

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:30PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sargent 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 and/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

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

**ROLL CALL:**

Councilmember Arendacs	Councilmember Koelling
Councilmember Curry	Councilmember Lane - absent
Councilmember Gloegler	Councilmember Weaver - absent

**CHAMBER OF COMMERCE**

Councilmember Rose Curry accepted a check in the amount of \$18,200 which was donated by the Chamber of Commerce for a new digital sign to replace the existing message board on Memorial Drive

***ASSEMBLYMAN ROBERT AUTH / GRANTS – postponed to a later date***

**UPDATE: RICH CAMPANELLI, PVDPW SUPERINTENDENT**

Hazard Waste Collection is scheduled on October 15 at Bergen Community College; please check the borough's website for other dates and places; Filled 300 locations of potholes; cleaned up debris around street signs; met with vendors to coordinate the upcoming snow removal season;

**CURRENT BUDGET OVERVIEW: KENNETH SESHOLTZ, CHIEF FINANCIAL OFFICER**

Going forward to the 2018 budget spending cap not to exceed \$833,177.45

**TOLL BROTHERS / PRESENTATION: 2 Paragon Drive/Proposed Development**

Power Point presentation will be included with the original minutes

**ENVIRONMENTAL COMMISSION, Rob Hanrahan**

Tree Removal Ordinance/Comments/Recommendations

The proposed draft ordinance will be included with original minutes; councilmembers will review the draft ordinance and send their comments and recommendations to the borough attorney;

**ORDINANCE:**

**PUBLIC HEARING OF ORDINANCE NO. 2017-1431** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 121 OF THE BOROUGH CODE TO ESTABLISH A RESIDENT PARKING PERMIT PROGRAM IN DESIGNATED AREAS

**BE IT ORDAINED** by the Mayor and Council of the Borough of Montvale as follows:  
**Section 1.** Chapter 121 of the Code of the Borough of Montvale is hereby amended and supplemented to add a new Article XVI, "Resident Permit Parking," as follows:

**Article XVI - RESIDENT PERMIT PARKING**

- §121-46 Program established; purpose.
- §121-47 Permit zones designated.
- §121-48 Permit application and issuance.
- §121-49 Permit regulations.
- §121-50 Enforcement, violations and penalties.

**§121-46 Program established; purpose.**

- A. Establishment of program. The Borough of Montvale finds that parking restrictions that limit on-street parking to neighborhood residents in certain designated areas are necessary and advisable. Therefore, the Borough does hereby establish a Resident Parking Permit Program in the Borough for the streets and areas set forth herein.
- B. Purpose. The purpose of the Resident Parking Permit Program is to:
  - 1. Reduce hazardous traffic conditions within certain residential areas.
  - 2. Protect residents from unreasonable burdens in gaining access to their residences.
  - 3. Promoting efficiency in the maintenance of those streets in a safe and clean condition.
  - 4. Ensuring proper vehicular traffic flow.
  - 5. Controlling and/or monitoring on-street parking in the Borough in a safe, efficient and non-hazardous manner.

**§121-47 Permit zones designated.**

- A. The following streets or parts of streets are hereby designated as resident parking permit zones:

<b>Zone</b>	<b>Street</b>	<b>Side and Hours</b>	<b>Location</b>
1	Akers Avenue	West	From a point 340 feet north of the centerline of the intersection of Akers Avenue and Grand Avenue, northerly to a point 430 feet south of the intersection of Akers Avenue and Ellsworth Terrace

- B. For the zones set forth above, the residents entitled to permits shall be as set forth below:

<b>Zone</b>	<b>Residence location</b>
1	Akers Avenue, between Grand Avenue and Ellsworth Terrace

- C. It shall be unlawful and a violation of this Article for any person to park any vehicle in a resident parking permit zone without a valid permit issued by the Borough Clerk.

**§121-48 Permit application and issuance.**

- A. Application.
  - 1. Application for resident parking permits shall be made in writing to the Borough Clerk upon forms approved by the Borough.
  - 2. An applicant for a permit shall show to the Borough Clerk satisfactory evidence that the applicant fulfills all the conditions required for the issuance of such permit.
  - 3. There shall be no fee for a resident parking permit.
- B. Proofs required. Proof of residency and vehicle ownership must be presented to and approved by the Borough Clerk prior to the issuance of a permit. The following documents shall be submitted:
  - 1. A copy of a valid New Jersey driver's license for the applicant which reflects an address within the applicable permit zone.
  - 2. A copy of a valid New Jersey motor vehicle registration for the vehicle for which the permit is sought reflecting an address within the applicable permit zone.
  - 3. Proof that the vehicle is insured in the State of New Jersey.
  - 4. A current utility or telephone bill with the resident's name and with the same address as described on the driver's license and motor vehicle registration.
  - 5. If the vehicle for which a permit is sought is leased:
    - i. A copy of the motor vehicle registration.
    - ii. A copy of the lease agreement.
  - 6. If the vehicle for which a permit is sought is a company vehicle:
    - i. A copy of the motor vehicle registration.

- ii. A letter from a reasonable company official, under oath, confirming that the applicant is authorized to use the vehicle.
- C. Upon satisfactory completion of the application and submission of the necessary proofs, a permit of a design specified by the Borough shall be issued to the resident owner for a qualifying vehicle.

**§121-49 Permit regulations.**

A. Permit details and display.

- 1. The permit shall display the permit number, the make, model and color of the vehicle, and the date the permit expires.
- 2. The permit is to be displayed on the front windshield, directly above the vehicle registration sticker.
- 3. On a motorcycle, the permit shall be placed on the windshield or on the casing of the side mirror.
- 4. The vehicle must be owned by a person residing in the qualifying area for each permit zone.
- 5. Permits may be not displayed on a vehicle other than the one for which it is issued, and it shall be a violation of this Article to allow an individual to take and/or borrow any permit for said unlawful purpose.

B. Vehicle types permitted.

- 1. Permits may be issued for:
  - i. Cars
  - ii. SUVs
  - iii. Mini-vans
  - iv. Pickup trucks
  - v. Motorcycles
  - vi. Similar passenger motor vehicles
- 2. No permit shall be issued for:
  - i. Vehicles having more than four wheels
  - ii. Vehicles with a gross weight of more than 2.5 tons
  - iii. Vehicles registered or described as a trailer
  - iv. Commercial vehicles or vehicles displaying commercial advertising

v. Other vehicles not listed in §121-49(B)(1) above

C. Annual permits; changes.

1. A permit shall be valid for the calendar year for which it is issued.
2. Commencing November 1 of each year, residents may reapply for a permit for the subsequent year.
3. A new permit must be obtained in the event of a change in residency or a change of any vehicle or license plate on a previously registered vehicle.

D. Temporary residential parking permits.

1. A temporary residential parking permit may be issued to a new resident who has not yet changed his or her driver's license, registration or insurance.
2. To obtain such a temporary permit, the resident must show:
  - i. A copy of a utility or telephone bill or lease agreement within the permit zone.
  - ii. Proof of vehicle registration and insurance.
  - iii. Proof of a valid driver's license.
3. A temporary permit will only be valid for a period of 30 days.
4. The permit must be placed in the same location as a resident parking permit and must be returned to the Borough Clerk in order for a resident parking permit to be issued.

E. Revocation of permits.

1. A permit shall be automatically revoked in any of the following circumstances:
  - i. If the assigned vehicle or resident ceases to qualify for the residential parking permit program for the relevant permit zone.
  - ii. If the permit is affixed to a car other than the one so designated at the time of the application, or if the vehicle registration number on the permit is different from the one on the vehicle.
  - iii. If the assigned vehicle is parked on the relevant street without properly displaying the permit.
  - iv. For other sufficient cause as determined by the Borough Clerk or his/her designee.
2. If revoked, a permit shall be promptly returned to the Borough Clerk.

F. Miscellaneous regulations.

1. Other parking restrictions not superseded. In the event that a street located within a permit zone has a more restrictive parking regulation in place for certain hours, the more restrictive regulation shall control. By way of example, a generally-applicable “no parking” or “no stopping or standing” regulation shall be enforced, even if the parked vehicle has a resident parking permit.
2. The unauthorized making, duplicating, selling, lending or giving of any resident parking permit is hereby prohibited. This provision shall include, but is not limited to, any unauthorized duplication or use of a resident parking permit sticker.

**§121-50 Enforcement, violations and penalties.**

A. Enforcement procedures.

1. The provisions of this Article shall be enforced by the Police Department of the Borough of Montvale and also as permitted by law.
2. The Borough of Montvale shall erect or cause to be erected appropriate signage in each permit zone setting forth the residential parking permit restriction and providing a citation to the relevant section of the Borough Code.

B. Violations.

1. Any person, firm or corporation violating any of the provisions of this Article shall be subject to a fine of \$54.
2. In the event that any individual is found to be in possession of an invalid, expired or counterfeit resident parking permit, in addition to the fine set forth herein, said individual and anyone residing at the individual's residence shall surrender any active permits to the Borough Clerk and shall be prohibited from obtaining any resident parking permit for a period of two (2) years.
3. In the event that any individual is found to be in possession of a parking permit issued to a vehicle other than the one on which it is displayed, in addition to the fine set forth herein, said individual, anyone residing at the individual's residence, and anyone residing at the residence to which the permit was originally issued, shall be surrender any active permits to the Borough Clerk and shall be prohibited from obtaining any residential parking permit for a period of two (2) years.

**Section 2. 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 3. Effective date.**

This Ordinance shall take effect on October 15, 2017. Notwithstanding the foregoing, the Borough Clerk shall be authorized to begin accepting applications and issuing resident parking permits pursuant to this Ordinance immediately after adoption and publication according to law.

**Section 4. 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.

Ordinance No. **2017-1431** was introduced for second reading by Councilmember Gloeggler; seconded by Councilmember Koelling; Clerk read by title only;\nMotion to open meeting to the public by Councilmember Curry; seconded by Councilmember Koelling - all ayes

**NO PUBLIC COMMENT**

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

Motion to adopt on Second and Final Reading in Ridgewood News by Councilmember Curry; seconded by Councilmember Koelling; Clerk read by title only ----- A roll call vote was taken --- all ayes

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

Motion to open meeting to the public by Councilmember Curry; seconded by Councilmember Koelling – all ayes

**Persia Barile, Akers Ave**

Thank you for adopting the ordinance; some comments in regards to the Toll Brothers presentation, ask about the trash pickup, what about the tax impact, tweek the façade, what about a walking trail or an area for children to play.

**Susan Hameyer, 64Summit Ave**

She mentioned a few concerns with the current version of the tree ordinance, not every property has the same land size; what does a maximum number of trees mean??? What is the application procedures? Who will make the determination that a tree can be removed? Homeowners usually have a reason to cut down trees on their property; must have some standards;

Motion to close meeting to the public by Councilmember Curry; seconded by Councilmember Gloeggler – all ayes

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**RESOLUTIONS:**

**200-2017 A Resolution Amending a Professional Services Contract to Jeffrey R. Surenian and Associates, LLC to Serve as Special Counsel in Connection with the Borough’s Affordable Housing Litigation to Increase the Amount of the Contract**

**WHEREAS**, the Governing Body previously adopted Resolution No. 155-2017, which awarded a professional services contract to Jeffrey R. Surenian, Esq. of Jeffrey R. Surenian & Associates, LLC, 707 Union Avenue, Suite 301, Brielle, New Jersey 08730, to represent the Borough of Montvale and to perform all services necessary and appropriate in connection with the Borough’s affordable housing litigation, Docket No. BER-L-6141-15; and **WHEREAS**, that contract included an initial “Not To Exceed” figure of \$25,000.00; and

**WHEREAS**, Mr. Surenian has advised that his firm is approaching the Not To Exceed figure and needs authorization from the Borough of Montvale to proceed with additional work; and

**WHEREAS**, the Governing Body is desirous of authorizing same; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the professional services contract with Jeffrey R. Surenian and Associates, LLC is hereby amended to increase the "Not To Exceed" value to a total of \$50,000.00.

**BE IT FURTHER RESOLVED** that all other terms and conditions of said contract shall remain the same.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized and empowered to execute an amended contract consistent with the provisions and intent of this Resolution, subject to approval of same by the Borough Attorney.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall publish notice of this contract award in the official newspaper of the Borough, in accordance with *N.J.S.A. 40A:11-5*.

Introduced by: Councilmember Curry; seconded by Councilmember Koelling - All ayes  
Councilmember Curry asked why is the borough going to continue to keep Mr. Surenian if we are not adhering to his advice; this resolution reflects the current billing from Mr. Surenian.

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

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

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

**COMMITTEE REPORTS:**

**Council President Curry**

Seniors

Pickleball program is coming soon for the seniors; A Frank Sinatra show will be coming to perform at the senior center; a question came up about how to sign up for Reverse 911 if you don't have a computer- please call police department to sign up

Construction

Wegmans is open and the traffic is flowing well; 14 property maintenance violations have been issued; working with MAL to get the sprinklers ready for the spring on Memorial Field

Chamber of Commerce

Thanked them again for their generous donation and hopefully the sign will be installed by November

Board of Health

There is information on our website regarding coyotes and foxes; please do not feed the wildlife

**Councilmember Gloeggler**

Local BOE

Pascack Hills/Valley had their 50<sup>th</sup> class reunion; St Joe's held a mass on September 28<sup>th</sup> called Mass of the Holy Spirit; in addition, St Joe's swore in their new members of the student council



**Councilmember Arendacs**

Recreation

Upcoming Fall programs will be starting in January ; the Halloween Carnival will be held on October 27<sup>th</sup> at 7pm at Fieldstone Middle School; the Tree lighting will be held on Friday, December 1 at 7pm; Wegman's will be donating candy for the Halloween Carnival; the Special Events Committee is planning on having a first annual holiday house decorating contest;

**Police Commissioner Koelling**

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 56 calls; 742 miles; 60 crew hours

Reminder of the PBA annual 5K run will be on October 21

**Mayor**

Library

Circulation 9,031; 5,749 patron visits;

Friends of the Library once again will be having Dining for Dollars fundraiser at Davey's Locker November 6, 7 and 9

Received the "2017 Building Futures Award" from Children's Aid and Family Services for helping them build a group home here in Montvale;

Attended a neighborhood meeting on Fox Hill Road with Councilmember Gloeggler about 20 residents were their discussing a variety of issues;

Wegmans opening had 20,000 visitors and thanked all emergency personnel for a very smooth opening;

The next town hall meeting is scheduled for Monday, Oct 16 at 7PM at borough hall;

Attended a meeting with the Bergen County Prosecutor and there is a very high overdose rate in Bergen County;

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

a. Authorization Bid / Flood Detention Dam

Montvale has only one dam in the town and it hasn't been inspected since 2011; will have resolution for next meeting

b. Road Program Update

There is some money leftover and would like to authorization to pave Valemont and Shady Lane, a motion by Councilmember Curry; seconded by Councilmember Arendacs for authorization – all ayes

The new signal lights will be turned on October 27

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

a. Mayor's Advisory Committee / Appointments

Cheryl Sawayer, Judith Sullivan, Bill Boyce, Renee Fatovic, Dave Lafferty and Debra Kardjian-Stephans and Councilmember Arendacs have been appointed

b. Best Practices Worksheet

The CFO submitted to the council the worksheet which consisted of 21 yes answers out of 25; we are in compliance with the State's requirements

**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 Koelling; seconded by Councilmember Arendacs - all ayes

**Tom Polifroni – 69 Montvale Ave**

Someone planted bamboo stalks on the Borough easement and now it is growing on his property; this is dangerous for his home, yard and his children; asking the governing body for help to try and remove it;

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT**

Motion to adjourn Public Meeting by Councilmember Koelling; seconded by Councilmember Curry - all ayes

Meeting was adjourned at 9:28pm

**ADJOURNMENT:**

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

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