400, "Zoning," Article XII, "Site Plan Review," is hereby removed from Chapter 400 and transferred to a new Chapter 326, "Site Plans." The sections of said Article shall be renumbered and the Article shall read as follows:

### **CHAPTER 326 Site Plans**

#### **Article I Site Plan Review**

<b>§ 326-1</b>	<b>Authority and scope.</b>
<b>§ 326-2</b>	<b>Title.</b>
<b>§ 326-3</b>	<b>Purposes.</b>
<b>§ 326-4</b>	<b>Definitions.</b>
<b>§ 326-5</b>	<b>Review required.</b>
<b>§ 326-6</b>	<b>Fees and deposits.</b>
<b>§ 326-7</b>	<b>Application procedure.</b>
<b>§ 326-8</b>	<b>Presubmission conference.</b>
<b>§ 326-9</b>	<b>Formal site development plan filing procedure.</b>
<b>§ 326-10</b>	<b>Final site plan submission requirements.</b>
<b>§ 326-11</b>	<b>Approval or disapproval of site development plan.</b>
<b>§ 326-12</b>	<b>Performance standards.</b>
<b>§ 326-13</b>	<b>Public hearings.</b>
<b>§ 326-14</b>	<b>Effect of approval.</b>
<b>§ 326-15</b>	<b>Exceptions; simultaneous review and approval.</b>
<b>§ 326-16</b>	<b>Off-tract improvements.</b>
<b>§ 326-17</b>	<b>Expiration of site plan approval.</b>
<b>§ 326-18</b>	<b>Enforcement.</b>
<b>§ 326-19</b>	<b>Interpretation.</b>
<b>§ 326-20</b>	<b>Repealer.</b>

- § 326-21      **When effective.**
- § 326-22      **(Reserved)**
- § 326-23      **(Reserved)**

## **Article II**

### **Site Plan Waiver Requirements and Use Permits**

- § 326-24      **Purpose and intent.**
- § 326-25      **Standards applicable to site plan waivers.**
- § 326-26      **Application procedures for use permits.**
- § 326-27      **Standards for granting use permits.**
- § 326-28      **Violations and penalties.**
- § 326-29      **(Reserved)**
- § 326-30      **(Reserved)**

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## **Article I - Site Plan Review**

### **§ 326-1      Authority and scope.**

This Article consists of an ordinance establishing rules, regulations and standards governing site plan review within the Borough of Montvale, pursuant to the authority as set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and amendments and supplements thereto, setting forth the procedure to be followed in applying and administering these rules, regulations and standards, and providing penalties for the violations thereof.

### **§ 326-2      Title.**

This Article of this Chapter shall be known as "Site Plan Review."

### **§ 326-3      Purposes.**

The regulations set forth in this Article are deemed necessary to achieve the following purposes:

- A.    Promote orderly development. To protect the character and to maintain the stability of all areas within the community and to promote the orderly and beneficial development of such areas.
- B.    Promulgate rules and regulations. To provide rules, regulations and procedures where

applicable and to the extent the same have not been otherwise promulgated by ordinance in the Borough of Montvale which will guide the appropriate development of the lands within the Borough in a manner which will promote the public health, safety, morals and general welfare.

- C. To protect against hazards and danger. To secure safety from fire, flood, panic and other natural and man-made disasters.
- D. Design standards. To encourage the design and location of streets which will promote the free flow of traffic while discouraging the location of such facilities and routes which will result in congestion.
- E. Creative development techniques. To promote a desirable physical environment through creative development techniques, design and arrangement.
- F. Open spaces. To promote the conservation of open space and to protect the natural resources and to prevent overcrowding through improper land use.

#### **§ 326-4 Definitions.**

- A. Unless the context otherwise indicates, the following definitions shall be used in the interpretation and construction of this Chapter. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "person" includes a corporation as well as an individual; the word "lot" includes the word "plot"; the word "used" includes the words "arranged, designed, constructed, converted, rented, leased or intended to be used"; the word "shall" is mandatory and not optional; and the word "may" is permissive.

#### **ADMINISTRATIVE OFFICER**

The Secretary to the Montvale Planning Board for any application before the Planning Board.

#### **APPLICANT**

A developer submitting an application for development.

#### **APPLICATION FOR DEVELOPMENT**

The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction of the issuance of a permit pursuant to law.

#### **APPROVING AUTHORITY**

The Planning Board of the Borough of Montvale.

**BOARD**

The Planning Board of the Borough of Montvale.

**BUILDING**

A combination of materials to form a construction adapted to permanent, temporary or continuous occupancy and having a roof.

**COMMON OPEN SPACE**

An open space area within or related to a site designated as a development or designed and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

**CONDITIONAL USE**

A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of an authorization therefor by the Planning Board.

**CONVENTIONAL**

Development other than planned development.

**COUNTY MASTER PLAN**

A composite of the Master Plan for the physical development of Bergen County, with the accompanying maps, plats, charts and descriptive and explanatory matter adopted by the Bergen County Planning Board pursuant to N.J.S.A. 40:27-2 and 40:27-4, as the same may be amended or supplemented.

**DAYS**

The number of calendar days for the purposes of this Chapter.

**DEVELOPER**

The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

**DEVELOPMENT**

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure or of any mining, excavation or landfill and any use or change in the use of any building or other structure or use or extension of use of land, for which permission may be required.

**DRAINAGE**

The removal of surface water or groundwater from land by drains, grading or other means, including the control of runoff, to minimize erosion and sedimentation during and after

construction or development and means necessary for water supply preservation or prevention or alleviation of flooding.

#### **ENVIRONMENTAL COMMISSION**

A municipal advisory body created pursuant to P.L. 1968, c. 245 (N.J.S.A. 40:56A-1 et seq.).

#### **EROSION**

The detachment and movement of soil or rock fragments by water, wind, ice and gravity.

#### **FINAL APPROVAL**

The official action of the approving authority taken on a preliminary approved site plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guaranties properly posted for their completion or approval conditioned upon the posting of such guaranties.

#### **GOVERNING BODY**

The Mayor and Borough Council of the Borough of Montvale.

#### **HISTORIC SITE**

Any building, structure, area or property that is significant in the history, architecture, archeology or culture of this state, its communities or the nation and which has been so designated.

#### **INTERESTED PARTY**

For the purpose of this chapter, any person, whether residing within or without the Borough of Montvale, whose right to use, acquire or enjoy property is or may be affected by any action taken under this chapter, or whose rights to use, acquire or enjoy property under this chapter, or under any other law of this state or the United States have been denied, violated or infringed by an action or failure to act under this Code.

#### **LAND**

Includes improvements and fixtures on, above or below the ground surface.

#### **LOT**

A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

#### **MAINTENANCE GUARANTY**

Security, other than cash, which may be accepted by the Borough of Montvale for the maintenance of any improvements required by this chapter.

#### **MASTER PLAN**

A composite of one or more written or graphic proposals for the development of the Borough of Montvale, adopted by the Montvale Planning Board.

**MINOR APPLICATION**

Any application, other than for subdivision, where the aggregate estimated cost of improvements to the land, inclusive of site improvements, where necessary, do not exceed \$500.

**OFFICIAL COUNTY MAP**

The map, with changes and additions thereto, adopted and established, from time to time, by resolution of the Board of Chosen Freeholders of Bergen County pursuant to N.J.S.A. 40:27-5.

**OFFICIAL MAP**

A map and accompanying ordinance adopted by the governing body of the Borough of Montvale pursuant to law. Such a map shall be deemed to be conclusive with respect to the location and width of streets and public drainageways and the location and extent of flood control basins and public areas, whether or not such streets, ways, basins or areas are improved or unimproved or are in actual physical existence.

**OFF SITE**

Located outside the lot lines of the lot in question but within the property (of which the lot is part) which is the subject of a development application or on a contiguous portion of a street or right-of-way.

**OFF TRACT**

Not located on the property which is the subject of a development application or on a contiguous portion of a street or right-of-way.

**ON SITE**

Located on the lot in question.

**ON TRACT**

Located on the property which is the subject of a development application or on a contiguous portion of a street or right-of-way.

**OPEN SPACE**

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for use and enjoyment by owners and occupants of land adjoining or neighboring such open space, provided that such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

**PERFECTED APPLICATION**

For the purpose of this Chapter, one that is submitted in a proper and complete form, including all required application forms and maps, all required fees are submitted and filed

within the appropriate time schedules, and proof is included that no taxes or assessments for local improvements are due or delinquent on the property for which approval is sought.

**PERSON**

Any individual, firm, association, partnership, corporation, syndicate, copartnership, trust or other legal entity.

**PLAN**

The provisions for development of a planned development, including a plat of the subdivision; all covenants relating to use, location and bulk of buildings and other structures; intensity of use or density of development; public or private streets, driveways and parking facilities; open space and public facilities.

**PLANNED RESIDENTIAL DEVELOPMENT**

An area with a specified minimum of five acres of contiguous land to be developed as a single entity according to a plan containing one or more residential clusters and which may include public or quasi-public uses, all for the primary benefit of the residential development.

**PLAT**

A map or maps of a subdivision or site plan pursuant to the provisions of this article and/or Chapter 350, Subdivision of Land, of the Borough of Montvale.

**SIGHT TRIANGLE**

As defined in § 400-8 of this Code.

**SITE PLAN**

A development plan of one or more lots on which is shown:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways.
  2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting and screening devices.
  3. Any other information that may be reasonably required in order to make an informed determination pursuant to this chapter.
- B. All other terms used in this Chapter not herein defined shall be accorded the meaning afforded them by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.

**§ 326-5      Review required.**

- A. Except as hereinafter expressly provided, no building or land shall be used, and no building or structure shall be built, altered, erected or used, and no other land shall be cleared or graded, nor any building permit or certificate of occupancy issued as a matter of right, but such shall be granted on application and approval of the Planning Board of the Borough of Montvale, as may in the case be the appropriate authority, in accordance with the provisions as embodied in this Article and Article XIII of Chapter 400. Development plan approval shall be required for all cases except those specifically excepted from the provisions of this chapter.
- B. Notwithstanding the provisions of this article, no site plan approval shall be required prior to the issuance of a building permit or certificate of occupancy for any new building or addition to an existing building if such building or addition is used or is intended to be used solely as a single-family detached dwelling or as an accessory thereto.
- C. Applications satisfying the conditions set forth in Article II of this Chapter shall be exempt, to the extent set forth therein, of the provisions of this Chapter.

**§ 326-6      Fees and deposits.**

- A. Unless otherwise provided by law or elsewhere by ordinance, the nonrefundable fees and the deposits in connection with site development applications or the rendering of any services by the Planning Board shall be as set forth in this section and on Schedule A, adopted by ordinance and on file with the Land Use Administrator. In the event of a conflict between the fees in this section and those set forth on Schedule A, the fees on Schedule A shall apply.
- B. Escrow fees.
  - (1) In addition to the required application fees established herein, the applicant shall be required to establish one or more escrow accounts with the Borough of Montvale to cover the reasonable costs of professional review and consultation.
  - (2) Said escrow fees shall be required for preliminary site plan approval, final site plan approval and any site plan requiring conditional use approval, any site plan requiring subdivision approval and any site plan requiring a variance of any type.
- C. Such additional deposits to be paid to the Borough Treasurer at the time of submission of a development plan are as follows:

- (1) Three thousand dollars for the 40,000 square feet of land or part thereof included within the site development.
- (2) An additional sum computed at the rate of \$150 per 1,000 square feet of land or part thereof in excess of 40,000 square feet of land.
- (3) A sum computed at the rate of \$60 per 100 square feet for the first 30,000 square feet of building floor area or part thereof included within the site development plan.
- (4) An additional sum computed at the rate of \$30 per 100 square feet for each square foot of building floor area in excess of 30,000 square feet.

D. Use of deposits; reimbursement of professionals and consultants.

- (1) Funds on deposit shall be expended to reimburse the municipality and approving authority in accordance with P.L. 1995, c. 54, for monies paid to professionals and consultants engaged by them on account of the reasonable cost to their services rendered with reference to the application for which the deposit has been established. Upon receipt of sufficient funds for the escrow account, the administrative officer shall notify the professionals and other consultants of the approving authority that all appropriate examinations and reviews may be undertaken.
- (2) Each payment charged to the deposit for review of applications, review and preparation of documents and inspection of improvements shall be by a voucher from the professional, including municipal employees who may render such services. This voucher shall identify the personnel performing the service and, for each date the services performed, the hours spent to one-fourth-hour increment, the hourly rate and the expenses incurred. All professionals shall submit vouchers to the Treasurer of the Borough of Montvale on a monthly basis. The professional shall send an informational copy of all vouchers or statements sent to the Treasurer of the Borough simultaneously to the applicant. The Treasurer of the Borough shall prepare and send to the applicant a statement which shall include an accounting of funds, listing all deposits, interest earnings, disbursements and the cumulative balance of the escrow account. This information shall be provided on a quarterly basis, if monthly charges are \$1,000 or less, or on a monthly basis, if monthly charges exceed \$1,000.
- (3) If an escrow account or deposit contains insufficient funds to enable the Borough to perform required application reviews or improvement inspections, the Treasurer of the Borough shall provide the applicant with a notice of the

insufficient escrow or deposit balance. In order for work to continue on the development or the application, the applicant shall forthwith post a deposit to the account in an amount to be agreed by the Borough or approving authority and the applicant. In the interim, any required health and safety inspections shall be made and charged back against the replenishment of funds.

- (4) Upon final approval of and receipt of the signed site plan, the applicant shall send written notice by certified mail to the Treasurer of the Borough, the approving authority and to the relevant Borough professional that the application is completed. After receipt of such notice, the professional shall render a final bill to the Treasurer of the Borough within 30 days and shall send a copy simultaneously to the applicant. The Treasurer of the Borough shall render a written final accounting to the applicant on the uses to which the deposit was put within 45 days of receipt of the final bill. Any balances remaining in the deposit or escrow account, including interest in accordance with P.L. 1985, c. 315, shall be refunded to the developer along with the final accounting.
- E. The applicant shall, prior to the signing of an approved plan, deposit with the Borough of Montvale for the purpose of reimbursing the municipality or approving authority for disbursements made to its professionals subsequent to the approval on account of the application a sum equal to 3% of the estimated cost of the site improvements, which sum shall not be less than \$200.
- F. As a further condition to approval and the issuance of a building permit, the applicant shall be required to enter into a developer's agreement with the Borough of Montvale, as drawn by the Planning Board Attorney, detailing the conditions of approval and the nature and scope of the work to be performed by the applicant.
- G. The installation of all improvements shall be required prior to the issuance of a certificate of occupancy; provided, however, that in lieu of the completion of certain improvements deemed nonessential to the use and occupancy of the premises, the Mayor and Council may, for good cause shown, in their discretion, permit upon proof by the applicant that no substantial hazard or detriment will be created, the posting of performance guaranties in appropriate form with sufficient securities in a form satisfactory to the governing body and in an amount sufficient to ensure completion of the said improvements.
- H. The application fee for approval by the approving authority of a certificate of occupancy or change in use, ownership or occupancy for an existing building where no improvements or variances are to be required shall be \$225, payable to the Borough of Montvale. In addition, where the approving authority has granted an approval upon which conditions are imposed, the approving authority may, in its discretion, require the applicant to deposit with the Borough of Montvale, for the purpose of reimbursing the municipality or approving

authority for disbursements made to its professionals for the preparation of a memorializing resolution of approval and/or required inspections related thereto, a sum equal to 3% of the estimated cost of meeting the conditions, which sum shall not be less than \$200. All other procedures and requirements of this § 326-6 relating to escrow deposits shall also apply in the case of any deposit required by this subsection.

I. Appeals.

- (1) An applicant shall notify, in writing, the governing body, with copies to the Treasurer of the Borough, the approving authority and the professional whenever the applicant disputes the charges made by a professional for service rendered to the Borough in reviewing applications for development, review and preparation of documents, inspection of improvements or other charges made pursuant to the provisions of P.L. 1975, c. 291. The governing body, or its designee, shall within a reasonable time period attempt to remediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals any charge to an escrow account or a deposit by the Borough professional or consultant pursuant to the procedures set forth in P.L. 1995, c. 54.
- (2) During the pendency of any appeal, the Borough or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course. Further, the Borough or approving authority shall not withhold, delay or deny reviews, inspections, signing of site plans, the reduction or the release of performance or maintenance guaranties, the issuance of construction permits or certificates of occupancy or any other approval or permit because an appeal has been filed or is pending under this subsection. The Treasurer of the Borough may pay charges out of the appropriate escrow account or deposit for which an appeal has been filed. If a charge is disallowed after payment, the Treasurer shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount of the applicant. If a charge is disallowed after payment to a professional or consultant who is not an employee of the municipality, the professional or consultant shall reimburse the municipality in the amount of any such disallowed charge.

**§ 326-7      Application procedure.**

An applicant for sketch plat approval shall submit the following along with the application:

- A. The applicant shall submit five large copies (at least 24 inches by 36 inches but no more than 30 inches by 42 inches), 17 half-size copies, and one digital PDF copy (via email, CD,

or thumb drive) of a completed application form, and all other required documentation in this section.

- B. In addition to the filing of an application and copies thereof as provided herein, the applicant shall file a sketch plat for the purpose of preliminary review or proceed immediately to file a formal site development plan as is provided for in § **326-109** of this chapter. In the event that the applicant elects to file a sketch plat with the approving authority, copies thereof shall be provided simultaneously with the application to those persons and agencies provided in § **326-109** of this chapter.
- C. The sketch plat, if submitted, shall be sufficiently detailed and understandable so as to show the subject property and surrounding land and shall set forth at least the following information:
  - (1) Lot and block designation(s) of the property and the development name.
  - (2) Property address.
  - (3) Name and address of the applicant and record owner of the property, if other than the applicant.
  - (4) Name, phone number, email address, license number, and seal of the person, firm, or organization preparing the sketch plat and for whom the sketch plat has been prepared.
  - (5) Name, phone number, email address, license number of the architect, landscape architect, planner, and traffic engineer, if applicable.
  - (6) Date prepared with all subsequent revisions noted on the sketch plat and dated.
  - (7) North arrow, written and graphic scales, and reference meridian.
  - (8) A key map showing the location of the property with reference to the surrounding area showing the lot and block number(s) of the property, lot and block numbers of adjacent properties, rights-of-way, zoning districts, and municipal boundaries. The map shall be drawn at a scale of not less than one inch equals 1,000 feet and include a North arrow and written and graphic scales.
  - (9) The location, names, and existing widths of the adjacent streets, rights-of-way, and curblines.
  - (10) Names of all owners of record of adjacent properties within 200 feet of the tract, together with the lot and block numbers of the properties as shown on the most

recent municipal tax records.

- (11) The existing zoning of the property and on all adjacent lands.
- (12) Tabulation of all applicable zone district bulk requirements with a comparison to the existing and proposed conditions. All calculations to determine bulk regulations shall be provided (i.e., lot coverage, building height, floor area ratio, etc.).
- (13) List of all variances and waivers/exceptions being sought by the applicant.
- (14) Location and width of any existing watercourse, existing rock outcrops, depressions, lakes and ponds, wooded areas, marshes, and any other significant environmentally sensitive or natural terrain features as may be determined by survey.
- (15) Location of any flood hazard areas with delineation and elevation of the 100-year-flood boundary or stormwater overflow within 200 feet of the tract.
- (16) Location of uses and outline of structures including walls, fences, culverts, underground storage tanks, bridges, and roadways presently located on the subject property and on properties immediately adjacent thereto for a distance of 200 feet.
- (17) Location of existing wells and septic systems on site and within 100 feet of the property.
- (18) Location of paved areas, sidewalks, vehicular accesses, and circulation elements between the property and public streets.
- (19) Location of any existing sewers, culverts, or water lines.
- (20) The location of existing and proposed buildings with front, rear, and side yard setback dimensions and structural improvements.
- (21) Location and area of proposed sidewalks, driveways, loading areas, off-street parking, or other paved areas.
- (22) Any proposed grading, including the locations of proposed streets.
- (23) Any proposed utilities, including stormwater drainage.
- (24) Existing and proposed contours of the land, with a contour interval of not less than two feet. Existing contours are to be indicated by dashed lines, and proposed contours are to be indicated by solid lines. The reference datum shall be the

United States Coast and Geodetic Survey data or other datum acceptable to the Borough Engineer.

- (25) Location of all lands with a topographic slope of 15% or greater in its natural state shall be separately designated on the topographic map of the property. A table shall accompany the map that provides existing and proposed steep slopes on the property in both square feet and percent.
  - (26) All trees exhibiting a diameter of four inches or more measured 12 inches above the ground shall be specifically located, and all trees proposed to be removed shall be specified and provided in tabular format with size (dbh) and species.
  - (27) Landscape plan illustrating the location illustrating the location of all proposed plantings, including street trees, mulched areas, and lawn areas, along with a table detailing the proposed planting botanical name, common name, size, quantity, and planting details.
  - (28) Soil erosion and sediment control plan. If more than 500 cubic yards of soil is proposed to be moved (cut plus fill), an application for a major soil moving permit and information in accordance with § 329-4 shall be submitted.
- D. A written description of the proposed use and off- and on-tract improvements.

**§ 326-8 Presubmission conference.**

- A. Prior to the approval of the sketch plat, the applicant shall, if required, meet in person with the approving authority or its designated representatives. The purpose of the conference shall be to discuss the proposed uses of the development, to review the application and sketch plat submitted therewith and to determine what additional information should be supplied to conform with the detailed filing of the site development plan provided for under § 326-7 of this chapter.
- B. The presubmission conference required herein shall be held within 30 days of the receipt of the application and sketch plat by the designated officials. The approving authority or its duly-designated representatives may within 10 days of the date of the presubmission conference submit their reports, comments and recommendations to the applicant.

**§ 326-9          Formal site development plan filing procedure.**

The applicant shall, simultaneously with the filing of the application herein provided for or at any time thereafter, proceed to file a detailed site plan and with respect thereto shall proceed as follows:

**A.    Preliminary site plan and copies.**

- (1)      File five large copies (at least 24 inches by 36 inches but no more than 30 inches by 42 inches), 17 half-size copies, and one digital PDF copy (via email, CD, or thumb drive) of the site development plan and related information with the Secretary of the Board.
- (2)      Said plan and copies shall be submitted to the Board Secretary at least 21 days prior to the Board meeting at which approval is requested and shall be accompanied by the fees and deposits in the amounts herein set forth in this chapter referable to the site development plan review.

**B.    An application shall be considered perfected and filed when the application forms have been duly submitted, the fees and deposits paid, and the Borough Engineer and the Borough Planner shall have certified that the site development plan has been drawn in accordance with § 326-9 of this Chapter and is otherwise in a form required for the formal action of the Board.**

**C.    The officials to whom a copy of the site development plan has been submitted shall forward to the Board, not later than eight days prior to the second regular meeting of the Board succeeding the perfection of the application, their recommendations and comments, if any, in writing, concerning the site development plan. The Board shall consider the recommendations thus advanced but shall proceed in the absence of such recommendations.**

**D.    The applicant shall cause the site development plan to be prepared by a licensed professional engineer or land surveyor. Site development plan elements shall include those listed below, which are appropriate to the proposed development or use:**

- (1)      Scale and dimensions. The map shall be at a scale of 10, 20, 30 or 40 feet to the inch, except that if the property has a maximum dimension in excess of 900 feet, a scale of 50 feet to the inch may be used.
- (2)      Description data.
  - (a) Lot and block designation(s) of the property and title of development.
  - (b) Address of the property.

- (c) Name and address of the record owner of the property and applicant, if other than the record property owner.
- (d) Name, address, license number, and seal of the person, firm, or organization preparing the plan and for whom the plan has been prepared.
- (e) Date prepared with all subsequent revisions shall be noted on the plan.
- (f) North arrow, written and graphic scales, and reference meridian.
- (g) Sufficient description or information to designate precisely the boundaries of the property bearings which begin to the nearest 10 seconds or closer. The error of closure shall not exceed one in 10,000.
- (h) The location, names, and existing widths of adjacent streets, rights-of-way, and curblines.
- (i) A key map showing the location of the property with reference to the surrounding area, showing the lot and block number(s) of the property, address, lot and block numbers of adjacent properties, rights-of-way, zoning districts, and municipal boundaries. The map shall be drawn at a scale of no less than one inch equals 1,000 feet and include a North arrow and written and graphic scales.
- (j) An aerial photograph with the property boundaries to evaluate effects upon existing vegetation and surrounding land uses.
- (k) Names of all owners of record of adjacent properties within 200 feet of the site, together with the lot and block numbers of the subject premises as shown on the most recent municipal tax records.
- (l) Location, width, and purpose of all existing and proposed easements, including, but not limited to, utility, drainage, sight, and access easements, within or joining the property.
- (m) Tabulation of all applicable zone district bulk requirements with a comparison to the existing and proposed conditions. All calculations to determine bulk requirements shall be provided (i.e., lot coverage, building height, floor area ratio, etc.).
- (n) List of all variances and waivers/exceptions being sought by the applicant.
- (o) Approval block for signatures of the Board Chairperson, Board Secretary,

Borough Engineer, and any outside agencies required to approve the proposed development.

(3) Natural features.

- (a) Existing and proposed contours of the land, with a contour interval of not less than two feet. Existing contours are to be indicated by dashed lines, and proposed contours are to be indicated by solid bold lines. The reference datum shall be the United States Coast and Geodetic Survey data or other datum acceptable to the Borough Engineer.
- (b) Location and width of any existing watercourse, existing rock outcrops, depressions, lakes and ponds, marshes, wooded areas, and any other environmentally sensitive or natural terrain features as may be determined by survey.
- (c) Location of any wetland areas and wetland transition areas as determined by a letter of interpretation from the NJDEP or a qualified wetlands expert and a metes and bounds survey of said wetlands. Said areas shall be appropriately flagged in the field.
- (d) Location of any flood hazard areas with delineation and elevation of the 100-year-flood boundary or stormwater overflow, including a metes and bounds description of the same, within 200 feet of the site.
- (e) All lands with a topographic slope of 15% or greater in its natural state shall be separately designated on the topographic map of the site. The applicant shall provide a breakdown of existing and proposed steep slopes on the property in square feet and percent.
- (f) All trees exhibiting a diameter of four inches or more measured 12 inches above the ground shall be specifically located, and all trees proposed to be removed shall be specified. The applicant shall present a table of existing and proposed trees to be removed by size (dbh).

(4) Existing structures and utilities.

- (a) Location of all uses, buildings, and structures drawn to scale on and within 100 feet of the subject property. All structures, including walls, fences, culverts, bridges, roadways, and underground storage tanks, that are existing and proposed to remain shall be indicated with spot elevations. Structures to be removed shall be indicated by dashed lines.

- (b) Location of all paved areas, sidewalks, vehicular access, and circulation elements, including rights-of-way, traffic control, directional signage, and railroads, between the site and public streets.
  - (c) Location, dimensions, grades, and flow direction of existing streets, culverts, and water lines, as well as other underground and aboveground utilities, including sanitary sewer, water, stormwater management, telephone, electric, gas, and cable TV, within and adjacent to the property.
  - (d) Any existing buildings, structures, and walls that are of historic importance or are of important archaeological, cultural, scenic or architectural significance on the subject property or within 200 feet of the property shall be so noted on the plans.
  - (e) Location and details of existing signage, lighting, landscaping, and solid waste areas to remain.
  - (f) The location of existing wells and septic systems on site and within 100 feet of the site.
- (5) Proposed development.
- (a) The applicant shall set forth in detail the exact use to be made of the property and the buildings and structures thereon, including, but not limited to, required yard and setback areas, lot coverage and building coverage calculations, and building height in feet and stories.
  - (b) The location of the proposed buildings or structural improvements with spot elevations at each corner of the proposed buildings. Floor space of all buildings, number of employees, housing units or other capacity measurements, where required, shall be so indicated.
  - (c) Survey of the site signed and sealed by a licensed professional land surveyor.
  - (d) Location, size, and details of all proposed signs.
  - (e) Lighting plans, including location, type, wattage, height, direction, power, time of use, construction details, isolux lines, and location of security lighting, if proposed.
  - (f) Preliminary architecture plans prepared by a licensed professional architect which include floor plans and building elevations illustrating floor area and room divisions, building height, facade design, and roof-mounted equipment,

if applicable.

- (g) Landscape plan illustrating the location of all proposed plantings, including street trees, mulched areas, and lawn areas, along with a table detailing the proposed planting botanical name, common name, size, quantity, and planting details.
- (h) Details of traffic control devices with direction of traffic flow.
- (i) Location of fire lanes and other parking restrictions.
- (j) Soil erosion and sediment control plan. If more than 500 cubic yards of soil is proposed to be moved (cut plus fill), an application for a major soil movement permit and information in accordance with § 329-4 shall be submitted.
- (k) The location, arrangement, and construction of proposed sidewalks, driveways, loading areas, off-street parking areas, bicycle parking areas, solid waste and recycling disposal areas, fences, retaining walls, outdoor storage areas, or other paved areas. Improvements such as roads, parking areas, sidewalks, and other design details shall be indicated, including dimensions of parking stalls, access aisles, curb radii and traffic flows, and handicapped persons access facilities shall be provided.
- (l) Any proposed grading shall be illustrated at an interval of not less than two feet.
- (m) Location and design of proposed utility structures and lines, on-tract stormwater drainage with manholes, inlets, pipe sizes, grades, inverts, and flow directions, telephone, electric, water, gas, sanitary sewer, and cable TV lines.
- (n) Location of proposed area(s) to be used for snow equipment staging and/or the temporary storage of snow.
- (o) Location of any contemplated public improvements on or adjoining the property as indicated by the Borough Engineer.
- (p) If the site development plan is to be developed in phases, a phasing plan shall be submitted.
- (q) A garbage and refuse recycling plan providing for an area reserved for the separation of garbage and recyclable materials, inclusive of provisions for the storage of recyclable and nonrecyclable waste and areas reserved for the

pickup of such.

- (r) Appropriate details to the Borough, county, and state standards, including sidewalks, curbs, paving, street signs, drainage, etc.
- E. An outline of any existing and proposed deed restrictions or covenants.
- F. Name, phone number, email address, and license number of the architect, landscape architect, planner, and traffic engineer, if applicable.
- G. Environmental impact statement in accordance with Article XIII of Chapter 400.
- H. Copies of completed and submitted applications to the Bergen County Planning Board and Bergen County Soil Conservation District, if applicable.
- I. Stormwater management plan, if applicable, three copies.

**§ 326-10 Final site plan submission requirements.**

The applicant shall, simultaneously with the filing of the application herein provided for or at any time thereafter, proceed to file a detailed site plan and with respect thereto shall proceed as follows:

- A. In addition to the requirements provided in § 326-9, five large copies (at least 24 inches by 36 inches but no more than 30 inches by 42 inches), 17 half-size copies, and one digital PDF (via email, CD, or thumb drive) of the following information shall be submitted for all final major site plans:
  - (1) The preliminary site plan resolution of approval along with all proposed additions, modifications, or departures from said approval, if applicable.
  - (2) Final construction documents, including:
    - (a) Final site plans prepared by a licensed professional engineer for development, including construction details and engineering data.
    - (b) Final architecture plans prepared by a licensed professional architect, detailing the proposed floor plans and building elevations and the size, materials, colors, and textures of the building façade.
    - (c) Final landscape plans substantially conforming to the preliminary landscape plan and detailing specifications for all landscape improvements, planting

details, and irrigation and maintenance details.

- (3) Certification and will-serve letters from water, sewer, electric, and gas utilities.
- (4) Four copies of all deeds with metes and bounds description for proposed easement dedications including dedication of additional road right-of-way.

**§ 326-11 Approval or disapproval of site development plan.**

- A. The approving authority shall take action under this section within the time periods provided in Chapter 65, Land Use Procedures, of the Code of the Borough of Montvale, as the same may be from time to time amended and supplemented.
- B. The action of the approving authority shall be in such form and on such notice as is required by Chapter 65, Land Use Procedures, of the Code of the Borough of Montvale, as the same may be from time to time amended and supplemented.
- C. Final plans and working drawings should not be submitted until after approval of the site development plan.
- D. Amendments to the site development plan as approved shall be acted upon in the same manner as the original plan.

**§ 326-12 Performance standards.**

As a prerequisite to the issuance of any building permit or certificate of occupancy for any use in the nonresidential districts, the applicant shall be required to demonstrate the following:

- A. Fire and explosion hazards. All activities of operation involving fire or explosive hazards shall be carried on in conformity with the provisions of Chapter 203, Fire Prevention, of the Code of the Borough of Montvale.
- B. Smoke, fumes, gases, dust, odors. There shall be no emission of any smoke, fumes, gas, dust, odors or any other atmospheric pollutant which will disseminate beyond the boundaries of the lot occupied by such use.
- C. Liquid or solid waste. No use or occupancy shall discharge industrial waste of any kind into any reservoir, pond, pool or other body of open water. The discharge of untreated industrial waste into a stream shall be approved by the Borough and New Jersey State Health Departments. Effluence from a treatment plant shall at all times comply with the standards

and requirements of Chapter 457, Sanitation and Health, of the Code of the Borough of Montvale.

- D. Vibration. There shall be no vibration which is discernible to the human sense of feeling beyond the immediate site on which use is conducted.
- E. Glare. There shall be no direct, sky-reflected glare exceeding 0.5 footcandle measured at the property line of the lot occupied by such use. This regulation shall not apply to light used at the entrance and exits of service drives leading to a parking lot.
- F. No uses shall be permitted which are violative of any of the provisions of this chapter of the Borough of Montvale, including but not limited to the ordinances of the Board of Health. There shall be no vehicular access to any use established in nonresidential districts from any street that primarily serves residential neighborhoods.
- G. Signs. All signs shall comply with Article IX, Signs, of Chapter 400 of the Code of the Borough of Montvale.
- H. All buildings shall have adequate fire protection facilities and equipment and shall comply in all respects with Chapter 203, Fire Prevention.
- I. Landscaping.
  - (1) Effective landscaping, including the placement of trees, shrubs and grass, shall be provided in order to ensure the harmonious development of the area wherein a site is located and the attractiveness of the subject premises and to protect the natural resources of the premises. Landscaping plans shall be submitted to the Planning Board, which may be referred to the Environmental Commission for its recommendations. The above-mentioned landscaping plan shall include screening as is otherwise required by this chapter.
  - (2) It is the intention of this section to provide appropriate screening to conserve the existing natural resources and to develop a natural environment in harmony with the surrounding areas.
- J. Waste disposal.
  - (1) Each site shall provide an area or areas internal of any principal building to be constructed, or external, provided that the same is concealed from parking areas, other properties and semipublic areas on the site with suitable vegetative material.
  - (2) Said areas shall be located at a place where they may be easily accessed without interfering with the general traffic circulation plan intended for the property.

- (3) Areas so reserved shall include provision for the separation of the nonrecyclable and recyclable waste, as well as provision for the storage of each classification of material.
  - (4) The area reserved for the storage of such materials shall not be less than that as recommended or directed by the New Jersey Board of Public Utilities or the Bergen County Utility Authority; provided, however, that in the absence of any such recommendation or regulation, the areas reserved shall be sufficient in size to accommodate the storage of separated waste materials based on the maximum building occupancy, as limited by the Uniform Construction Code adopted by the Borough of Montvale, times 1.5 pounds of waste per day.
- K. Tree removal. No trees four inches or larger in diameter measured 12 inches above the ground shall be removed from the property unless the same shall interfere with the construction of buildings or utilities. In addition, no tree which, if removed, will impair growth and development of remaining trees on the property of the applicant or adjacent properties and/or cause erosion of soil, impair existing drainage, lessen property values in the neighborhood or impair the aesthetic values of the area shall be removed.
- L. Any deviation from the standards set forth in this Section shall require a variance pursuant to §400-52.

**§ 326-13 Public hearings.**

- A. A public hearing shall be required for the following applications:
- (1) Site plan approval.
  - (2) For any site plan requiring conditional use approval or the grant of any variance.
  - (3) For any site plan requiring subdivision (major) approval.
  - (4) For any site plan requiring planned residential development approval.
  - (5) For any site plan requiring a variance of any type.
- B. Availability of maps and documents prior to hearing. Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection at least 10 days before the date of hearing at normal business hours, in the office of the administrative officer. The applicant may produce other documents, records or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

- C. Rules regulating the conduct of hearings. The procedure applicable to public hearings required pursuant to this section shall be in accordance with Chapter 65, Land Use Procedures, of the Code of the Borough of Montvale, as the same may be from time to time amended and supplemented.

**§ 326-14      Effect of approval.**

The approval granted by the approving authority as above provided for shall be considered preliminary, which approval shall be deemed final upon application of the developer to the approving authority and upon the latter's final determination that all of the conditions of the preliminary approval, including the site development work, have been completed and are so certified by the Borough Engineer to the approving authority and the governing body.

**§ 326-15      Exceptions; simultaneous review and approval.**

- A. The approving authority, when acting upon an application for preliminary site plan approval, shall have the power to grant such exceptions from the requirements of the design standards required for site plan approval as may be reasonable and within the general purpose and intent of the provisions of site plan review, if the literal enforcement of one or more provisions of this chapter is impracticable or will effect undue hardship because of peculiar conditions pertaining to the land in question.
- B. The approving authority shall have the power to review and approve or deny under appropriate circumstances and within the power vested in it by the acts of the legislature, applications for subdivisions, site plans and variances and conditional uses where permitted simultaneously.

**§ 326-16      Off-tract improvements.**

As a condition for approval of a site plan, the approving authority may require the developer to pay his pro rata share of the costs of providing reasonable street improvements and water, sewerage and drainage facilities and easements therefor, located outside the property limits of the development but necessitated or required by the construction of improvements within the development; provided, however, that this section shall in no way obligate the municipality to install such improvements in order to facilitate development, nor shall the approving authority approve a development requiring capital expenditure without appropriate action by the governing body.

**§ 326-17      Expiration of site plan approval.**

All site plan approval shall remain in effect for the period stated in Chapter 65, Land Use Procedures, of the Code of the Borough of Montvale, as the same may be from time to time amended and supplemented.

**§ 326-18      Enforcement.**

This article shall be administered and enforced by the Building Code officials, police or Fire Marshal and approving authority.

**§ 326-19      Interpretation.**

In their interpretation and application, the provisions of this article shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, prosperity and general welfare.

**§ 326-20      Repealer.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this article are hereby repealed to the extent of such inconsistency.

**§ 326-21      When effective.**

This article shall take effect immediately after final passage and publication as provided by law.

**§ 326-22      (Reserved)**

**§ 326-23      (Reserved)**

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**Article II**

**Site Plan Waiver Requirements and Use Permits**

§ 326-24	<b>Purpose and intent.</b>
§ 326-25	<b>Standards applicable to site plan waivers.</b>
§ 326-26	<b>Application procedures for use permits.</b>
§ 326-27	<b>Standards for granting use permits.</b>
§ 326-28	<b>Violations and penalties.</b>
§ 326-29	<b>(Reserved)</b>
§ 326-30	<b>(Reserved)</b>

## **Article II**

### **Site Plan Waiver Requirements and Use Permits**

#### **§ 326-24      Purpose and intent.**

The intent of this Article is to reduce the cost and time usually associated with the development review process for certain applications, to encourage economic growth, and to streamline smaller commercial development applications. The procedures applicable to this Article are intended primarily to address changes in occupancy to existing structures that have already obtained Site Plan approval from the Planning Board.

#### **§ 326-25      Standards applicable to site plan waivers.**

- A. Consistent with §326-5 of this Chapter, applications that satisfy the following criteria shall be eligible for a Use Permit and shall be exempt from the requirement of obtaining full Site Plan approval:
  - (1) Change in use of existing space within a building
  - (2) Existing Site Plan approval for the property
  - (3) No changes to building footprint
  - (4) No external construction work
  - (5) Sufficient parking provided on existing Site Plan for the additional parking requirement per Borough Code for the newly-occupied space
- B. Applications for Use Permits shall be submitted to the Planning Board in accordance with §326-26 of this Chapter.

**§ 326-26      Application procedures for use permits.**

An applicant for Use Permit approval shall comply with the following:

- A. The applicant shall submit three (3) completed applications with original signatures on each, along with seventeen (17) copies of the completed and signed application.
- B. The applicant shall submit the applicable filing fee adopted by the Planning Board.
- C. After submission, the applicant will be advised by the Board as to when the matter will be heard by the Planning Board. All applicants are required to appear at the scheduled meeting. If the applicant is a corporation and/or LLC, appearance and representation by a licensed New Jersey attorney is required.
- D. Taxes must be current on the property in question.
- E. A list of employee zip codes (or the name of the town of employee origin) must be included with the application.

**§ 326-27      Standards for Granting Use Permits.**

- A. The Planning Board shall issue a Use Permit if the applicant demonstrates to the satisfaction of the Board that:
  - (1) The proposed use is permitted within the zoning district in which the property is located
  - (2) No external construction is required
  - (3) There is no change proposed to the building footprint
  - (4) The proposed use would not create a need for additional parking spaces beyond what is already provided for on an approved site plan
  - (5) The proposed use would not have a detrimental impact on the health, safety or welfare of the public
  - (6) The proposed use would not impair the purpose and intent of the Zoning Ordinance
- B. After receiving a Use Permit from the Planning Board, the applicant shall be required to obtain a CCO from the Building Department in accordance with §170-14 of the Borough Code.

**§ 326-28      Violations and penalties.**

- A. Any person, persons, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity who in any manner knowingly fails to fully comply with the terms and covenants of this chapter shall be subject to the penalties provided herein.
- B. Any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, Article I, General Penalty.

**§ 326-29 (Reserved)**

**§ 326-30 (Reserved)**

**Section 2.** Chapter 400, "Zoning," Section 52 is hereby renamed "Performance standards," and shall read as follows:

**§400-52 Performance standards.**

The requirements set forth in §326-12, "Performance standards," shall be deemed to be zoning requirements, and compliance with said standards shall be required by all applicants for zoning approval. Any deviation from the requirements of this Section and §326-12 shall be deemed to require a zoning variance.

**Section 3. 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 4. Effective date.**

This Ordinance shall take effect immediately upon adoption and publication as required by law.

**Section 5. 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.

**Section 6.** 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.

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MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSI-ALWAN, CMC  
Borough Clerk

INTRODUCED:

ADOPTED:

APPROVED: