

**AGENDA**  
**WORK SESSION MEETING**  
**BOROUGH OF MONTVALE**  
**Mayor and Council Meeting**  
**April 27, 2021**  
**Meeting to Commence 7:30 P.M.**  
**(7:00 Closed Executive Session)**

**CLOSED/EXECUTIVE SESSION:**

Motion to move into Executive Session as provided for by Resolution No. 15-2021 adopted on January 4, 2021 and posted on the bulletin board in the Municipal Building:

The Mayor and Council will go into a Closed /Executive Session for the following:

- a. Attorney Client Privilege/Potential Acquisition of Property/Negotiations

Minutes to be disclosed as per the Open Public Meetings Act and Resolution No. 15-2018 matters discussed will be disclosed to the public when such matters are finally determined and there is no reason to prohibit the public disclosure of information relating to such matters.

**ROLL CALL:**

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

**ORDINANCES:**

**PUBLIC HEARING ORDINANCE NO. 2021-1498** AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2020-1492 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2021

**PUBLIC HEARING ORDINANCE NO. 2021-1499** AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND READOPTING CHAPTER 292, "PARKS AND RECREATION," ARTICLE IV, "BASKETBALL COURTS," TO REVISE CERTAIN PROVISIONS CONCERNING THE USE OF PUBLIC BASKETBALL COURTS IN THE BOROUGH

**PUBLIC HEARING ORDINANCE NO. 2021-1500** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 292 OF THE BOROUGH CODE TO CLARIFY CERTAIN PROCEDURES RELATED TO PERMIT REQUIREMENTS FOR THE USE OF BOROUGH-OWNED FIELDS AND PARKS

**INTRODUCTION ORDINANCE NO. 2021-1501** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 274 ENTITLED "NOISE" TO READOPT CERTAIN EXISTING NOISE RESTRICTIONS  
(Public Hearing 5-11-21)

**INTRODUCTION ORDINANCE NO. 2021-1502** AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING A NEW CHAPTER 275 ENTITLED "NOISE CONTROL ACT" TO ADOPT A MUNICIPAL NOISE ORDINANCE PURSUANT TO THE NOISE CONTROL ACT OF 1971  
(Public Hearing 5-11-21)

**INTRODUCTION ORDINANCE NO. 2021-1503** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO ADD A NEW CHAPTER 250 ENTITLED "LIGHTING" TO REGULATE OUTDOOR LIGHTING IN THE BOROUGH OF MONTVALE  
(Public Hearing 5-11-21)

**PUBLIC HEARING:** 2021 Bergen County Trust Fund Grant Application Park Development Municipal Program  
Park Improvement Application Huff Park Playground Improvements/ADA Access Improvements  
(Presentation A. Hipolit, Borough Engineer)

**MEETING OPEN TO PUBLIC MUNICIPAL PARK APPLICATION:**

**MEETING CLOSED TO PUBLIC MUNICIPAL PARK APPLICATION:**

**Resolution:** 84A-2021 Municipal Endorsing Resolution Trust Fund Application/Huff Park Playground

**MINUTES:**

March 3, 2021 – Special Meeting Traffic Study – Chestnut Ridge Development

April 13, 2021

April 15, 2021 – Special Town Hall Meeting – Cannabis Legislation Discussion

**CLOSED/EXECUTIVE MINUTES:**

April 13, 2021

**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.

85-2021 Authorize Refund of Recreation Program / Golf Lessons

86-2021 AUTHORIZING THE BOROUGH ADMINISTRATOR TO SIGN THE NJDEP WQM-003 STATEMENT OF CONSENT FORM FOR METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 91 SPRING VALLEY ROAD - TREATMENT WORKS APPROVAL (TWA) APPLICATION.

87-2021 AUTHORIZING THE BOROUGH ADMINISTRATOR TO SIGN THE NJDEP WQM-003 STATEMENT OF CONSENT FORM FOR METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 55-61 MAGNOLIA AVENUE - TREATMENT WORKS APPROVAL (TWA) APPLICATION.

88-2021 Authorize Hiring / Part Time on Call / Crossing Guard / Gail Eastlake

89-2021 Authorize Release of Escrow / Wilf Law Firm, LLP / Apple Hill Estates/Block 402, Lot 19.02

90-2021 Award Professional Service Contract /Engineering Services /2021 NJDCA Local Recreation Improvement Grant Application/Restroom Trailer Facility Fieldstone Fields

91-2021 A Resolution Amending Resolution No. 95-2020 Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MonTVale Studio Management, Content Production and Related Services

**BILLS:**

**ENGINEER'S REPORT:**

Andrew Hipolit

Report/Update

- a. Proposed List of Road Improvements 2021 Road Program

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

**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.

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT:**

The next Meeting of the Mayor and Council will be held May 11 2021 at 7:30 p.m.  
Municipal Budget Public Hearing to be held on May 11, 2021/Budget Presentation

**ZOOM information is as follows:**

Topic: M&C Meeting

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone

1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

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

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1498**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 13<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 27<sup>th</sup> day of April 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk  
Borough of Montvale

**AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2020-1492 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2021**

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

**SECTION 1.** Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

**SECTION 2.** The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

	<b>Title</b>	<b>2021 Salary Range</b>
1.	Borough Administrator (PT)	\$48,000 - 58,000
2.	Safety Coordinator	\$3,000 - 7,000
3.	Chief Financial Officer (PT)	\$20,000 - 30,000
4.	Municipal Clerk (PT)	\$80,000 - 105,000
5.	Deputy Municipal Clerk (PT)	\$45,000 - 55,000
6.	Floater/ Admin. Assistant to Administrator	\$40,000 - 55,000
7.	Tax Collector (PT)	\$60,000 - 80,000
8.	Tax Assessor	\$35,000 - 45,000
9.	Treasurer/Purchasing Agent	\$75,000 - 90,000
10.	Deputy Treasurer	\$55,000 - 65,000
11.	Accounts Payable Clerk	\$40,000 - 50,000

<b>Title</b>		<b>2021 Salary Range</b>	
12.	Secretary, Planning Board/Land Use Admin. (PT)	\$80,000	95,000
13.	Planning Board Secretary Special Meetings	\$45 -	\$60/hour
14.	Board Secretary, Clerical/Recording	\$130 -	\$160
15.	Office Manager (PT)	\$4,000 -	7,000
16.	Registrar Vital Statistics	\$800 -	1,200
17.	Deputy Registrar Vital Statistics	\$250 -	500
18.	Construction Code Official	\$35,000 -	50,000
19.	Building Sub Code Official	\$35,000 -	50,000
20.	Building Inspector	\$60,000 -	65,000
21.	Zoning Officer	\$5,000 -	11,000
22.	Property Maintenance Officer	\$3000 -	8,000
23.	Construction Dept. Control Person	\$50,000 -	70,000
24.	Plumbing Sub Code Official	\$ 25,000 -	35,000
25.	Plumbing Inspector	\$25 -	\$50/hour
26.	Fire Sub Code Official	\$15,000 -	19,000
27.	Fire Sub Code Official special inspections	\$25 -	\$50/hour
28.	Electrical Sub Code Official	\$40,000 -	50,000
29.	Electrical Sub Code Official special inspections	\$25 -	\$50/hour
30.	Fire Prevention Official	\$60,000 -	72,000
31.	Fire Inspector/ Senior/Deputy Fire Official	\$7,600 -	25,000
32.	Municipal Court Administrator	\$70,000 -	80,000
33.	Deputy Municipal Court Administrator	\$50,000 -	60,000
34.	Court Security	\$20 -	\$27/hour
35.	Violations Clerk	\$40,000 -	50,000
36.	Police Secretary	\$42,000 -	49,000
37.	Administrative Assistant for Police Chief	\$55,000 -	65,000
38.	Emergency Mgmt. Coordinator	\$5,000 -	7,000
39.	Deputy Emergency Mgmt. Coordinator	\$3,000 -	6,000
40.	Library Director	\$80,000	97,000
41.	Library – Library Adult Services	\$50,000 -	61,000
42.	Library (PT)	\$13 -	\$50/hour
43.	Library (PT) meetings	\$120 -	\$225/mtg
44.	Facilities Building & Property Inspector	\$20,000 -	30,000

45.	Director, Public Assistance	\$5,000 -	8,000
46.	Director of Recreation	\$50,000 -	\$62,000
47.	Van Drivers (PT)	\$20 -	\$25/hour
48.	Station Technicians (PT)	\$15 -	\$20/hour
49.	Booker Cable Access TV	2,000 -	5,000
50.	Archivist Records Manager/D.A.R.M.	\$25 -	\$28/hour
51.	Deputy Construction Code Official	\$75,000 -	85,000

**SECTION 3.** The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range	
A.	Municipal Judge	\$38,000 -	45,000
B.	Mayor	\$8,000 -	10,000
C.	Councilpersons (each)	\$6,000 -	8,000

**SECTION 4:** The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, whose compensation shall be on an annual basis, and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range	
A.	Chief	\$225,000 -	240,000
B.	Captain	\$204,000 -	215,000
C.	Lieutenant (Base Wage)	\$159,152 -	166,132
D.	Sergeants (Base Wage)	\$148,100 -	151,804
E.	Detective – Additional per year	\$2,000 -	4,000
F.	Juvenile Officer – Addt'l per year	\$400 -	
G.	Asst. Juvenile Officer – Addt'l per year	\$350 -	
H.	Special Police Officer Class III (SLEO)	\$47,000 -	55,000
I.	Special/Auxiliary Police	\$22/hour -	\$26/hour
J.	School Cross Guard/Police Matrons	\$22/hour -	\$26/hour

**SECTION 4A:** The rate of compensation of persons holding any of the hereinafter named offices in the Police Department whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each)		
0-6 months	\$45,236 -	46,250
6 months - 1 year	\$51,678 -	52,970
1 - 2 years	\$58,233 -	59,689
2 - 3 years	\$71,343 -	73,126
3 - 4 years	\$84,453 -	86,564
4 - 5 years	\$97,562 -	100,001
5 - 6 years	\$110,672 -	113,438
6 - 7 years	\$123,783 -	126,878
7 - 8 years	\$136,892 -	140,315

**SECTION 4B:** In addition to the compensation stated above, Full Time Employees in Section 4 and Section 4A, shall be paid an annual longevity increment pursuant to the following schedule:

Years of Service	Officers Hired BEFORE January 1, 2006	Officers Hired AFTER January 1, 2006
After five (5) years	1%	-
After seven (7) years	2%	-
After nine (9) years	3%	1%
After eleven (11) years	4%	2%
After thirteen (13) years	5%	3%
After fifteen (15) years	6%	4%
After seventeen (17) years	7%	5%
After nineteen (19) years	8%	6%
After twenty-one (21) years	-	7%
After twenty-two (22) years	-	8%
After twenty-four (24) years	9%	9%

**SECTION 5.** The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated "The Borough of Montvale Payroll Account" and "The Borough of Montvale Salary Account" and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants; salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

**SECTION 6.** This ordinance shall be operative as of January 1, 2020, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

**SECTION 7.** All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

**SECTION 8.** This ordinance shall take effect immediately upon publication in the manner provided by Law.

MICHAEL GHASSALI, Mayor

ATTEST:  
MAUREEN IAROSSO-ALWAN  
Municipal Clerk  
INTRODUCTION: 4-13-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 4-27-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1499**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 13<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 27<sup>th</sup> day of April 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk  
Borough of Montvale

**AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND READOPTING CHAPTER 292, "PARKS AND RECREATION," ARTICLE IV, "BASKETBALL COURTS," TO REVISE CERTAIN PROVISIONS CONCERNING THE USE OF PUBLIC BASKETBALL COURTS IN THE BOROUGH**

**WHEREAS**, the Borough of Montvale has encountered difficulties in the administration of the use of its public basketball courts, which has resulted in confrontations and the inability of taxpaying Montvale residents and teams to utilize the courts; and

**WHEREAS**, in order to ensure that playing time on the courts is more equitably apportioned, the Mayor and Council have determined that it is necessary to amend the regulations concerning the use of public basketball courts in the manner set forth in this Ordinance.

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

**Section 1.** Chapter 292, "Parks and Recreation," Article IV, "Basketball Courts," is hereby repealed and re-adopted, as follows:

**Chapter 292 – Parks and Recreation**

**Article IV  
Basketball Courts**

**§ 292-37. Definitions.**

A. Certain words in this Article are defined for the purpose thereof as follows:

**BASKETBALL COURTS** – The two basketball courts located at the Memorial Field Complex, 1 Memorial Drive, Montvale, New Jersey. The Basketball Courts shall be designated Court 1 and Court 2.

NON-MEMBER — Any person, other than a Member.

MEMBER — Any person who shall have paid an annual fee and received identification evidencing such payment for the use of the Basketball Courts. There shall be both Resident Members and Non-Resident Members.

NON-RESIDENT — Any person who shall reside and maintain his or her permanent residence outside the territorial limits of the Borough of Montvale.

PERMIT-HOLDER – A team or organization that has obtained from the Borough of Montvale a permit entitling said team or organization to exclusive use of Court 2 for the period of time set forth in the permit.

RESIDENT — Any person who shall reside and maintain his or her permanent residence within the territorial limits of the Borough of Montvale.

- B. Word usage. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular.

**§ 292-38. Use of facilities.**

- A. Membership identification required. It shall be unlawful for any person to use at any time the Basketball Courts located at the Memorial Field Complex in the Borough of Montvale unless and until such person shall have first secured from the Borough of Montvale an identification badge, in a form and displayed in a manner prescribed in regulations established by the Borough, evidencing such person's membership.
- B. Application and payment for membership. Application and payment for membership shall be made to the Montvale Borough Clerk at the municipal offices or at such other place as shall be prescribed in rules and regulations approved by the Borough of Montvale.
- C. Display of membership badge. Evidence of membership shall be in a manner prescribed by the rules and regulations promulgated by the Borough of Montvale. Any person who shall fail upon request by a Police Officer, Recreation Director, or other Borough official, officer or employee, to produce a valid badge (or permit, where applicable) shall immediately leave the court. Failure to immediately leave the court under such circumstances shall be deemed a violation of this Article.
- D. Non-Members prohibited. In order to better regulate the use of the Basketball Courts and to prevent confusion by the individuals charged with enforcing the provisions of this Article, Non-Members shall not be permitted to use the Basketball Courts at any time. All individuals using the Basketball Courts are required to have a valid membership or be part of a team or organization holding a valid permit.

**§ 292-39. Time of play.**

- A. Limit of play. On-court play shall be limited to 60 consecutive minutes; provided, however, that should no person or persons be awaiting court time, play may continue until others appear to exercise their playing privileges, in which event such players then on the court shall immediately retreat therefrom. Replay shall be allowed upon a player's positioning his or herself last in consecutive order of those waiting to play upon expiration of a player's court time.
- B. Aggregating court time. A player's permitted court time shall not be aggregated by the number of players participating at a given time.
- C. This section shall not apply to Permit Holders, who shall be allowed to play for the duration of the time period stated on the permit.

**§ 292-40. Term of membership.**

- A. Membership. Resident membership shall be lifetime and shall not expire as long as the member resides in Montvale. Non-resident membership shall be based on a calendar year commencing January 1 through December 31.
- B. Apportionment of fee. Membership fees shall not be apportioned or refunded based on expired or unexpired portions of the year.

**§ 292-41. Permits; resident-only court.**

- 1. The Basketball Courts shall be designated as Court 1 and Court 2. The following rules shall apply to play on these courts:
  - a. Court 1 shall be reserved for play by Montvale Resident Members. Under no circumstances shall Non-Resident Members play on Court 1 at any time.
  - a. Court 2 shall be an "open" court, which may be utilized by both Resident Members and Non-Resident Members. However, at certain times Court 2 may be reserved by Permit Holders as set forth in this section and therefore unavailable to all Members.
- 2. Permits for Court 2

- a. During certain times approved by the Borough of Montvale, Court 2 may be reserved for exclusive use by a team or organization.
- b. In order to reserve Court 2 during the times allowed, the team or organization must apply for and be granted a permit from the Field Use Coordinator.
- c. During the time period set forth on the applicable permit, the Permit Holder shall have exclusive use of the Court 2. All individuals, including Members, who may be on Court 2 during the time period set forth in a permit shall, upon presentation of the permit by the Permit Holder, immediately leave the court.
- d. Individual players on the team or organization holding a valid permit may utilize Court 2 during the time period set forth on the permit, notwithstanding that such players may not be members.

**§ 292-42. Fees.**

Fees for use of the Basketball Courts shall be established by resolution of the Governing Body, with due consideration being given to recommendations of the Recreation Department with respect thereto. To the extent possible, said fees shall be substantially based upon the cost of providing the Basketball Courts; it being further provided that the refund or apportionment of any fee, based upon an expired or unexpired portion of the term of the program, service or season for which any such fee has been paid or is otherwise due, shall be specifically prohibited. It shall be expressly permitted to establish different rates for residents and non-residents, recognizing that residents already contribute through local taxes to the establishment and maintenance of the Basketball Courts.

**§ 292-43. Right to promulgate rules and regulations; posting.**

The Governing Body reserves the right to promulgate from time to time, by resolution, rules and regulations pertaining to the maintenance and operation of the Basketball Courts and the conduct of players, which rules and regulations, as the same may from time to time be amended and supplemented, shall be posted at the Basketball Courts. In addition, at the time of the submission of application for membership, the applicant shall be provided a copy of the rules and regulations and shall sign an acknowledgment of his or her agreement to abide by such rules and regulations.

**§ 292-44. Violations and penalties.**

- A. Penalties. Any person who shall violate the provisions of this Article shall be subject to a fine of not more than \$100 for the first offense and \$200 for each succeeding offense or violation.

- B. In addition, any person who shall violate any provision of this Article or the rules and regulations promulgated hereunder shall be subject to suspension of membership or permit privileges for a period of one year from the date of conviction of a violation thereof.

**§ 292-45. Jurisdiction.**

The Municipal Court shall have jurisdiction to impose sanctions for violations of this Article.

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

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

**Section 3.** Savings Clause.

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

**Section 4.** Severability.

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

**Section 5.** Effective Date.

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

\_\_\_\_\_  
MICHAEL GHASSALI, Mayor

ATTEST:

\_\_\_\_\_  
MAUREEN IAROSSO-ALWAN  
Municipal Clerk  
INTRODUCTION: 4-13-21

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 4-27-21

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1500**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 13<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 27<sup>th</sup> day of April 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk  
Borough of Montvale

**AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 292 OF THE BOROUGH CODE TO CLARIFY CERTAIN PROCEDURES RELATED TO PERMIT REQUIREMENTS FOR THE USE OF BOROUGH-OWNED FIELDS AND PARKS**

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

**Section 1.** Chapter 292, "Parks and Recreation," Section 14, "Permits," of the Borough Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

**§ 292-14 Permits.**

- A. A permit [may] shall be obtained from the governing body for use of a part or portion thereof, prior to any person or persons entering into or upon park premises for the purpose of conducting any group function.
  
- B. All sporting activities conducted by leagues, organizations, teams, trainers or coaches are permitted only in areas specifically marked or designated for that sport. All such sporting activities require a permit for the use of said fields as set forth in Article II of this Chapter. It shall be a violation of this section for a league, organization, team, trainer or coach to conduct sporting activities outside of designated, permitted areas and pursuant to a permit issued to said league, organization, team, trainer or coach. In the event of a violation of this section, the Recreation Director is authorized to cancel any existing permits for the offending league, organization, team, trainer or coach and to refuse to issue any new permits to said league, organization, team, trainer or coach for a period of one (1) year.

**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 immediately upon adoption and publication as required by 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.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN  
Municipal Clerk

INTRODUCTION: 4-13-21

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 4-27-21

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		



State of New Jersey

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF COMPLIANCE OPERATIONS & COORDINATION  
BUREAU OF LOCAL ENVIRONMENTAL MANAGEMENT AND RIGHT TO KNOW  
MAIL CODE 22-03C, P.O. BOX 420  
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SHAWN M. LATOURETTE  
*Acting Commissioner*

Boggia Boggia Betesh & Voytus  
Attention: Joseph W. Voytus, Esq.  
71 Mt. Vernon Street  
Ridgefield Park, New Jersey 07660

April 15, 2020

Dear Mr. Voytus,

Thank you for re-submitting the Borough of Montvale's (Montvale) Noise Ordinance for the New Jersey Department of Environmental Protection's review and approval. While we recommend that the curfew hours in Montvale's Ordinance reflect the curfews set in our Model Noise Ordinance, we acknowledge that the proposed curfew hours still make the Ordinance more stringent than the State Regulations under N.J.A.C. 7:29, which is required by law. The ordinance is therefore approved.

I commend Montvale for addressing the noise concerns of its residents. If you have any questions regarding this, feel free to contact me at (609) 984-0272.

Sincerely,

David Triggs, Noise Coordinator  
Compliance and Enforcement  
Division of Compliance Operations and  
Coordination

c: Hansel Asmar, Bergen County HO

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1501**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 27<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 11<sup>th</sup> day of May 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk  
Borough of Montvale

**AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 274 ENTITLED "NOISE" TO READOPT CERTAIN EXISTING NOISE RESTRICTIONS**

**WHEREAS**, the Borough of Montvale currently regulates unnecessary noise through an ordinance codified in Chapter 274 of the Borough Code entitled "Noise"; and

**WHEREAS**, Chapter 274 does not contain any measurable noise standards but rather prohibits noise that is unreasonable and unnecessary; and

**WHEREAS**, by separate ordinance, the Borough will be adopting the NJDEP Model Noise Ordinance to provide for certain measurable standards for noise complaints; and

**WHEREAS**, despite this, the Borough is still desirous of maintaining standards that prohibit objectively unreasonable and unnecessary noise, to protect the health, safety and welfare of the public and to help maintain the neighborhood character of the Borough.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Montvale as follows:

**Section 1.** Chapter 274 shall be repealed and replaced as follows:

**Article I  
Noise**

- §274-1 Unnecessary noise prohibited.**
- §274-2 Enumeration of unnecessary noises.**
- §274-3 Violations and penalties.**
- §274-4 Enforcement.**

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**Article I  
Noise**

- §274-1 Unnecessary noise prohibited.**

It shall be unlawful to make, create, cause, suffer, encourage or permit to be made any unnecessary, loud, prolonged or disturbing noise within the limits of the Borough of Montvale.

**§274-2 Enumeration of unnecessary noises.**

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line in an unnecessarily loud manner and which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, nor shall any person refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Police Officer or other authorized enforcement officer. The following noises, which enumeration shall not be exclusive, are declared to be a nuisance and a violation of this Article to the extent that such noises are determined to be "unreasonably and unnecessarily loud":

- A. The sounding of any horn or signal device on any premises, within any building or on any automobile, motorcycle, bus or other vehicle, except as a necessary warning or danger signal.
- B. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.
- C. The discharge into the open air or the exhaust of any motor vehicle or engine, except through a muffler which effectively prevents loud, explosive noises therefrom, or discharging any pistol, gun, firearm, weapon or explosive.
- D. The use, operation or running of any automobile, motorcycle, mechanical equipment or vehicle so out of repair or in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise, whether upon the streets or highways or adjacent thereto.
- E. The creation of any excessive or unnecessary noise on any street or grounds adjacent thereto within 500 feet of any school, place of worship, public meeting or court while the same is in session, or any hospital, short-term care facility or nursing home at any time which interferes with the orderly, quiet and effective conduct and operation of the same.
- F. The use of any drum, band, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any rally, performance, show, carnival, fair or the sale of either real or personal property, except when permission has been granted by the Borough or some authorized person or committee acting under its authority. This shall not be construed to prevent or limit religious, political or patriotic activities, if conducted within the limits set forth in Chapter 275 hereof.
- G. Nothing contained herein shall be construed to limit the use of a horn, buzzer, whistle or similar signaling device for control of a sporting event at any school, athletic field or similar venue, as long as any such signaling device is used solely for the reasonable control of the athletic event. Notwithstanding the foregoing, no such signaling devices shall be permitted for use other than between the following hours:
  - 1. Monday through Thursday: 8:00 a.m. through 9:00 p.m.
  - 2. Friday and Saturday: 8:00 a.m. through 10:00 p.m.
  - 3. Sunday: 9:00 a.m. through 5:00 p.m.

H. Vibration. Operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property, or at fifty (50) feet from the source if on a public space or public right-of-way. For purposes of this section, "vibration perception threshold" means the minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects.

I. Radios, television sets, sound amplifiers and similar devices;

1. Operating or permitting the use or operation of any radio receiving set, television set, musical instrument, stereo, sound system, drum, phonograph or other device for the production or reproduction of sound, except as provided for in subsection (F) of this section hereafter set forth.
2. Operating any such device on weekdays between the hours of 10:00 p.m. and 7:00 a.m. the following day and, in the event the following day is a Sunday or legal holiday, between the hours of 10:00 p.m. and 9:00 a.m. the following day, in such a manner as to be plainly audible or to create a noise disturbance across a real property boundary or through partitions common to two parties within the same building.
3. Operating any such device in such a manner as to be plainly audible or to create a noise disturbance at fifty (50) feet from such device when operated in a public space or public right-of-way, when operated in or on a motor vehicle on a public space or public right-of-way or in such a manner as to be audible to any person other than the operator when operated on a common carrier by any passenger.

#### **§274-3        Violations and penalties.**

Violations of this Article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, General Penalty.

#### **§274-4        Enforcement.**

It shall be the duty of any Police Officer of the Borough of Montvale to enforce the provisions of this Article against any person found to be violating the same.

#### **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 immediately upon adoption and publication as required by 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.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSI-ALWAN, RMC  
Municipal Clerk

INTRODUCTION: 4-27-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 5-11-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**NOTICE OF PUBLIC HEARING  
BOROUGH OF MONTVALE**

**PUBLIC HEARING ON THE SUBMISSION OF A 2021 BERGEN COUNTY TRUST FUND  
GRANT APPLICATION**

Application of the Borough of Montvale for Bergen County Trust Fund Municipal Program for Park Development grant funding for 2021.

TAKE NOTICE: that the Borough of Montvale will hold a Public Hearing on submitting the following application to the 2021 funding round of the Bergen County Trust Fund Municipal Program for Park Development:

- Memorial Park, Block 2305, Lot 13; 1 Memorial Drive
- Huff Park Playground Improvements Project;
- The Borough of Montvale desires to obtain funds to improve the playground and make ADA improvements at Memorial Park/Memorial Field.

The proposed scope includes extension of and improvements to the playground at Huff Park, including addition of a tot lot (ages 2-5 years), replacement of the existing playground surface with rubberized safety surfacing, new edging, a new rubber surfacing between sidewalk and playground, and ADA access improvements.

Date of Public Hearing: Tuesday, April 27, 2021

Time: 7:30 PM

Location: Montvale Municipal Building

12 Mercedes Drive, Montvale, NJ

The meeting of the Mayor and Borough Council shall be held in person at the Municipal Complex, 12 Mercedes Drive, Council Chambers, Montvale, NJ 07654 and virtually on Zoom Live Streaming on Tuesday, April 27, 2021 in accordance with the Division of Local Government Services Remote Meeting Protocol for Local Public Bodies During Declared Emergency New Rules N.J.A.C. 5:39. This meeting is being held in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. Information for the General Public to access for this virtual meeting will be posted on the Borough website [www.montvale.org](http://www.montvale.org)

ZOOM information is as follows:

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGlMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone: 1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

Formal action may be taken.

In accordance with the regulation governing the submission of Bergen County Trust Fund Municipal Program for Park Development application, the Borough of Montvale will conduct a public hearing to obtain citizen input concerning the grant application.

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1502**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 27<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 11<sup>th</sup> day of May 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

**AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING A NEW CHAPTER 275 ENTITLED "NOISE CONTROL ACT" TO ADOPT A MUNICIPAL NOISE ORDINANCE PURSUANT TO THE NOISE CONTROL ACT OF 1971**

**WHEREAS**, the Borough of Montvale currently regulates unnecessary noise through an ordinance codified in Chapter 274 of the Borough Code entitled "Noise"; and

**WHEREAS**, Chapter 274 does not contain any measurable noise standards but rather prohibits noise that is unreasonable and unnecessary; and

**WHEREAS**, the Borough is desirous of adopting a new Chapter 275, entitled "Noise Control Act," to implement Model Noise Ordinance prepared by the New Jersey Department of Environmental Protection pursuant to the Noise Control Act of 1971, with certain amendments to incorporate a number of existing, more restrictive standards in the Borough Code; and

**WHEREAS**, the Borough believes that adoption of this Ordinance will allow for, in addition to existing subjective standards, a set of objective and measurable standards of noise that may be more easily enforceable in addition to the existing standards set forth in Chapter 274; and

**WHEREAS**, this Ordinance has been provided to the NJDEP Bureau of Local Environmental Management and has been approved; and

**WHEREAS**, within 30 days after adoption of this Ordinance, a copy of same shall be sent to the NJDEP by the Borough Clerk in accordance with applicable regulations; and

**WHEREAS**, because the NorthWest Bergen Regional Health Commission shall have enforcement powers pursuant to this Ordinance, the Borough must obtain consent of the NWBRHC and provide a copy of same to the NJDEP; and

**WHEREAS**, this Ordinance shall not be effective until approved by the NJDEP and the NWBRHC.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Montvale as follows:

**Section 1.** The Borough Code shall be amended and supplemented by adding a new Chapter 275 entitled "Noise Control Act," as follows:

## CHAPTER 275 – NOISE CONTROL ACT

### Article I Noise Control Act

- §275-1 Declaration of Findings and Policy.
- §275-2 Definitions.
- §275-3 Applicability.
- §275-4 Exemptions.
- §275-5 Enforcement Officers.
- §275-6 Measurement Protocols.
- §275-7 Maximum Permissible Sound Levels.
- §275-8 Sound Production Devices.
- §275-9 Restricted Uses and Activities.
- §275-10 Motor Vehicles.
- §275-11 Enforcement.
- §275-12 Consistency, Severability and Repealer.

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### Article I Noise Control Act

#### §274-1 Declaration of Findings and Policy.

The Borough of Montvale has determined that: 1) excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; 2) a substantial body of science and technology exists by which excessive sound may be substantially abated; and 3) the people have a right to, and should be ensured of, an environment free from excessive sound,

It is therefore the policy of the Borough of Montvale to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This Article shall apply to the control of sound originating from sources within the Borough of Montvale.

#### §274-2 Definitions.

The following words and terms, when used in this Article, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this Article have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

- A. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
- B. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by an NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

"Sound production device" means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

"Sound reduction device" means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

**§275-3      Applicability.**

A.      This model noise ordinance applies to sound from the following property categories:

1.      Industrial facilities;
2.      Commercial facilities;
3.      Community service facilities;
4.      Residential properties;
5.      Multi-use properties;
6.      Public and private right-of-ways;
7.      Public spaces; and
8.      Multi-dwelling unit buildings.

- B. This model noise ordinance applies to sound received at the following property categories:
1. Commercial facilities;
  2. Community service facilities (i.e. non-profits and/or religious facilities)
  3. Residential properties;
  4. Multi-use properties;
  5. Multi-dwelling unit buildings.
- (C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

**§275-4 Exemptions.**

- A. Except as provided in Sections 9 and 10 below, the provisions of this Article shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.
- B. Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.
- C. Construction and demolition activities are exempt from the sound level limits set forth in tables I and II and III except as provided for in Section 9 below.

**§275-5 Enforcement Officers.**

- A. Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this Article and pursue enforcement activities.
- B. Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this Article that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.
- C. Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

**§275-6 Measurement Protocols.**

- A. Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in Section 6B of this Article and with the definition of "real property line" as contained herein.

- B. When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

**§275-7 Maximum Permissible Sound Levels.**

- A. No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in Section 3A above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in Section 6B.

- B. Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I  
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS  
WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property or residential portion of a multi-use property		Commercial facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II  
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS  
WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility or non-residential portion of a multi-use property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III  
MAXIMUM PERMISSIBLE OCTAVE BAND  
SOUND PRESSURE LEVELS IN DECIBELS**

RECEIVING PROPERTY CATEGORY	RESIDENTIAL PROPERTY, OR RESIDENTIAL PORTION OF A MULTI-USE PROPERTY		RESIDENTIAL PROPERTY, OR RESIDENTIAL PORTION OF A MULTI-USE PROPERTY		COMMERCIAL FACILITY, NON-RESIDENTIAL PORTION OF A MULTI-USE PROPERTY, OR COMMUNITY SERVICE FACILITY	COMMERCIAL FACILITY OR NON-RESIDENTIAL PORTION OF A MULTI-USE PROPERTY
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
Time Freq.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

**§275-8 Sound Production Devices.**

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in Section 6B of this Article. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV  
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS  
WITHIN A RESIDENTIAL PROPERTY**

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m. and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

**§275-9 Restricted Uses and Activities.**

The following standards shall apply to the activities or sources of sound set forth below:

- A. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant may only be operated between the following hours, unless such activities can meet the applicable limits set forth in Tables I, II or III:
  1. Monday through Friday: 7:00 a.m. and the earlier of sunset or 8:00 p.m.
  2. Saturday: 9:00 a.m. and the earlier of sunset or 6:00 p.m.
  3. Sunday: Not permitted (except landscaping activities between 9:00 a.m. and the earlier of sunset or 6:00 p.m.)

All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device. During the above time periods, the limits set forth in Table I, II or III shall not apply.

- B. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) may only be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the following hours, unless such activities can meet the limits set forth in Tables I, II or III:

1. Monday through Friday: 7:00 a.m. and the earlier of sunset or 8:00 p.m.
2. Saturday: 9:00 a.m. and the earlier of sunset or 6:00 p.m.
3. Sunday: Not permitted

All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device. During the above time periods, the limits set forth in Table I, II or III shall not apply.

- C. All construction and demolition activity, excluding emergency work, may only be performed between the following hours, unless such activities can meet the limits set forth in Tables I, II or III:

1. Monday through Friday: 7:00 a.m. and the earlier of sunset or 8:00 p.m.
2. Saturday: 9:00 a.m. and the earlier of sunset or 6:00 p.m.
3. Sunday: Not permitted

All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device. During the above time periods, the limits set forth in Table I, II or III shall not apply.

- D. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. During the operation of such equipment, the limits set forth in Tables I, II or III shall not apply.

- E. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. During the permissible duration of operation, the limits set forth in Tables I, II or III shall not apply.

- F. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment, operated on a public space or public right-of-way, shall not be plainly audible at a distance of 25 feet in any direction from the operator.

- G. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

1. Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,

2. Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

- H. Any of the foregoing time limitations may be temporarily relaxed in cases of urgent necessity or in the interest of public safety and in such cases only under written authorization from the Construction Official, or in cases where the Governing Body determines: 1) that the proposed activity will not unreasonably disturb any member of the public as a result of the creation of such noise; or 2) that the benefits of the proposed activity substantially outweigh the detriments of any such disturbance.

#### **§275-10 Motor Vehicles.**

Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

- A. No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.
- B. No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.
- C. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.
- D. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

#### **§275-11 Enforcement.**

- A. Violation of any provision of this Article shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.
- B. Any person who violates any provision of this Article shall be subject to the penalties set forth in Chapter 1, Article I, General Penalty. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.
- C. Upon identification of a violation of this Article the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Article that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

- D. If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section 2 of this Chapter) a NOV shall be issued to the violator.
1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.
  2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by a Noise Control Officer or Noise Control Investigator, as appropriate. It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.
- E. If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation, the violator shall be notified that if the violation is not immediately corrected, a NOPA with a civil penalty of not more than the maximum penalty allowed pursuant to Chapter 1, Article I, General Penalty, will be issued. If a non-minor violation is immediately corrected, a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.
- F. The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.
- G. The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.
- H. The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.
- I. Any claim for a civil penalty may be compromised and settled based on the following factors:
1. Mitigating or any other extenuating circumstances;
  2. The timely implementation by the violator of measures which lead to compliance;
  3. The conduct of the violator; and
  4. The compliance history of the violator.

**§275-12 Consistency, Severability and Repealer.**

- A. If any provision or portion of a provision of this Article 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 Article shall not be invalidated.

- B. All ordinances or parts of ordinances, which are inconsistent with any provisions of this Article, are hereby repealed as to the extent of such inconsistencies.
- C. No provision of this Article shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Article or from other law.

**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 immediately upon adoption and publication as required by 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.

Borough of Montvale

\_\_\_\_\_  
MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN, RMC  
Municipal Clerk

INTRODUCTION: 4-27-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 5-11-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**BOROUGH OF MONTVALE**

**ORDINANCE NO. 2021-1503**

**NOTICE IS HEREBY GIVEN** that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 27<sup>th</sup> day of April 2021, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 11<sup>th</sup> day of May 2021 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

**AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO ADD A NEW CHAPTER 250 ENTITLED "LIGHTING" TO REGULATE OUTDOOR LIGHTING IN THE BOROUGH OF MONTVALE**

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

Section 1. The Borough of Montvale Code is hereby amended and supplemented by adding a new Chapter 250, entitled "Lighting," as follows:

**CHAPTER 250 – LIGHTING**

**Article I**

**New and Replacement Lighting**

- §250-1** Definitions.
- §250-2** Purpose.
- §250-3** Outdoor lighting.
- §250-4** Light Trespass; Nuisance Light.
- §250-5** Illuminance and luminance requirements.
- §250-6** Electric Utility Floodlights.
- §250-7** On-Site Outdoor Lighting Energy Conservation.
- §250-8** Submission of Plans.
- §250-9** Prohibitions.
- §250-10** Violations and enforcement.
- §250-11** Schedule A.

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**Article II**

**Existing Lighting – Glare Nuisance**

- §250-12** Applicability.
- §250-13** Declaration of Findings and Policy.
- §250-14** Standards for existing lighting.
- §250-15** Violations and enforcement.

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**Article I**  
**New and Replacement Lighting**

**§250-1 Definitions.**

For purposes of this Chapter, the following terms shall have the meanings indicated:

**Glare:** The sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort or loss in visual performance and visibility.

**IESNA:** Illuminating Engineering Society of North America. An organization that recommends standards for the lighting industry.

**Light Trespass:** Any form of artificial illuminance emanating from a light fixture or illuminated sign that penetrates other property and creates a nuisance, as specified in Section 4 - Light Trespass; Nuisance Light, of this Chapter.

**Objectionable Direct Glare Source:** Glare resulting from excessive levels of illumination or insufficiently shielded light sources emanating from light fixtures in the field of view where the lens, lamp or reflector is offensively visible above a height of five (5) feet at a property line or a public roadway.

**Outdoor Light Fixture:** An electrically powered illuminating device containing a total light source of more than 1800 initial lumens per fixture or any spot or flood luminaire with a reflector contained in the lamp component such as a parabolic aluminized reflector (PAR) lamp, of more than 900 initial lumens, which is permanently installed outdoors, including but not limited to, devices used to illuminate any site, architectural structure, or sign.

**Shielded Light Fixture:** A light fixture with cutoff optics that allows no direct light emissions above a vertical cutoff angle of 90 degrees above nadir (straight down at perfect vertical), through the light fixture's lowest light emitting part. Any structural part of the light fixture providing this cutoff angle must be permanently affixed.

**Special Code Enforcement Officer:** Shall be the Construction Official and/or Property Maintenance Official, who shall be empowered to enforce all aspects of this Chapter including those involving glare nuisance.

**§250-2 Purpose.**

The governing body of the Borough of Montvale does herein find that regulation of outdoor lighting in the Borough is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misaligned light fixtures that produce glare, light trespass (nuisance light) and/or unnecessary sky glow; and also that such regulation is necessary to discourage the waste of electricity and to improve or maintain nighttime public safety, utility and security.

**§250-3 Outdoor Lighting.**

All outdoor light fixtures installed and thereafter maintained other than those serving one- and two-family dwellings, shall comply with the requirements as specified below:

- A. Where used for security purposes or to illuminate walkways, roadways and parking lots, only shielded light fixtures shall be used.
- B. Where used for commercial and industrial purposes such as in merchandise display areas, work areas, platforms, signs, architectural, landscape or sports or recreational facilities, all light fixtures shall be equipped with automatic timing devices and comply with the following:
  - 1. Light fixtures used to illuminate flags, statues or any other objects mounted on a pole, pedestal or platform, shall use a narrow cone beam of light that will not extend beyond the illuminated object.
  - 2. Other upward directed architectural, landscape or decorative direct light emissions shall have at least ninety (90) percent of their total distribution pattern within the profile of the illuminated structure.
  - 3. Recreational and sports facility lighting shall be shielded whenever possible. Such lighting shall have directional and glare control devices, when necessary, to comply with Section 4.
  - 4. Except where specific requirements are set forth with respect a zoning district, externally illuminated signs including commercial billboard, building identification or other similar illuminated signs, shall comply with the following:
    - a. Top mounted light fixtures shall be shielded and are preferred.
    - b. When top mounted light fixtures are not feasible, illumination from other positioned light fixtures shall be restricted to the sign area. Visors or other directional control devices shall be used to keep spill light to an absolute minimum.
    - c. All requirements set forth in Chapter 400, Zoning.
  - 5. All other outdoor lighting shall use shielded light fixtures.
- C. All floodlight type fixtures, once properly installed, shall be permanently affixed in the approved position.
- D. Foundations supporting lighting poles not installed four (4) feet behind the curb, shall not be less than 24 inches above ground.
- E. All lights shall be 3,500Kelvin (3,500K) CCT (correlated color temperature) or less.
- F. When fifty percent or more of existing outdoor light fixtures are being replaced or modified, then all lighting must be made to conform to the provisions of this lighting ordinance.

**§250-4 Light Trespass; Nuisance Light.**

All light fixtures, except street lighting, shall be designed, installed and maintained to prevent light trespass, as specified in A and B below.

- A. At a height of five (5) feet above the property line of subject property, illuminations from light fixtures shall not exceed 0.1 footcandles in a vertical plane on residentially-zoned property.
- B. Outdoor light fixtures properly installed and thereafter maintained, shall be directed so that there will not be any objectionable direct glare source visible above a height of five feet from any property or public roadway.

Note: Light fixtures near adjacent property may require special shielding devices to prevent light trespass.

**§250-5 Illuminance and luminance requirements.**

Illuminance and luminance requirements shall be as set forth in the current editions of the IESNA Lighting Handbook and other IESNA publications and this Chapter shall adopt those standards, as same shall be amended and supplemented.

- A. Street lighting - Average IESNA illuminance recommendations should not be exceeded. IESNA average to minimum illuminance uniformity ratios are to be used as a guide for designing safe and adequate roadway lighting.
- B. Outdoor Parking Facilities - Outdoor parking lot illuminance shall be based on certain illuminance specifications recommended by the IESNA, as contained in Section 11 - Schedule A, of this Chapter.
- C. All other illuminance uses shall not exceed IESNA recommendations.
- D. Internally-illuminated signs shall not exceed IESNA luminance recommendations

**§250-6 Electric Utility Floodlights.**

No electric utility floodlight intended for property illumination shall be located within the public right-of-way, on any public roadway or on any property unless:

- A. The luminaire is sufficiently shielded and aimed so that no objectionable direct glare source is visible at any point on the roadway where the viewing height is five feet or greater and when the distance from the mounting pole is seventy feet or greater.

- B. The property being illuminated does not exceed the maximum maintained illuminance levels to perform the lighting task prescribed in Section 5 - Illuminance and Luminance Requirements, of this Chapter.
- C. All electric utility floodlights shall be subject to the requirements in Section 5 - Light Trespass; Nuisance Light, of this Chapter.
- D. The light shall not be inconsistent with or in violation of any previously-approved lighting plan.
- E. The placement of said floodlight has been approved by resolution of the Governing Body.

**§250-7 On-Site Outdoor Lighting Energy Conservation.**

The design and installation of outdoor lighting on the site of a subdivision or site plan shall be constructed so as to conform to the standards specified herein:

- A. All outdoor lighting not necessary for security purposes shall be reduced, activated by motion sensor devices or turned off during non-operating hours. Illuminated signs are excluded from this requirement.
- B. All lighting shall be designed to prevent misdirected or excessive artificial light and to maximize energy efficiency.

**§250-8 Submission of Plans.**

Submission of plans and evidence of compliance shall include the following:

- A. Description of outdoor light fixtures including component specifications such as lamps, reflectors, optics, angle of cutoff, supports, poles and include manufacturers catalog cuts.
- B. Locations and description of every outdoor light fixture and hours of operation.
- C. Maintained horizontal illuminance shown as footcandles (after depreciation).
  - 1. Maximum
  - 2. Minimum
  - 3. Average, during operating and non-operating hours.
  - 4. Average to minimum uniformity ratio.
- D. Computer generated photometric grid showing footcandle readings every ten (10) feet and the average footcandles.
- E. Foundation details for light poles.

- F. When not using IESNA recommendations, submit reasons and supply supporting documentation.

**§250-9 Prohibitions.**

Searchlights or flashing or animated signs is prohibited, other than for a period of seven (7) days from the date of the opening of a new establishment.

**§250-10 Violations and enforcement.**

- A. Violation of any provision of this Article shall be cause for a violation to be issued to the violator by the Special Code Enforcement Officer, or such other official or enforcing agency designated by the Mayor and Council. The recipient of an enforcement document shall be entitled to a hearing in Municipal Court having jurisdiction to contest such action.
- B. Any person who violates any provision of this Article shall be subject to the penalties set forth in Chapter 1, Article 1, General Penalty. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate and distinct offense.
- C. No provision of this chapter shall be construed to impair any common law, statutory or regulatory cause of action or legal remedy there from, or any personal injury or damage arising from any violation of this chapter or from other law.

**§250-11 Schedule A.**

SCHEDULE A

Maintained Illuminance for Parking Lots	Basic	Enhanced Security
Horizontal Illuminance		
Minimum	0.2 fc	0.5 fc
Average	1.0 fc	2.5 fc
Uniformity Ratios		
Average to Minimum	5:1	5:1
Maximum to Minimum	20:1	15:1
Minimum Vertical Illuminance	0.1 fc	0.25 fc

1. Minimum horizontal illuminance shall be no lower than 0.2 fc.
2. Average horizontal illuminance shall not exceed 2.5 fc.
3. Uniformity ratios are to be used as a guide.

4. Minimum vertical illuminance shall be measured at 5.0 feet above parking surface at the point of lowest horizontal illuminance, excluding facing outward along boundaries.
5. For typical conditions. During periods of non-use, the illuminance of certain parking facilities should be turned off or-reduced to conserve energy. If reduced lighting is to be used only for the purpose of property security, it is desirable that the minimum (low Point) not be less than 0.1 fc in susceptible areas of the property. Reductions should not be applied to facilities subject to intermittent night use, such as apartments, hospitals and active transportation areas.
6. If personal security or vandalism is a likely and/or severe problem, an increase above the Basic level may be appropriate.
7. High vehicular traffic locations should generally require the Enhanced Level of illumination. Exits, entrances, internal connecting roadways and such would be some examples.
8. Increasing the above illuminance is not likely to increase safety and security. Variance requests for higher levels will generally be for "retail" reasons and should not be granted unless shown to be necessary and at an average illuminance not to exceed 3.6 fc.

Certain data above has been summarized from IESNA RP-20-98, titled "Lighting for Parking Facilities".

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## **Article II Existing Lighting – Glare Nuisance**

### **§250-12      Applicability.**

This Chapter as it applies to glare nuisance shall be applicable to the following property categories:

- A. Industrial facilities
- B. Commercial facilities
- C. Public service
- D. Community service facilities
- E. Multi-use properties
- F. Public and private rights-of-way
- G. Public spaces
- H. Multi-dwelling unit buildings

### **§250-13      Declaration of Findings and Policy.**

An objectionable direct glare source can be potentially hazardous to motorists, cyclists or pedestrians by causing discomfort and fatigue or reducing vision especially with the aged, and such direct glare can also affect performance by distracting attention, and the people have a right to, and should be ensured of, an environment free of any such existing invasive nuisance.

It is therefore the policy of the Borough of Montvale to prevent any such existing objectionable glare as set forth in this Article.

**§250-14 Standards for existing lighting.**

- A. Light fixtures in the categories set forth in Section 12 - Applicability, of this Chapter regarding outdoor lighting, which cause an objectionable direct glare source to be visible above a height of five (5) feet from streets or parking lots within the field of view of motorists, cyclists or pedestrians, shall be either shielded or repositioned within thirty (30) days of notification to avoid any potential hazard to such motorists, cyclists or pedestrians.
- B. Light fixtures in the categories set forth more fully in Section 12 - Applicability, of this Chapter regarding lighting which causes an objectionable direct glare source to be visible above the height of five (5) feet from residential properties that is offensive to the occupants of such properties by being in violation of the standards set forth in Section 4 - Light Trespass (Nuisance Light) of this Chapter, which provides that all light fixtures, except street lighting shall not provide illuminations exceeding 0.1 foot candles in a vertical plane on residentially zoned property, and shall not be installed and/or maintained in such a way as to produce an objectionable direct glare source to be visible above the height of five (5) feet from any property or public roadway. In such cases, property owners shall be notified to shield or reposition light fixtures within thirty (30) days of notification.
- C. All existing electric utility floodlights utilized for illumination on the property categories listed in Section 12 - Applicability, of this Chapter, shall be subject to Section 6 - Electric Utility Floodlights, of this Chapter, in that such light fixtures must be sufficiently shielded and aimed so as to not allow an objectionable direct glare source to be visible at any point on the roadway where the viewing height is five (5) feet or greater and when the distance from the mounting pole is seventy (70) feet or greater. Maximum maintained luminance levels must be as prescribed by Section 5 - Illuminance and Luminance Requirements, of this Chapter, and all electric utility floodlights shall be subject to the requirements of Section 4 - Light Trespass; Nuisance Light of this Chapter. When existing floodlights are found to be noncompliant, the electric utility and property owner shall be notified to make corrections within thirty (30) days of notification.

**§250-15 Violations and enforcement.**

- A. Violation of any provision of this Article involving glare or light nuisance shall be cause for a violation to be issued to the violator by the Special Code Enforcement Officer, or such other official or enforcing agency designated by the Mayor and Council. The recipient of an enforcement document shall be entitled to a hearing in Municipal Court having jurisdiction to contest such action.
- B. Any person who violates any provision of this Article shall be subject to the penalties set forth in Chapter 1, Article 1, General Penalty. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate and distinct offense. In addition, any offending light shall be removed immediately by the violator.

- C. No provision of this Article shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury of damage arising from any violation of this chapter or from other law.

Borough of Montvale

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MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN, RMC  
Municipal Clerk

INTRODUCTION: 4-27-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 5-11-2021

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**NOTICE OF PUBLIC HEARING  
BOROUGH OF MONTVALE**

**PUBLIC HEARING ON THE SUBMISSION OF A 2021 BERGEN COUNTY TRUST FUND GRANT APPLICATION**

Application of the Borough of Montvale for Bergen County Trust Fund Municipal Program for Park Development grant funding for 2021.

TAKE NOTICE: that the Borough of Montvale will hold a Public Hearing on submitting the following application to the 2021 funding round of the Bergen County Trust Fund Municipal Program for Park Development:

- Memorial Park, Block 2305, Lot 13; 1 Memorial Drive
- Huff Park Playground Improvements Project;
- The Borough of Montvale desires to obtain funds to improve the playground and make ADA improvements at Memorial Park/Memorial Field.

The proposed scope includes extension of and improvements to the playground at Huff Park, including addition of a tot lot (ages 2-5 years), replacement of the existing playground surface with rubberized safety surfacing, new edging, a new rubber surfacing between sidewalk and playground, and ADA access improvements.

Date of Public Hearing: Tuesday, April 27, 2021

Time: 7:30 PM

Location: Montvale Municipal Building  
12 Mercedes Drive, Montvale, NJ

The meeting of the Mayor and Borough Council shall be held in person at the Municipal Complex, 12 Mercedes Drive, Council Chambers, Montvale, NJ 07654 and virtually on Zoom Live Streaming on Tuesday, April 27, 2021 in accordance with the Division of Local Government Services Remote Meeting Protocol for Local Public Bodies During Declared Emergency New Rules N.J.A.C. 5:39. This meeting is being held in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. Information for the General Public to access for this virtual meeting will be posted on the Borough website [www.montvale.org](http://www.montvale.org)

ZOOM information is as follows:

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone: 1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

Formal action may be taken.

In accordance with the regulation governing the submission of Bergen County Trust Fund Municipal Program for Park Development application, the Borough of Montvale will conduct a public hearing to obtain citizen input concerning the grant application.

By Order of the Mayor & Council  
Maureen Iarossi-Alwan  
Administrator/Municipal Clerk

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 84A-2021**

**RE: OPEN SPACE TRUST FUND/Huff Park Playground Improvements Project**

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Montvale desires to further the public interest by obtaining a matching grant of **\$142,000.00** from the County Trust Fund to fund the following project: **Huff Park Playground Improvements Project**; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on **April 27, 2021**; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of MAY 14th, 2021, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Montvale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Montvale is committed to providing a dollar-for-dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Montvale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

MAYOR AND COUNCIL  
BOROUGH OF MONTVALE  
COUNTY OF BERGEN

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-----X  
SPECIAL MEETING :  
CONDUCTED BY ZOOM :  
-----X

PRESENTATION BY  
DR. PHILIP GREALY

March 3, 2021  
Commencing 7:00 p.m.

B E F O R E:

- MAYOR MICHAEL GHASSALI
- TIMOTHY E. LANE
- CHRIS ROCHE
- ANNMARIE RUSSO-VOGELSANG
- DOUGLAS ARENDACS, absent
- ROSE CURRY, absent
- DIETER KOELLING, absent
  
- FRAN SCORDO, DEPUTY MUNICIPAL CLERK
- MAUREEN IAROSSO-ALWAN, ADMINISTRATIVE ASSISTANT
- ANDREW HIPOLIT, BOROUGH ENGINEER
- JOHN DePINTO, PLANNING BOARD CHAIRMAN
- JOE VOYTUS, ESQ., BOROUGH ATTORNEY

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DONNA LYNN J. ARNOLD, C.C.R.  
(201) 294-0455

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1 MAYOR GHASSALI: Roll call, please.

2 MS. SCORDO: Maureen, you're on mute.

3 MS. IAROSSO-ALWAN: Council Member

4 Arendacs.

5 Council Member Curry.

6 Council Member Koelling.

7 Council Member Lane.

8 COUNCIL MEMBER LANE: Here.

9 MS. IAROSSO-ALWAN: Council Member Roche.

10 COUNCIL MEMBER ROCHE: Here.

11 MS. IAROSSO-ALWAN: Council Member

12 Russo-Vogelsang.

13 COUNCIL MEMBER RUSSO-VOGELSANG: Here.

14 MS. IAROSSO-ALWAN: Thank you.

15 MAYOR GHASSALI: In addition to the  
16 Council Members, we have our Borough Attorney, Mr. Joe  
17 Voytus, and the Borough Administrator, Miss Maureen  
18 Alwan and Fran Scordo is our Deputy. And making the  
19 presentation will be Dr. Philip Grealy from the  
20 Mazer's Traffic Department.

21 Dr. Grealy will be with us for one hour. Then  
22 the Council and I will stay afterwards for any  
23 additional public comments and questions.

24 The public will stay on mute until the traffic  
25 study presentation is completed.

1           With us also is our Chairman of the Planning  
2 Board, Mr. John DePinto; and from the Village of  
3 Chestnut Ridge, Mr. Jonathan Lockman, the Village  
4 Planner is, is here. And if there's any other members  
5 of the Village, I would love to recognize you and  
6 thank you.

7           Mr. Hipolit is here, our Borough Engineer is  
8 here, Andrew Hipolit.

9           And let me just scan and see if there's anyone  
10 else from the Village.

11          Okay. So we know there's a project that's  
12 happening on School House Road across the border and  
13 in connection with Mayor Presti we discussed how we  
14 can work together and then in discussion with Mazer,  
15 Dr. Grealy, Philip Grealy, he was involved in the  
16 traffic study.

17          And you can share your screen, Dr. Grealy.

18                   MR. GREALY: Okay.

19                   MAYOR CHASSALI: And after the  
20 presentation we'll take some questions from Council  
21 and if we have enough time before 8:00, before we  
22 leave, we'll take some questions from the public as  
23 well.

24                   MR. GREALY: Okay. You see my screen.  
25 First of all, Mr. Mayor, Philip Grealy, Mazer

1 Consulting now Colliers Engineering and Design.

2 Mr. Mayor and members of the Council, we were  
3 retained by the Village of Chestnut Ridge to prepare a  
4 traffic corridor study evaluation of the Red  
5 Schoolhouse Road corridor between Williams Road and  
6 essentially the Jersey state line, the Montvale line.  
7 Okay. So it covered the area through the interchange  
8 area.

9 In addition, as part of our study, it was to  
10 consider the effects of planned development both in  
11 the Village of Chestnut Ridge in this vicinity as well  
12 as on-going development or developments that are in  
13 the planning stages in Montvale.

14 So just to kind of give you a little background,  
15 so my background is all transportation, traffic,  
16 traffic engineering. We work for both private  
17 developers as well as municipalities.

18 In this case we were retained to evaluate the  
19 corridor in this section specifically to look at  
20 existing conditions, to look at both capacity issues,  
21 safety issues, and to look at the planning of the  
22 corridor in the context of development proposals that  
23 have been in front of the Planning Board and the  
24 Village of Chestnut Ridge for development. So the  
25 study which was just completed, we were retained last

1 fall to prepare this study. The study, as I said,  
2 focused really on the section of Red Schoolhouse Road.

3 Can you see my screen?

4 MAYOR GHASSALI: No.

5 MR. GREALY: Okay. Let's see. Okay.

6 What about now?

7 MAYOR GHASSALI: Yes.

8 MR. GREALY: Okay. So the study area --  
9 so on the drawing on the screen right now, in the  
10 center of that is Red Schoolhouse Road. The section  
11 basically from the State line north through the Garden  
12 State Parkway interchange area and north to the  
13 intersection with Summit Road and Williams. That's  
14 really the area that our focus was on. It was to  
15 evaluate existing conditions including any safety  
16 issues.

17 The areas that you see marked with the circles,  
18 those are the specific intersections that we were  
19 evaluating. So we were evaluating the ramp  
20 intersections as well as the driveways and main  
21 intersections in this section of roadway.

22 The study collected data but because of the  
23 pandemic, the COVID-19 pandemic, we had to rely on a  
24 good level of historical information. This road is a  
25 county road, Rockland County Highway Department. So

1 we had data from them. We had data from New York  
2 State DOT and New York State Thruway Authority.

3 In addition, outlined on this drawing are  
4 various development proposals. So each of those  
5 colored areas that are outlined, there are five  
6 projects that are in front of the Village for  
7 development. Each of those projects, at one point had  
8 done, done some level of traffic reports. And those  
9 were all done prior to the pandemic.

10 The Village wanted to have a comprehensive look,  
11 the Village of Chestnut Ridge wanted to have a  
12 comprehensive look as opposed to each of the  
13 individual looks that each of those properties were  
14 doing. The development proposals ranged from a  
15 private school complex which is outlined in red which  
16 was, is proposed on the west side of Chestnut Ridge  
17 Road between Summit Road and DeSalvo Court. They have  
18 frontage opposite the off ramp of the Garden State  
19 Parkway.

20 In green is what is referred to as the corporate  
21 commerce center. The commerce center is an  
22 office/light industrial flex space type development.

23 As we go further south, the area that is a  
24 triangular shape outlined in blue is referred to as  
25 the triangle properties.

1           On the east side of Red Schoolhouse Road in the  
2 pink color is what's referred to as Equestrian  
3 Estates. And then the last is in black which is  
4 referred to as the horse farm development.

5           So those were five major projects that were  
6 under review. So part of our study was to digest the  
7 information that each of those projects had pulled  
8 together, looked at what was proposed on each of those  
9 developments and it's, it's a variation of  
10 developments.

11           The triangle properties was originally being  
12 looked at as a shopping center. That has changed to a  
13 mixed use that could have a hotel, some warehouse  
14 space and some flex space.

15           The Equestrian Estates was a mixed use  
16 development with some retail, some residential and a,  
17 and a various mix of uses. And then we have the horse  
18 farm which, again, was more residential.

19           The Red Wellington School's property are two  
20 private schools; one for girls, one for males. And  
21 those were at the table when we were brought on board  
22 to review the corridor.

23           So in the traffic study, and I'm not going to  
24 get into the ultimate details but we rely on the  
25 existing conditions. We look at peak hours. In this

1 case we looked at weekday a.m. and p.m. peak hours as  
2 well as Saturday peak hours. We identified  
3 constraints, safety issues.

4 For example, you know, the backups that occur  
5 coming off of the ramp from the Garden State Parkway  
6 from the north and what are the causes of those types  
7 of conditions, the backups at individual  
8 intersections, accident history, sight distance  
9 issues, et cetera. So, so those were all spelled out  
10 in the traffic study. And that's kind of the base  
11 conditions.

12 And what the Village had retained us to do was  
13 to look at if all these developments proceeded and  
14 growth continued in the corridor and there, the  
15 ongoing projects and projects and planning in Montvale  
16 continue, how do they ensure that as they review and  
17 approve these projects that the corridor will  
18 function.

19 So to resolve existing conditions and to make  
20 sure that it will function in the future.

21 Some of them are very straight forward. The  
22 lack of turning lanes. If you don't have a left turn  
23 lane and you have heavy through volumes, when someone  
24 is stopping to make a left turn it creates rear end  
25 accidents and it creates backups.

1           If you have a heavy user that, making left turns  
2 out onto a corridor, you may have locations where you  
3 need to have signals.

4           In this particular case, we also have the  
5 complications of the bridge piers for the Garden State  
6 Parkway overpass. When that was constructed back in  
7 the late '50s, they had a pier design that restricted  
8 the width of the roadway underneath. There were some  
9 plans for, conceptual plans and the original thruway  
10 design to have a parallel, potential parallel road on  
11 the opposite side of the bridge piers. However,  
12 there's all sorts of complications with current design  
13 standards, et cetera.

14           But our challenge was to look at this section of  
15 the corridor with the anticipated growth in traffic  
16 and come up with a Master Plan of improvements and to  
17 make sure as each of these applications were reviewed  
18 by the Village that certain mitigation measures would  
19 be put in place and also, in some cases, to ensure  
20 that the land necessary, if you need to widen the road  
21 or to put in a sidewalk, to put in turn lanes, that  
22 there was enough right-of-way and/or land dedication  
23 to accommodate those types of improvements.

24           And because there are several different projects  
25 here that are not necessarily all on the same time

1 line you want to have it planned so that at the end of  
2 the day, if individual projects are making  
3 improvements that the pieces of the puzzle all match  
4 at the end.

5 So that was really our direction and the purpose  
6 of our study. It was really a traffic evaluation. We  
7 looked, took into consideration pedestrians and  
8 bicyclists, et cetera, but the purpose was to come up  
9 with a Master Plan for this section of highway to try  
10 to resolve certain existing conditions and to have a  
11 plan going forward that the Village could rely on as  
12 they review each of these applications.

13 Now each of these applications also needs to get  
14 permits from Rockland County Highway Department. So  
15 as part of this study we had interface, as I said,  
16 with the County Highway and with the Thruway Authority  
17 to ensure that whatever types of mitigation we  
18 discussed were amenable to them. Most of the them are  
19 fairly straight forward, the provision of turn lanes,  
20 separate right turn lanes, left turn lanes. There's  
21 locations where potential signals were identified.  
22 And then these would be used as kind of the master  
23 outline that the Village could use as they review each  
24 individual application to ensure that improvements  
25 would be put in place to accommodate turning movements

1 and to maintain flow along the corridor.

2           So that's, that's kind of the background and  
3 what were the nuts and bolts of what are in our study.  
4 There's all sorts of technical analysis and how you do  
5 your projections on what was proposed on each  
6 property.

7           But essentially it boiled down to three or four  
8 items.

9           One is to make sure the land dedication is  
10 adequate to accommodate improvements.

11           There are certain improvements that will require  
12 other funding to get put in place. In general, the  
13 types of improvements, as I said, are turning lanes,  
14 signals. We did identify the potential for a use of a  
15 roundabout.

16           In the area of where the pink and the blue are  
17 on the map in front of you, that's the area near where  
18 the Chestnut Ridge transportation facility is. So  
19 just south of that area we were looking at the  
20 potential of a roundabout. And that roundabout would  
21 serve as access to both developments but it would also  
22 help resolve -- there is an existing problem with  
23 traffic southbound on Chestnut Ridge Road wanting to  
24 make a left turn to get on to the Parkway northbound.  
25 With the through traffic that's there and the

1 northbound right turn volume getting onto that ramp,  
2 it becomes a bottleneck. And because of the bridge  
3 piers and the lack of the ability to provide easily a  
4 separate left turn lane there, an alternative is to  
5 bring the traffic through the interchange area, down  
6 through a roundabout and then back up in the form of a  
7 right turn on to the ramp.

8         So, in concept, the, the roundabout would be put  
9 in place. There would be widening of Chestnut Ridge  
10 Road along this section to provide separate left and  
11 right turn lanes. Traffic coming from the south which  
12 I, I would expect that Montvale would be concerned  
13 with is getting on to the ramp heading northbound.  
14 There would be a dedicated right turn lane on to the  
15 ramp and it would simplify some of the operations that  
16 occur there.

17         At the off ramp, southbound off ramp from the  
18 Parkway, the first phase improvement would be to  
19 implement some signal timing adjustments to reduce the  
20 delays of any backups on to the Parkway, upgrade the  
21 signal, the actuation, et cetera.

22         The second more long term would be the ability  
23 to develop a dual left turn coming off of the ramp.  
24 In order to do that there would be widening on  
25 Chestnut Ridge Road and there would be land dedication

1 from the Red property which is the Wellington, what's  
2 referred to as the Wellington School's property in  
3 order to accommodate that turn off of the ramp and  
4 then transition back to the two lane section  
5 underneath the Parkway.

6 As we head south we talked about the roundabout  
7 and the roundabout would serve two purposes. It would  
8 calm traffic in terms of speeds, it would allow access  
9 movements into those properties and it would also give  
10 us the ability to have this, essentially a U-turn to  
11 get back to the ramp to do away with that bottleneck  
12 condition.

13 As you head further south towards the triangle  
14 properties about the middle of that property opposite  
15 the pink which is the Equestrian Estates, there would  
16 be a signalized improved intersection with turning  
17 lanes at that point.

18 So the purpose would be to maintain traffic flow  
19 in the corridor, allow traffic to move in and out of  
20 each of these developments, resolve some of the issues  
21 at the Parkway ramps and to make sure that adequate  
22 right-of-way is set aside to accommodate these  
23 improvements including a provision of sidewalks as  
24 these projects move through the planning process.

25 As I said, consideration of, of, you know,

1 traffic from projects in Montvale were a part of the  
2 background conditions here in terms of the background  
3 growth, projects that are, you know, such as The Alexa  
4 which are, you know, at the time partially occupied  
5 but, you know, would still be adding additional  
6 traffic and other projects in, in the Borough that  
7 would come through this area.

8         So in the, kind of a synopsis, those are the  
9 areas we focused on. It was really to give the  
10 Planning Board and, and the Village Board a Master  
11 Plan to work towards as they review these applications  
12 to make sure that each project was doing their piece  
13 of the puzzle and at the end of the day would have a  
14 comprehensive improvement along this corridor.

15         And, and that's the focus and the, kind of the  
16 quick summary of what's in our report. It's been  
17 submitted to the Village. It's been shared with  
18 Rockland County Highway Department, New York State  
19 Thruway Authority and it's now up to each of these  
20 applicant's to advance to a more design level plan of  
21 the improvements that would accommodate these  
22 projects.

23         So that's kind of a long winded way of  
24 everything that's in the study. At your leisure you  
25 can delve into it when it's circulated.

1 And, I'd be happy to answer any questions.

2 MAYOR GHASSALI: That's fine. Thank you,  
3 Doctor.

4 So we'll start with the Council members and then  
5 Chairman John DePinto may have some questions.

6 Council President Tim Lane, do you have any  
7 questions? Councilman Lane?

8 MR. GREALY: He's on mute.

9 MAYOR GHASSALI: All right. We'll come  
10 back to him.

11 COUNCIL PRESIDENT LANE: I'm having some  
12 technical issues, going in and out.

13 MAYOR GHASSALI: Do you have any questions  
14 for Dr. Grealy.

15 COUNCIL PRESIDENT LANE: No. Sorry. I  
16 don't.

17 MAYOR GHASSALI: Councilman Roche.

18 COUNCILMAN ROCHE: Not currently. It  
19 seems like a lot of -- I guess we're dealing pretty  
20 much just with the intersections of the Parkway and  
21 how to keep that traffic flowing. It seems that there  
22 is other properties possibly even north of Summit  
23 Avenue.

24 I know there's, right behind that school there,  
25 if you head west on Summit, that First Street, there's

1 a property there that's about 10 acres so there's  
2 parts of the school up there. I guess that's not  
3 included in the study.

4 DR. GREALY: So in terms of -- so, for  
5 example, at Summit Road are you talking up at the  
6 northerly end.

7 COUNCILMAN ROCHE: Yes.

8 DR. GREALY: So at Summit Road and  
9 Williams, so, for example, we included traffic growth  
10 and all the specific projects in front of the Planning  
11 Board.

12 But, for example, at that intersection one of  
13 the problems is there are no turn lanes on Red  
14 Schoolhouse Road at that intersection. During peak  
15 times the way that the County has dealt with that is  
16 restriction of left turn movements.

17 So at that intersection the long term plan would  
18 be to construct a left turn lane on Red Schoolhouse  
19 Road at the intersection and also signalize that  
20 intersection and include pedestrian movements.

21 So anybody that would be on Summit Road would  
22 then be controlled by a signal getting out onto  
23 Chestnut Ridge Road -- Red Schoolhouse Road. And  
24 anybody turning from Summit Road would now have a lane  
25 so that the thru traffic would not be backed up.

1 COUNCILMAN ROCHE: School traffic going  
2 onto School House Road?

3 DR. GREALY: Thru traffic on Red  
4 Schoolhouse Road would be maintained and there would  
5 be a separate left turn lane northbound to store  
6 vehicles wanting to turn left onto Summit Road.

7 COUNCILMAN ROCHE: Okay. Okay. That's  
8 all I have. Sorry.

9 MAYOR GHASSALI: Council Member  
10 Russo-Vogelsang, questions.

11 COUNCIL MEMBER RUSSO-VOGELSANG: No, not  
12 at this time, Mayor.

13 MAYOR GHASSALI: Chairman John DePinto, do  
14 you have any questions for Dr. Grealy.

15 CHAIRMAN DePINTO: Yes. Doctor, thank you  
16 for the presentation.

17 With respect to the five developments that you  
18 referenced, is there a projected time line for those  
19 developments?

20 DR. GREALY: I, I can't say there is.  
21 It's up to each of those developments to come in.  
22 It's, it's my understanding that they're all anxious  
23 at the table.

24 We actually had a discussion with each of their  
25 consultants today and they all seem to be progressing.

1           But is there a definitive time line on each one,  
2 I couldn't tell you for sure. But it sounds like the  
3 majority of them are moving through the planning  
4 process.

5           They were waiting for this kind of Master Plan  
6 so that the Planning Board could, could advance each  
7 of those.

8           They still have to get permits from the County,  
9 et cetera.

10          But our, our time line was looking at within the  
11 next five years if this all did occur, what would have  
12 to be done to accommodate it.

13          So, again, all I can say is that each of those  
14 applications are active currently and at least three  
15 or four of them seem to be ready to move through the  
16 planning process.

17          One thing, even since last fall when we started  
18 the process, the size of the Wellington Schools was  
19 adjusted slightly.

20          As I indicated, the triangle properties which  
21 was originally about 130,000 square foot shopping  
22 center proposal is now changed and is a mixture of,  
23 you know, warehouse, I'll call it, I'll call it  
24 warehouse, warehouse light industrial, hotel. So the  
25 mixes have changed on some of those properties.

1                   CHAIRMAN DePINTO:   And is Rockland County,  
2 I guess DOT, in agreement with the recommendations or  
3 at least the preliminary recommendations that you have  
4 set forth, Doctor?

5                   DR. GREALY:   Yes.   So early in our  
6 discussions with Rockland County and with New York  
7 State Thruway Authority, we discussed each of these  
8 including the concept of a roundabout.  There are  
9 locations where, where their agencies do not like  
10 roundabouts.  In this case Rockland County thought it  
11 was a good, you know, improvement that could be  
12 accommodated here.

13                  In terms of Thruway Authority, they understood  
14 the types of improvements and had no aversion to  
15 these.

16                  The one, the one common fact with any of these  
17 agencies you speak to, we have no money.  Okay.  So  
18 they just want to know who's going to pay for the  
19 improvements really is what it comes down to.  But  
20 Rockland County was on board.

21                  As I said, each project has to go to the County  
22 with their specific detail designs.  But from a  
23 concept standpoint, yes.  In this case, you know, DOT  
24 really wasn't, New York State DOT wasn't involved, the  
25 Thruway Authority was more involved because of the

1 ramps under their control so...

2 CHAIRMAN DePINTO: One last question,  
3 Doctor, with respect to the traffic and the trip  
4 generation, did the study include where the projected  
5 traffic would be coming from, points south, points  
6 north, east or west?

7 DR. GREALY: Yes. So, so each of these  
8 projects, as I had indicated, had their own traffic  
9 studies done.

10 CHAIRMAN DePINTO: Right.

11 DR. GREALY: Some of the information in  
12 those studies we agreed with, some we didn't agree  
13 with.

14 We looked at each one had different  
15 distributions because of the type of use, some had  
16 more coming from the Parkway, some had more coming off  
17 of, you know, Route 45 to the north there and from the  
18 south.

19 So the answer is, yes, each property had its  
20 individual distribution which we either used their  
21 information or adjusted based on the data that we had  
22 available to us.

23 CHAIRMAN DePINTO: Thank you. I have no  
24 other questions, Mr. Mayor.

25 MAYOR GHASSALI: Thank you, Mr. Chairman.

1           Before we do open this to the public, since this  
2 is an official meeting, there are some questions. We  
3 will open this to the public so you can speak directly  
4 to the microphone.

5           I do have one question before I turn this to the  
6 public, Doctor.

7           The traffic that is coming south on Schoolhouse  
8 Road, the changes that you, that you will be making,  
9 if we don't make any changes in Montvale does that,  
10 would that negate what you are doing north of the  
11 border or do we also have to do something south of the  
12 border in Montvale to make this work well.

13           DR. GREALY: Okay. So the first part of  
14 my answer is that the improvements at the interchange  
15 will improve flow through this area. The improvements  
16 that are being implemented along the frontage of these  
17 properties will maintain that flow.

18           We did not get into specifics, for example, down  
19 near Summit Avenue or even along the stretch south of  
20 the State border here. But I would suggest that the  
21 Borough should look at similar types of improvements.

22           So, for example, we're making sure that there  
23 will be no bottlenecks remaining in this stretch, for  
24 example, when this horse farm gets developed.

25           We want to make sure that there's a left turn

1 lane so people turning left into that development  
2 don't hold up traffic continuing south towards the,  
3 towards Montvale.

4 So as you continue across the border here, I'll  
5 call it, you know, those types of improvements, access  
6 improvements at intersections and should continue as  
7 you go south here.

8 We, we did not get into those because that  
9 wasn't part of our scope but I think from, you know,  
10 Montvale's standpoint as you review applications  
11 through that area or you look at access points, you  
12 know, it's important to look at provision of turning  
13 lanes. If there's other significant developments  
14 further south, you know, other types of improvements.

15 But our purpose was to resolve some of the  
16 existing capacity constraints such as at the ramps, at  
17 some of these intersections and to make sure that as  
18 these projects get developed in Chestnut Ridge, there  
19 aren't new capacity constraints put in place that  
20 would impede traffic flow, you know, to the south  
21 here.

22 MAYOR GHASSALI: So the more work to be  
23 done on both sides to make this happen smoothly.

24 DR. GREALY: Yes.

25 MAYOR GHASSALI: All right. Let's take,

1 since we still have you for 20 minutes, Doctor, if we  
2 could take some questions from public.

3 COUNCILMAN ROCHE: Mayor. I'm sorry,  
4 Mayor, this Councilman Roche.

5 Can I just ask one more question?

6 Doctor, is there any talk of a southbound  
7 entrance to the thruway, Parkway and then northbound  
8 exit with this development to kind of keep those, that  
9 area, if they're coming strictly for those facilities,  
10 is that an option that is put on the table.

11 DR. GREALY: So it was something that was  
12 discussed with the Thruway Authority. Their initial  
13 reaction was, you know, we don't have money for  
14 something like that and then also in terms of  
15 right-of-way acquisitions, to implement something like  
16 that.

17 In terms of the southbound direction there's  
18 constrained properties that are not at the table here.  
19 In terms of the northbound direction there are issues  
20 in terms of spacing and it, it was looked at in terms  
21 of area availability. But beyond that the Thruway did  
22 not have any interest in that.

23 COUNCILMAN ROCHE: Okay.

24 MAYOR GHASSALI: Motion to open the  
25 meeting to the public.

1 COUNCILMAN ROCHE: So moved.

2 MAYOR GHASSALI: Second.

3 COUNCILWOMAN RUSSO-VOGELSANG: Sorry,  
4 second. Sorry, I couldn't get off mute.

5 MAYOR GHASSALI: All in favor?

6 COUNCILMAN ROCHE: Aye.

7 COUNCILWOMAN RUSSO-VOGELSANG: Aye.

8 MAYOR GHASSALI: Members of the public who  
9 wish to ask any questions or make any comments you may  
10 raise your hand and I will see you here.

11 I know you have questions. We want this to be  
12 on the record so we want your voice recorded. So you  
13 may raise your hand and we'll recognize you and you  
14 will have about three minutes or so with Dr. Grealy.

15 Mr. Frank DePalma. Good evening, Frank.

16 MR. DePALMA: Can you hear me?

17 MAYOR GHASSALI: Yes.

18 MR. DePALMA: All right. This is Frank  
19 DePalma. I'm also the OEM coordinator for Montvale.

20 So I mean looking at the map here, I mean my  
21 concern is just accessibility to this area from the  
22 south. It just seems like there --

23 I'm concerned about the traffic impact and you  
24 have already alluded to it a little bit. I think more  
25 work needs to be done.

1           But my concern is the impact to Spring Valley  
2 Road and Chestnut Ridge Road.

3           I mean, obviously, we have Fieldstone and  
4 Pascack Hills there, too. So I mean, I'm a little bit  
5 concerned about that although we don't really know for  
6 sure what the impact is going to be as far as  
7 accessing this area from the south.

8           It seems like the only way to get there is -- I  
9 mean, I'm looking at Google Maps right now -- is  
10 really to get off in Montvale, if you're on the  
11 Parkway, let's say, and then you have -- unless I'm  
12 looking at this wrong.

13           Is there another way to get there?

14           DR. GREALY: Well, you would -- the  
15 traffic from the south would have to get off in  
16 Montvale and work its way through the corridor here.  
17 You know, the only other -- you're going to be on  
18 Chestnut Ridge Road or, you know --

19           MR. DePALMA: Spring Valley.

20           DR. GREALY: Spring Valley Road.

21           MR. DePALMA: All right. So does that  
22 mean it's up to Mont -- if we had to do our own study  
23 does that, does that mean that this is something  
24 Montvale has to do?

25           How do we investigate what the impact is going

1 to be to those, to those roads? I want to know that.

2 DR. GREALY: Well, I think in terms of,  
3 from, from the scope of the study that we focused on  
4 was to see how the trips would be distributed. The  
5 information is in our document at least locally where  
6 they would be destined to based on the information  
7 that we were provided.

8 The scope of our study here was to make sure  
9 that this portion of the roadway would, would function  
10 and not create bottlenecks --

11 MR. DePALMA: Right.

12 DR. GREALY: -- throughout this area.

13 So the answer is, yes, traffic from all these  
14 developments will end up on other roadways in the  
15 area. But our focus was to make sure that this area  
16 would be able to accommodate and, and to address  
17 existing capacity constraints in this immediate area.

18 MR. DePALMA: All right. So, Mayor, it  
19 sounds like some additional analysis would have to be  
20 done for that.

21 MAYOR GHASSALI: Yes.

22 MR. DePALMA: It's something that when  
23 they want to look into. That's all I'll say.

24 MAYOR GHASSALI: Yeah. And just for the  
25 benefit of you and the public, Frank, we are talking

1 with the Village administration, with the Mayor with  
2 his chairman of the Planning Board, the planners, the  
3 engineers. So we started that discussion.

4 And, yes, more work needs to be done. I agree  
5 with you.

6 Thank you, Frank.

7 MR. DePALMA: Thank you.

8 MAYOR GHASSALI: We have Mr. Brian Harms.  
9 Good evening, Brian.

10 MS. J. HARMS: Hi. This is Jessie and  
11 Brian Harms. I guess building off of Frank's  
12 question, I am in total agreement here. It sounds  
13 like, you know, this is going to become a huge problem  
14 for Montvale. It's more of a comment. A major  
15 quality of life change due to all of this explosive  
16 growth in Chestnut Ridge.

17 And, Mayor Ghassali, I know you mentioned it. I  
18 think Montvale has to take a very close look at the  
19 impact here not only on quality of life but the  
20 improvements that are going to need to be done for the  
21 roads. Are we responsible for in our taxes?

22 I don't know how that impacts us because of  
23 explosive growth in Chestnut Ridge.

24 So I know the town of Chestnut Ridge has not  
25 been very forthcoming in some of its plans for these

1 properties.

2           So when we see this map which is -- I appreciate  
3 the doctor sharing this. But I think in the future  
4 it's good to be able to have a legend up there and  
5 have a little bit more so the public can follow a  
6 little bit more the understanding of some of these  
7 projects. As you're going through your proposal it's  
8 a little hard to follow.

9           But I guess my comment is, as a resident, we  
10 already have a lot of projects going on in Montvale so  
11 we're very concerned about what impact this is going  
12 to have on quality of life over the next, I don't know  
13 what it is, two to three years when all this  
14 construction happens.

15           MAYOR GHASSALI: Duly noted, ma'am.

16           MR. B. HARMS: Mayor, this is Brian Harms.  
17 I have a question.

18           MAYOR GHASSALI: Yes sir.

19           MR. B. HARMS: The more, more kind of a  
20 question and a comment. I noticed since I moved to  
21 New Jersey about 20 years ago, all the highways,  
22 pretty much all the highways don't have reciprocal on  
23 and off ramps.

24           For example, there is a southbound exit to  
25 School House Road but there's not a northbound exit.

1           And you see that everywhere. There's an on ramp  
2 and no off ramp. There's an off ramp and no on ramp.

3           So my question really is, was there  
4 consideration given to creating a northbound exit on  
5 School House Road if that's even possible?

6           MAYOR GHASSALI: I think the Doctor  
7 mentioned that they did bring that up but the Turnpike  
8 Authority was it, Doctor, said it --

9           DR. GREALY: So that was when we met we  
10 met together with the Village of Chestnut Ridge  
11 planner with Thruway Authority. And we discussed that  
12 if there were any plans, if there were any  
13 right-of-ways set aside. But there's, there's  
14 nothing.

15           There are limits on right-of-way and also other  
16 design aspects that they would, you know, have to get  
17 involved with.

18           But in, in that northbound direction there was  
19 no plan or consideration for that in this particular  
20 case.

21           In the southbound direction, it's more  
22 complicated because of the way that lands are already  
23 developed or partially developed in that area.

24           MAYOR GHASSALI: Doctor, do you think, I  
25 think it makes a very valid point. Do you think if we

1 make a joint application with the towns to the  
2 Authority, do you think that will make a difference?

3 DR. GREALY: It, it may. The only thing  
4 -- as I said, when we met with them they, they  
5 basically just said, look, we have no money to do  
6 anything. And all these say the same thing.

7 So I think it may have some effect but that was  
8 the answer that we got.

9 MAYOR GHASSALI: Okay.

10 All right, Brian. This is work in progress.  
11 Definitely we need to, to more work on this. I think  
12 the ramp would solve a lot of issues. But, I'm, I'm  
13 hearing this first time right now, too.

14 MR. B. HARMS: Okay. Thank you.

15 MAYOR GHASSALI: You're welcome.

16 Next we have Nelson Voorhees. Good evening.

17 MR. LOCKMAN: Hi. My name is Jonathan  
18 Lockman and I'm one of the Village planners for the,  
19 for the Village of Chestnut Ridge. My firm is  
20 contracted to do planning services for the Village.  
21 And I've been handling the coordination of the Red  
22 Schoolhouse Road traffic study and the comprehensive  
23 plan update that's underway and my colleague, Max  
24 Stock, regularly works with the Planning Board on a  
25 weekly basis for reviewing these applications.

1           And, we look forward to any requests you have  
2 for information. We can make sure that you could get  
3 it in a timely way.

4           The complete study is available on our website.  
5 And there's absolutely nothing holding you back from  
6 finding out what as much about what we're doing and  
7 learning about our processes and results of these  
8 studies as our own public on the New York side of the  
9 border.

10           So what we're really pleased with is often times  
11 in planning you look at one project at a time and  
12 wonder, oh my goodness, what's going to happen if  
13 three or four or five projects in a row all get  
14 approved, what's going to be the cumulative impact.  
15 Should we look at them all at once.

16           We have five projects here. And we are looking  
17 at them all of them at once.

18           And two are before the Planning Board mid  
19 stream, the Wellington School in red and the corporate  
20 commerce park in green. They are being essentially  
21 stalled a bit until this study and the projects that  
22 we're proposing get a little bit more worked out.

23           The projects to the south, the blue triangle  
24 property, the Equestrian Estates in pink and the horse  
25 farm in black, they want to add some uses that aren't

1 in the code. So they need to do some rezoning. So  
2 they're a little bit more behind but they're  
3 nonetheless pressing forward with their plans.

4 So we look forward to sharing anything that we  
5 have in terms of information with you and would  
6 certainly encourage you to do similar planning on your  
7 side.

8 We, of course, can't include planning for  
9 boroughs in New Jersey when we're planning for  
10 villages in New York. That would cause an  
11 international incident. So the only way we could do  
12 this is if you guys study your side and we study our  
13 side and we cooperate and share.

14 MAYOR GHASSALI: Okay. Thank you for  
15 joining us and thanks for the information.

16 DR. GREALY: The, the only thing,  
17 Jonathan, that I would add to that is that when we  
18 prepared our study, we did get a list of active and/or  
19 planned project in Montvale so that we would make sure  
20 that we accounted for any of that development traffic  
21 through this area since there is a significant amount  
22 of traffic that exits or enters the Parkway here that  
23 is coming to and from Montvale. And, and that will  
24 increase with these other projects in the, in the  
25 area.

1           So we did account for that, traffic coming  
2 across the border or however you want to look at it in  
3 terms of how we evaluated these intersections.

4           So at least from that perspective we're  
5 accommodating with our improvements we've outlined  
6 here, traffic that would come to and from Montvale  
7 through this area.

8           MAYOR GHASSALI: All right. Thank you.  
9           Chief of Police, Chief Sanfilippo.

10          CHIEF SANFILIPPO: Good evening.

11          MAYOR GHASSALI: Good evening, Chief.

12          CHIEF SANFILIPPO: I had a question about  
13 the southern end of the properties here, these  
14 Equestrian Estates and horse farm development triangle  
15 properties.

16          Is that all residential and, if so, is it single  
17 family homes, large, high density zoning or, or what?

18          DR. GREALY: The -- there's a mix, okay,  
19 so originally the triangle properties, I'll start with  
20 first. Okay. Originally that was a 120,000 or  
21 130,000 square foot shopping center. The current  
22 proposal is for a hotel, some storage, warehouse type  
23 area and some other mixed, light, I call it light  
24 industrial office type use.

25          The horse farm, I believe, is all residential

1 development and that hasn't changed.

2 The Equestrian Estates is clearly a mixed use  
3 development. And, and Jonathan can correct me on, on  
4 any of these. He may be more up to speed since the  
5 time we prepared our study.

6 The Equestrian Estates is a mix of local  
7 shopping retail, I'll call it. I think it was  
8 somewhere in the order of 20 to 25,000 square feet.  
9 Some residential, some office. So that was truly a  
10 mixed use development.

11 And I think that's pretty much -- and then the  
12 corporate commerce park, as I said, is office and  
13 light industrial/flex space which is the green area.

14 CHIEF SANFILIPPO: Any idea on the  
15 increase in population for Chestnut Ridge?

16 DR. GREALY: I don't have those figures.  
17 Jonathan I don't know if you're still on if you have  
18 any of those figures.

19 MAYOR GHASSALI: Yeah. I asked him.

20 Again, Jonathan, if you just raise your hand --  
21 there you are. Jonathan, you're on.

22 MR. LOCKMAN: The, the blue triangle  
23 properties does not have a residential component. The  
24 black horse farm properties, the latest plans we've  
25 seen were for assisted living, senior apartments of a

1 pretty high end nature.

2       The Equestrian Estates, the idea is to have some  
3 shops, in buildings with shops on the first floor and  
4 two floors of multi-family above along the corridor  
5 and then in the back some duplexes, some single family  
6 homes and some senior housing that would be like three  
7 stories of apartments, a senior housing complex.

8       And the reason why I can't get too specific for  
9 you is because they are -- they have, they have  
10 submitted plans and they need to get their zoning,  
11 they need to get before the Planning Board.

12       But if you download the, the study you'll see  
13 the assumptions for the square footages and number of  
14 units for each of these sites. I don't have them  
15 committed to memory. Otherwise I could rattle them  
16 off but I can't.

17       So, but that's the, that's the general pattern.

18       The corporate commerce park is warehousing, flex  
19 space and then the red is the Wellington Schools which  
20 is the, the girls school and boys school.

21       The boys school is going to be residential  
22 without busses. The boys will live there. The girl  
23 will be busses so half the school is a day school with  
24 busses, the other half of the school is a residential  
25 school.

1 CHIEF SANFILIPPO: Thanks very much.

2 Thank you.

3 MAYOR GHASSALI: Okay. Next we have  
4 Eileen. We have about five minutes with the doctor  
5 so, Eileen, if you have any questions.

6 Good evening, Eileen.

7 EILEEN: Good evening, Mayor.

8 My question involves the traffic study and  
9 wondering if as it happened in Montvale when we had  
10 the whole Wegman's development happen, that there were  
11 proposals to have additional accesses to the Parkway  
12 that the Garden State decided not to pay for and here  
13 we are with Rockland saying they have no money, they  
14 have no money.

15 So are we going to be in a situation where  
16 Chestnut Ridge is going to allow these developments to  
17 proceed but Rockland County is not going to pay for  
18 the developments of the road flow happen and we're  
19 going to be in a major issue?

20 MAYOR GHASSALI: Yeah. If the traffic has  
21 to go through Montvale we're going to have an issue.  
22 That's why we're doing this now in the beginning  
23 stages.

24 And I asked the doctor if we do a joint  
25 application to the Turnpike Authority or the Thruway

1 Authority and maybe we have to take it further than  
2 that, then maybe we involve the Governor's office  
3 because this would be high traffic volume on both  
4 sides of the border, trying to access the Parkway.

5 EILEEN: Correct. I understand because  
6 I'm right on this area. That's where I access to go  
7 to the high school, to the middle school and it's  
8 already very crowded. And if these developments do  
9 happen and the road does not get improved by Rockland  
10 or Montvale or Garden State, it's going to be a very  
11 large problem.

12 MAYOR GHASSALI: That's why we are doing  
13 these studies now and we have to do, I guess, more  
14 work on the Montvale side now. But this is just the  
15 beginning stages for us.

16 Doctor, do you have anything to add to this.

17 DR. GREALY: The only other comment, I  
18 think in terms of Chestnut Ridge, in terms of Red  
19 Schoolhouse Road itself, I think the concept that the  
20 Village is going to proceed with is that these  
21 improvements along this section of roadway would have  
22 to be completed as each of these developments come in.  
23 So they would be, you know, turn lanes, widenings,  
24 signals, roundabouts that would be implemented along  
25 this stretch and improvements and the ramp both on the

1 ramp getting northbound and getting off southbound.

2 EILEEN: So the developments would be  
3 required to do this before they could proceed?

4 DR. GREALY: Yes. Certain, certain of the  
5 improvements would be required before they could  
6 proceed. Others would be kind of pieced in.

7 But, in essence, the area south of the Parkway,  
8 okay, so from the Parkway, I'll call it Parkway off  
9 ramp down to the Jersey border, those improvements,  
10 with each project, would be put in place.

11 So with the triangle properties and the  
12 Equestrian Estates area is where we were talking about  
13 a roundabout. There's some widenings and also some  
14 signals. They would be part of the requirements for  
15 those specific developments.

16 EILEEN: Thank you.

17 MAYOR GHASSALI: Thank you, Eileen.

18 All right, Doctor, we said a few more questions.  
19 We know you have to leave because you have a meeting  
20 right after this.

21 We do have our Borough Engineer, Mr. Hipolit.

22 Are you on, Mr. Hipolit.

23 MR. HIPOLIT: I am on, Mayor.

24 MAYOR GHASSALI: All right. We have a few  
25 more questions.

1           So Dr. Grealy, thank you so much for the  
2 information, for the presentation. It's well done.

3           We will do more work together, I guess, in the  
4 future. But thank you so much for your time tonight.

5           DR. GREALY: Thank you very much for your  
6 time and your questions. Thank you.

7           MR. HIPOLIT: Thanks, Doctor.

8           FEMALE SPEAKER: Thank you.

9           MAYOR GHASSALI: We have a question from  
10 Robert. Good evening, Robert. There you go.

11          MR. CICCHINO: Can you hear me?

12          MAYOR GHASSALI: Yes, Robert. Good  
13 evening.

14          MR. CICCHINO: Okay. I live at The Alexa  
15 and this is really right in my backyard. It's right  
16 adjacent to the property.

17          And I'm just curious, does anybody really drive  
18 that road? It's a small, narrow, two lane road. And  
19 right now it's in disrepair, a lot of holes in it.

20          But I can't see how they could accommodate all  
21 this construction and all these new projects on that  
22 road. I mean they're only interested in their side,  
23 the New York side and the Jersey side, which is all of  
24 Montvale, is going to be a big problem.

25          Do we have any recourse to stop something like

1 this from happening?

2           MAYOR GHASSALI: Well, we can't -- Yes.  
3 We can't stop it from happening. It's in a different  
4 town.

5           But I live right by you. I live on -- I  
6 actually walked by your house this afternoon.

7           It's a small road. And that was my question, if  
8 we don't do any changes in Montvale would that negate  
9 what they're doing in the Village.

10           So I think more work has to be done in Montvale,  
11 too, to accommodate unless the Thruway Authority can  
12 do something with the ramp.

13           Andy, what do you think?

14           MR. HIPOLIT: So just to give you a little  
15 background for a lot of the folks that are on this in  
16 Montvale. If you go back probably 4 1/2 years ago or  
17 five years ago, with the first Wegman's development,  
18 we did a comprehensive traffic study that stopped at  
19 the Spring Valley and Summit intersection. So it  
20 really didn't go north to the border.

21           We improved that intersection. We improved some  
22 improvements on Summit Avenue. We improved Spring  
23 Valley, going down to Spring Valley and Grand. We  
24 made improvements at Phillips and Grand Avenue, made  
25 improvements at Chestnut Ridge and Grand Avenue, even

1 some tiny improvements at Chestnut Ridge and Summit  
2 Avenue. So there's like this little section between  
3 from Summit Avenue and Spring Valley up to the border  
4 where Dr. Grealy did with this section of roadway we  
5 didn't study it or tie those two together.

6 What I will tell you, the good part about this  
7 is, is Dr. Grealy and I work for the same firm. All  
8 the data we have in our study was given to them from  
9 their study so our background data, we call it  
10 background traffic counts and projections, that number  
11 was included in their study. So they're, they're  
12 assuming that our traffic that we programmed in our  
13 models going north to their model. So the two models  
14 do tie together.

15 I will tell you that right now there is no  
16 proposal for road improvements from Summit Avenue to  
17 the New York borders. But these developers are  
18 proposing improvements from there going north.

19 So the coordination be tied together better?  
20 Yes. Should Montvale and the County of Bergen,  
21 because it's their road, discuss future improvements  
22 at that intersection, yes.

23 I do think that's important. If you take one  
24 thing away from Dr. Grealy's presentation is, they  
25 have a lot of improvements to make on their side,

1 including improvements to on and off ramps to the  
2 Thruway. Improvements under the bridge that has  
3 pillars that, that define, limits and cause those  
4 limits to go down. They're proposing roundabouts and  
5 other things.

6 What I am confident of and what I heard was  
7 they're going through a process that they're going to  
8 make the roadway improvements just like Montvale did.

9 Now Montvale took the whole project over as a  
10 whole. If you remember, we took it over, we made all  
11 the improvements. We didn't leave it up to the  
12 developers. The one difference is, they're leaving it  
13 up to the developers as they go and maybe that's  
14 something we talked to the Village of Chestnut Ridge,  
15 maybe having them accumulate the money from the  
16 developers and then making the improvements so the  
17 improvements are done in advance which is similar to  
18 what we did.

19 MR. CICCHINO: It's like an hour glass.  
20 And we're in the middle of the hourglass. We have all  
21 these improvements north of us and all these  
22 improvements south of us and then School House Road  
23 that's in between had no improvements at all.

24 I don't know how you're going to be able to  
25 funnel those cars both north and south to go through

1 that small highway. I wouldn't even use that word,  
2 roadway.

3 MR. HIPOLIT: Well, it's something it  
4 needs a little more study. One of the things that you  
5 want to be careful of, if you take your section of  
6 roadway in Montvale and make it bigger, it makes it  
7 easier for people to come your way.

8 I think you may improve it, you may get more  
9 volume. If the road is not improved or made bigger  
10 people may find a different road, may come down  
11 Chestnut Ridge Road. So you need to look at the  
12 entire network.

13 You just don't want to make an improvement and  
14 make a road wider just to make it wider.

15 You want to look at the Spring Valley Road  
16 corridor which is a county road. You want to look at  
17 it as, as it goes all the way up Schoolhouse Road and  
18 Chestnut Ridge Road coming back down that corridor.  
19 You want to relook probably at the Summit Avenue  
20 corridor, all the way down to Grand and what meets at  
21 that corridor and tie the two studies together.

22 You just don't want to make a random  
23 improvement.

24 And I will tell you that the Montvale Mayor and  
25 Council and the Planning Board have always been

1 committed to these studies. We have a model already  
2 for Montvale.

3 Chestnut Ridge is to make their study, make a  
4 model of their study.

5 Now it's just a matter of coordinating the two  
6 entities which I believe the Mayor and Council is  
7 doing which is great.

8 FEMALE SPEAKER: Can I ask a question?  
9 And I'm with Robert.

10 I just want to know does Rockland County have to  
11 approve all five projects?

12 Isn't it up to the zoning board? Can't they say  
13 no to some of them?

14 MR. HIPOLIT: It's really a legal  
15 question.

16 MAYOR GHASSALI: Yeah.

17 FEMALE SPEAKER: Yeah. I mean that's what  
18 a zoning board is for.

19 MAYOR GHASSALI: That's what they're doing  
20 right now. Two of the five projects are in front of  
21 the Planning Board being discussed right now.

22 FEMALE SPEAKER: So they can say no to any  
23 more if they want to because it will be too much of an  
24 impact.

25 MAYOR GHASSALI: Well, Jonathan is on and

1 he's working with them.

2 I don't know. We've been watching some of their  
3 meetings. But they have to go through the legal side  
4 of this. And if all the legal side of it is okay,  
5 they have to approve it. They can't just say no just  
6 for the sake of saying no.

7 FEMALE SPEAKER: It's not for the sake of  
8 saying no. It's for the sake of the impact on  
9 everything.

10 MAYOR GHASSALI: Yep. So all the studies  
11 are going to present the facts and then they look at  
12 the facts and then they will decide, just like we do  
13 at our Planning Board.

14 MR. CICCHINO: I'm not happy.

15 MAYOR GHASSALI: Okay. Sorry about that,  
16 Robert.

17 Yeah. Well, that's why we're doing all these  
18 right now so we can look at them and see what, what we  
19 have to do on the Montvale side.

20 All right? Anything else, Robert?

21 MR. CICCHINO: I can't think of anything  
22 at the moment.

23 Are we the only people asking questions? I  
24 can't believe that.

25 MAYOR GHASSALI: There's more questions.

1 I just want to make sure you have all the time that  
2 you want.

3 MR. CICCHINO: Thank you.

4 MAYOR GHASSALI: You're welcome.

5 Mr. Frank DePalma.

6 MR. DePALMA: Can you hear me?

7 MAYOR GHASSALI: Yes.

8 MR. DePALMA: I have a, just a general  
9 kind of question.

10 I know these traffic studies do focus on the  
11 volume and density of, of traffic, number of cars and  
12 stuff like that.

13 I guess my concern is how, how does the safety  
14 side weigh in? Or is it even -- I'm assuming it has  
15 to be.

16 Right?

17 MR. HIPOLIT: Yeah, it definitely is.

18 So the traffic reports look at volume, it looks  
19 at increased volume. It looks at the overall volume  
20 not only in the peak hour but off the peak hour and  
21 then it starts looking at warrants for improvements  
22 and those warrants include safety improvements for  
23 pedestrians and vehicle traffic. So, it covers the  
24 entire gamut.

25 MR. DePALMA: Does it take into account

1 also existing P. D. data as far as violations and, I  
2 don't know, speeding and, and stuff in other areas,  
3 stuff like that?

4 MR. HIPOLIT: Yeah. So it's obviously New  
5 York but the traffic department and our office would  
6 work with New York P. D..

7 MR. DePALMA: Well, I'm even referring to  
8 our area as far as Spring Valley and Chestnut.

9 MR. HIPOLIT: We get the accident data  
10 and, you know, meet with the police department to  
11 determine if there's a problem for speeding or is  
12 there an accident history, a rear end accident  
13 history, head-on, whatever. The P. D. and their data  
14 is a big part of any traffic study.

15 MR. DePALMA: All right. Thank you.

16 MR. HIPOLIT: You're welcome.

17 MAYOR GHASSALI: Thank you, Frank.

18 All right. Anyone else from the public who  
19 wishes to ask any questions? I don't see any more  
20 hands.

21 Okay. One more, Anthony. Somebody.

22 Hello, Anthony.

23 MR. SHAUT: Hi, Mr. Mayor, can you hear  
24 me?

25 MAYOR GHASSALI: Yes.

1 MR. SHAUT: My name is Anthony Shaut. I  
2 actually live in Chestnut Ridge and we're just as  
3 concerned about these developments as some of your  
4 residents are. So I can certainly appreciate that.

5 I heard earlier, I think Andrew had mentioned  
6 that for the Wegman's study, you had talk or I guess  
7 you had kind of pooled all the money up front for all  
8 of the improvements that needed to be made for the  
9 roadways. And, you know, as you're talking this  
10 through with our Village, I would ask that you could  
11 kind of suggest that, strongly suggest that to them as  
12 well and walk through them with it. Because one of  
13 the biggest concerns for us is, within the study  
14 there's, I think the proposed improvements are  
15 something like 7, 8 million dollars if they're all  
16 done so it's a big number. Taxpayers are certainly  
17 not paying for that and we know there's no money  
18 coming from the State so it's a big number to get up  
19 front.

20 And to the extent you can kind of work with our  
21 Village to kind of walk them through what you did with  
22 the Wegman's, I know from a resident's standpoint that  
23 would be greatly appreciated because traffic is a  
24 major concern for us as well.

25 MAYOR GHASSALI: We are at the point now

1 that we're talking to the Mayor, to your Mayor and to  
2 your administration. And if there's any assistance  
3 from the experience that we went through that we can  
4 help, absolutely.

5 And like Mr. Hipolit said, we did require them  
6 to put the money up front for specific use for the  
7 roads and for the traffic lights. And that was part  
8 of the planning for us.

9 So absolutely we will share that with your  
10 administration.

11 MR. SHAUT: Thank you. I appreciate that.

12 MAYOR GHASSALI: You're welcome.

13 A question from James. Good evening, James.

14 MR. GEIER: Good evening, everyone. Less  
15 of a question and just I'm also voicing a concern. I  
16 live on North Avenue against Spring Valley Road as  
17 well. And, I have concerns that hourglass that's  
18 going to come down because even if you want to expand  
19 you're going to have to get easements from private  
20 properties to expand it.

21 And I have concerns -- we have had COVID for the  
22 last year so we haven't seen normal traffic patterns  
23 in awhile. But once we get past the normal traffic  
24 patterns even with the improvements that were done at  
25 the corner of Summit, traffic still backs up past



1 concern and we all share your concern and that's why  
2 we're doing this, to try to find ways to solve this.

3 And North Avenue, after we paved it, there was  
4 more traffic on it and more speeding on it because  
5 it's paved.

6 MR. GEIER: Yeah. I don't see a solution  
7 but I'm just voicing my concerns.

8 MAYOR GHASSALI: I appreciate that. Thank  
9 you.

10 Question from Robert. Robert.

11 FEMALE WITH ROBERT: Okay. I just want to  
12 know, can they widen Spring Valley Road from the  
13 border down to Summit Ave?

14 I mean people would lose a lot of property. And  
15 there are houses that are right on the road. How do  
16 they do that if they need to widen the road?

17 MR. HIPOLIT: Mayor, we have not, as part  
18 of the original Wegman's study, we never studied the  
19 corridor from Summit Avenue north of Spring Valley  
20 Road so I don't know what the right-of-way width is  
21 and we don't know where the houses fall with respect  
22 to the right-of-way so it's kind of premature to  
23 answer that.

24 FEMALE WITH ROBERT: But if they're doing  
25 it up to the border in Rockland, I mean are we talking

1 about the bottleneck?

2 MR. HIPOLIT: Once you get to New Jersey  
3 you're now on a county road so it would be in  
4 coordination with Bergen County. So I mean it's going  
5 to be a lot, it's going to be the county, Rockland  
6 County, Chestnut Ridge and Montvale so we have to meet  
7 on that.

8 MAYOR GHASSALI: Actually tomorrow night  
9 I'm meeting with someone from the county engineering  
10 just to present this to them, that this is in  
11 progress, this is happening and we'll start that  
12 discussion with them, too.

13 I agree with you, it's, it will be the  
14 bottleneck and all the changes that they make north of  
15 the border if something happens south of the border,  
16 then I don't know what good that, those changes will  
17 do.

18 MR. CICCHINO: Correct me if I'm wrong but  
19 it seems like Rockland County didn't really care about  
20 anything going south of the borderline. They didn't  
21 consider us at all.

22 MR. HIPOLIT: No, that's not totally true.

23 So Rockland County and, and their engineers did  
24 come to us and did ask for all of our traffic data  
25 from our studies and they asked us for all of our

1 future developments. So they included our existing  
2 traffic data and our future traffic data in their  
3 counts and in their corridor study.

4 They can't make improvements to a road in New  
5 Jersey.

6 FEMALE WITH ROBERT: Right.

7 MR. HIPOLIT: So their study limits ended  
8 with their last intersection because they can't come  
9 to New Jersey and make improvements on a road which is  
10 not even a Montvale road, it's a Bergen County road so  
11 that could be something that the Borough of Montvale  
12 would work with Bergen County on depending on the  
13 results and the final improvements that are decided by  
14 Chestnut Ridge and Rockland County.

15 FEMALE WITH ROBERT: Are we still on the  
16 mike?

17 MALE SPEAKER: Yes.

18 FEMALE WITH ROBERT: Hello.

19 MAYOR GHASSALI: Yes, Yes. You're still  
20 on.

21 FEMALE WITH ROBERT: I'm sorry. I forgot.

22 MR. HIPOLIT: That's all right.

23 MAYOR GHASSALI: You can come back.

24 That's okay. No problem. You can come back.

25 We have James. James.

1 MR. GEIER: Yes. I'm sorry. I actually  
2 have a question.

3 So presuming that we're unsuccessful in making  
4 any type of changes on what they're doing, can we look  
5 at adding some sort of school signs or lowering the  
6 speed limit between Fieldstone and Pascack Hills for  
7 those school areas so we don't have people zooming  
8 down there and, and taking out children and people  
9 trying to drop off their kids at school and school  
10 busses as well. Because there are very limited signs.

11 I have a son who just went from Fieldstone and  
12 now he's going to Hills and it's tough.

13 MAYOR GHASSALI: Yeah. So that's a county  
14 road and the county will have to be involved now.

15 MR. GEIER: But I think we should look at  
16 that because presuming that we're going to be  
17 unsuccessful and this traffic is coming our way one  
18 way or the other we need to protect the kids because  
19 they will be back in school at some point full-time.

20 MAYOR CHASSALI: I can tell you, James,  
21 this afternoon I was driving north on Spring Valley  
22 right by Fieldstone and there was group of high school  
23 kids jogging, with the team. And my heart skipped a  
24 few beats there. Man, they're right on the road  
25 there. There's no sidewalks or anything so...

1 MR. GEIER: Yeah. Those proposed cross  
2 country children that are running, I'm with you, I'm  
3 scared. And even my son is not thrilled about walking  
4 home from hills to, to my house. So -- and I, going  
5 forward, I would be even more concerned for him even  
6 as a 15 year old walking down the street from a safety  
7 if not being hit by, by a car.

8 MAYOR GHASSALI: Yeah. Andy, tomorrow I'm  
9 meeting with the planner there at the county. And  
10 maybe we can set up a meeting to introduce him to this  
11 study and then see how they can help us.

12 MR. HIPOLIT: I agree. That's a good  
13 idea.

14 MR. GEIER: Thank you.

15 MAYOR GHASSALI: Thank you, James. Thank  
16 you.

17 Okay. Anybody else?

18 Okay. Anyone else from the public who wishes to  
19 ask any questions? I don't see any.

20 No. We have one more coming, two more coming.

21 Good evening, Ed and Ellen. Good evening.

22 You're on mute. Unmute yourself. There you go. Ed  
23 and Ellen.

24 ELLEN: Okay. We've already seen -- we  
25 live on Upper Saddle River Road and we've already seen

1 an increase in traffic coming, I think, you know, from  
2 the Thruway probably cutting through DiSalvo Court,  
3 Fox Hill Road, down to our street, Upper Saddle River  
4 Road. So we're concerned with the amount of traffic  
5 that might be generated as some of the other people  
6 have indicated.

7 And if there's any restrictions that could be  
8 put on thru traffic or speed limits or some kind of  
9 moderation, protection for our, the children in our  
10 area.

11 MAYOR GHASSALI: I agree with you.. Duly  
12 noted. We share the same thing.

13 We'll take that into account, too.

14 ELLEN: Thank you.

15 MAYOR CHASSALI: Anything else? You're  
16 welcome.

17 Okay. Robert, I see your hand up. I don't know  
18 if it's from before or new one. Robert.

19 FEMALE WITH ROBERT: Yes. When they asked  
20 Montvale for their traffic study that they did with  
21 the Wegman's project, it did not include this street.  
22 So how is that useful to them?

23 MR. HIPOLIT: Just let me see if I  
24 understand your question.

25 When they asked for our traffic study our

1 traffic study included all traffic heading north on  
2 Spring Valley Road from Montvale into New York and it  
3 also included projected volumes from any proposed  
4 developments in Montvale that would send traffic north  
5 on Spring Valley Road in New York, if that answers the  
6 question.

7 COUNCILMAN ROCHE: Andy, could I ask you a  
8 question?

9 MR. HIPOLIT: Yeah. Sure.

10 COUNCILMAN ROCHE: As far as how many of  
11 the developments that are currently slated for  
12 development for Montvale were included in that  
13 Wegman's study?

14 MR. HIPOLIT: Every one.

15 MAYOR GHASSALI: Okay. I think I lost it.  
16 Ellen, if you would like to come back just raise  
17 your hand again, please.

18 MR. HIPOLIT: Councilman Roche, we also  
19 included for that study, we told them about the Sony  
20 property where most of the property is in Park Ridge  
21 and we came up with a projected number of units  
22 because we didn't have them at the time so we even  
23 including that.

24 COUNCILMAN ROCHE: Okay.

25 MAYOR GHASSALI: Ellen.

1 ELLEN: Yes.

2 MAYOR GHASSALI: Did that answer your,  
3 your question?

4 ELLEN: Preliminarily, yes.

5 MAYOR GHASSALI: We, we had no reason to  
6 look at the roads there. There was absolutely no  
7 reason for it. But, but now we have reason.

8 ELLEN: Okay. Thank you.

9 MAYOR GHASSALI: Okay?

10 ELLEN: Yes.

11 MAYOR GHASSALI: Mike. Good evening,  
12 Mike.

13 MS. BARTOLI: This is Maureen Bartoli on  
14 Mark Lane. We have had a continuous uptick in issues  
15 with school busses coming from Chestnut Ridge.  
16 Chestnut school Ridge busses come up and turn around.  
17 We have busses from the religious schools come through  
18 Mark Lane and Fox Hill. They're making K-turns on our  
19 streets. They're speeding down the streets.

20 And I know this is nothing people in this area  
21 haven't spoken to you about but could that be  
22 something that could be also considered when these  
23 studies are being done? Because, I think like Ed and  
24 Ellen just mentioned from Upper Saddle River Road,  
25 there's a cut thru that Waze will take you through

1 Chestnut Ridge Road, a right onto Upper Saddle River  
2 Road, left onto Fox Hill which turns into DeSalvo  
3 which leads you right to the Thruway. And many people  
4 have said to us that's the best kept secret who travel  
5 from the Thruway.

6 So that's a huge concern because, you know,  
7 there's been, I think there's been studies on speed  
8 limits going through and nothing seems to curtail the  
9 speeding or then now busses coming through and the  
10 safety of the kids walking on the streets or any of  
11 the residents walking along the streets because the  
12 busses are just flying. They fly -- they're running  
13 through on Sundays, holidays, starting at like 6:30 in  
14 the morning all the way through maybe 6:00 at night.

15 I could be off on those times but that's just a  
16 general.

17 MAYOR GHASSALI: We have been talking to  
18 the school, to the bus company, to the rabbi that's in  
19 charge. I know the Police Chief is on, the Captains  
20 are on and we do have someone who goes around there to  
21 do the patrolling. But this has been an on-going  
22 problem for probably a good at least four years now  
23 that I've been involved in this is.

24 So this has to go into account, too. Yes, that  
25 shortcut is a problem.

1 MS. BARTOLI: Thank you. I appreciate  
2 anything that you can have on that. Thank you.

3 MAYOR GHASSALI: You're welcome. We have  
4 Tanya. Good evening, Tanya.

5 MS. PINTO: Hi. Good evening. My name is  
6 Tanya Pinto. And I live on Upper Saddle River Road.  
7 I would just like to echo what the woman just said. I  
8 didn't get her name. I'm sorry.

9 But just today I witnessed at 5 o'clock a large  
10 school bus on the corner of Fox Hill Road and Wren  
11 make a U-turn right in the middle of the street. And  
12 it's extremely concerning not only the speed that they  
13 travel through our street, Upper Saddle River Road to  
14 Fox Hill, that cut thru, I have small children and  
15 they play outside often. That's concerning.

16 But the fact that they're pulling U-turns in the  
17 middle of the road is also extremely concerning and  
18 that these projects it's a heightened concern to  
19 myself.

20 And I would like that addressed, possibly even  
21 blocking roads into Montvale so that it's not used as  
22 a cut thru.

23 I would just like that noted and considered.

24 MAYOR GHASSALI: Noted. Thank you.

25 MS. PINTO: Thank you.

1                   MAYOR GHASSALI: Okay. Anyone else from  
2 the public who wishes to ask any questions? I don't  
3 see any more hands.

4                   I know someone typing the questions, we need you  
5 to raise your hand so you can speak because we are  
6 recording this into the record. If you just type the  
7 question that will just go into the air. I can't see  
8 it and it won't be recorded. And Fran will not be  
9 happy.

10                  Okay. Anyone else from the public wish to ask  
11 any questions? I see none. Going once, twice.

12                  Okay. Motion to close to the public.

13                  COUNCILWOMAN RUSSO-VOGELSANG: So move.

14                  MAYOR GHASSALI: Second? Second, Mr.  
15 Roche.

16                  All in favor.

17                  (Aye)

18                  Mr. Lane, we'll bring you back in here.

19                  Okay. Anything else from the council that  
20 wishes to ask Mr. Hipolit or Mr. Voytus or any,  
21 anything else you want to add to this?

22                  COUNCILMAN ROCHE: Just to be clear, with  
23 the Wegman's, somebody brought up the Wegman's traffic  
24 study earlier. As far as the northbound entrance and  
25 the southbound exit, I just want to be clear. I

1 believe Montvale has already acquired that property in  
2 order to do that.

3 Is that correct?

4 MR. HIPOLIT: So there's property on  
5 Summit Avenue that was part of that development that  
6 was slated for potential of a northbound on ramp on to  
7 the thruway in Montvale so you don't have to head up  
8 that way. The problem is is Montvale has ran into the  
9 same answer Chestnut Ridge is running into with the  
10 Thruway saying we don't necessarily want another on  
11 ramp. We don't want to pay for it.

12 They have told Montvale if you construct another  
13 on ramp northbound, they want it at the current  
14 interchange of 172. They don't want to add another  
15 interchange.

16 They're not, they're not a flexible group, the  
17 Thruway.

18 COUNCILMAN ROCHE: Enforce that issue with  
19 the County and try to get some support from the  
20 County?

21 MR. HIPOLIT: We tried. We lived with  
22 this for six or seven years now. We got County  
23 support, even potentially some State support, people  
24 calling the Thruway Authority, they don't really care.

25 COUNCILMAN ROCHE: Right. But with the

1 Mayor's call tomorrow with the county engineer and  
2 this current development coming on-line, developments,  
3 I'm sorry, coming on-line in Chestnut Ridge, they may  
4 be a little more understanding at this point to our  
5 plight.

6 MR. HIPOLIT: You know what, I don't want  
7 to be a bearer of bad news but they're not very  
8 understanding. It's not the County, it's not the  
9 towns. The Thruway does not care. At least right now  
10 they don't care.

11 MAYOR GHASSALI: I think we do have a case  
12 to go to the State and engage the Governor's office  
13 that this is going to be probably a public safety  
14 issue in the future. We have to bring that up and as  
15 a major issue to the State because they're the ones  
16 who are controlling the Turnpike Authority.

17 We had the plans, we had the plans for the ramp  
18 but if they want to do Exit 172, what they want you to  
19 do is a four loop, north and south. So they have to  
20 acquire all the property. But that's a 15, 20 year  
21 project probably.

22 But I think we're at a point now where we need  
23 to engage the State or legislators to help us with  
24 this. Because this will become, in my opinion, a  
25 public safety issue. Those cars and busses and the

1 students walking and people walking on the streets,  
2 our roads can't handle it the way it is right now.

3 Okay. I have nothing else. Unless you have  
4 anything else, we're going to adjourn.

5 Motion to adjourn.

6 COUNCIL PRESIDENT LANE: So move.

7 COUNCILWOMAN RUSSO-VOGELSANG: Second.

8 MAYOR GHASSALI: Thank you very much for  
9 joining us. I think this was a useful presentation by  
10 Mazer. There's more work to be done on both sides and  
11 more work to be done by us to talk to Chestnut Ridge  
12 Estate and the County and we'll see where this takes  
13 us.

14 Thank you for joining us.

15 COUNCIL PRESIDENT LANE: Thank you, Mayor.

16 COUNCILWOMAN RUSSO-VOGELSANG: Thank you.

17 MAYOR GHASSALI: Good night.

18 (The meeting adjourns.)

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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcription of the videotaped Montvale Mayor and Council meeting as reported stenographically by me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney or counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.

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DONNA LYNN J. ARNOLD, C.C.R.  
LICENSE NO. XI00991  
MY COMMISSION EXPIRES 08/04/2024

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held virtually by Zoom and also held in the Council Chambers and called to order at 7:32PM. 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, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Aiwan; and Deputy Municipal Clerk, Fran Scordo

**ROLL CALL:**

Councilmember Arendacs  
Councilmember Curry  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

**APPOINTMENT:** Environmental Commission Alternate Member - Michelle Zink-Jojic

**ORDINANCES:**

**PUBLIC HEARING ORDINANCE NO. 2021-1495** CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the governing body hereby determines that a 2.5% increase in the budget for said year, amounting to \$290,470.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$406,658.10, and that the CY 2021 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion Introduced for second reading **Ordinance No. 2021-1495** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Roche - All ayes

No Public Comment

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only. - All ayes on a roll call vote

**PUBLIC HEARING ORDINANCE NO. 2021-1496** AN ORDINANCE AMENDING CHAPTER 400, "ZONING," ARTICLE III, "DISTRICTS ESTABLISHED; ZONING MAP," OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO REPLACE AND REESTABLISH THE OFFICIAL ZONING MAP OF THE BOROUGH OF MONTVALE

**WHEREAS**, pursuant to N.J.S.A. 40:55D-32, the Mayor and Council of the Borough of Montvale are authorized and empowered to "by ordinance adopt or amend an official map of the municipality, which shall reflect the appropriate provisions of any municipal master plan"; and

**WHEREAS**, the Borough Engineer has prepared an updated zoning map of the Borough, dated March 9, 2021, which the Borough Council desires to establish as the official zoning map of the Borough; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-32 and -26, upon passage of this Ordinance upon First Reading, it shall be referred to the Borough of Montvale Planning Board for determination as to whether the map prepared by Colliers Engineering & Design dated March 9, 2021, is consistent with the Borough of Montvale Master Plan.

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

**Section 1.** The Zoning Map of the Borough of Montvale, adopted pursuant to Article III, "Districts Established; Zoning Map," of Chapter 400, "Zoning," is hereby replaced by a new map entitled "Zoning Map, Borough of Montvale, Bergen County, NJ," dated March 9, 2021, prepared by Colliers Engineering & Design, which reflects the zoning regulations that are presently effective in the Borough.

**Section 2.** Section 400-16, "Maps," of the Code of the Borough of Montvale is hereby amended by adding the underlined text and deleting the [bracketed] text, as follows:

A. The boundaries are hereby established as shown on the following maps:

- (1) The boundaries of each said district are hereby established as shown on the Zoning Map, Borough of Montvale, Bergen County, New Jersey, prepared by Colliers Engineering & Design dated March 9, 2021, [Maser Consulting, P.A. dated March 24, 2014,] which map accompanies this ordinance and is hereby declared to be a part thereof.

(a) The Zoning Map is hereby amended and supplemented by adding a new AHS District on the list of zoning districts and by graphically amending the Zoning Map to show the following property in the AHS District: Block 1606, Lot 6.]

(2) Road Map, Borough of Montvale, Bergen County, New Jersey prepared by Boswell McClave Engineering dated October 1998.

(3) Drug-Free School Zone, Drunk-Driving-Free Zone and Drug-Free Zone Map, Borough of Montvale, Bergen County, New Jersey prepared by Boswell McClave Engineering dated August 2000.

B. A copy of each of the aforementioned maps is on file in the office of the Borough Clerk.

**Section 3. Planning Board review.**

Upon approval of this Ordinance upon First Reading by the Mayor and Council of the Borough of Montvale, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-32 and -26.

**Section 4. 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 5. Effective date.**

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

**Section 6. 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.

A motion Introduced for second reading **Ordinance No. 2021-1496** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

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

No Public Comment

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only. - All ayes on a roll call vote

**PUBLIC HEARING ORDINANCE NO. 2021-1497 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,270,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,161,900 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**Section 1.** The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein

stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,270,000, and further including the aggregate sum of \$108,100 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,161,900 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<b>A) ADMINISTRATION</b>  1) Purchase of Octagon House (Block 1601, Lot 22), including all related costs and expenditures incidental thereto.	\$900,000	\$857,143	40 years
<b>B) BUILDING DEPARTMENT</b>  1) Purchase of a Iplan table, including all related costs and expenditures incidental thereto.	\$17,000	\$16,190	7 years
2) Acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$38,000	\$36,190	5 years
<b>C) BUILDINGS AND GROUNDS</b>  1) Various improvements to all municipal buildings and grounds, including but not limited to the acquisition of video cameras for the lobby area and stairway, as well as, the upgrade of exterior security cameras at 12 Mercedes Drive, including all work and materials necessary therefor and incidental thereto.	\$50,000	\$47,619	10 years

**BOROUGH OF MONTVALE**

**APRIL 13, 2021**

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
<b>D) FIRE DEPARTMENT</b>			
1) Acquisition of turnout gear, including all related costs and expenditures incidental thereto.	\$35,000	\$33,333	10 years
2) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	\$60,000	\$57,143	5 years
3) Acquisition of Cascade System to fill oxygen tanks, including all related costs and expenditures incidental thereto.	\$50,000	\$47,619	15 years
<b>E) POLICE DEPARTMENT</b>			
1) Acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$55,000	\$52,380	5 years
2) Acquisition of a firearms training simulator, including all related costs and expenditures incidental thereto.	\$10,000	\$9,524	10 years
3) Acquisition of plate reader cameras, including all related costs and expenditures incidental thereto.	\$20,000	\$19,047	10 years
4) Acquisition of squad room furniture, including all related costs and expenditures incidental thereto.	\$15,000	\$14,285	10 years
<b>F) PARKS / RECREATION AND OPEN SPACE</b>			
1) La Trenta Parking Lot improvements and resurfacing, including all work and materials necessary therefor and incidental thereto.	\$500,000	\$476,190	10 years

**BOROUGH OF MONTVALE**

**APRIL 13, 2021**

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<b>G) ROADS</b>  1) Various road improvements, as described in a list in the office of the Clerk, which list is hereby incorporated herein by reference thereto, including all work and materials necessary therefor and incidental thereto.	\$400,000	\$380,952	10 years
<b>H) FIRE PREVENTION</b>  1) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	\$35,000	\$33,333	5 years
<b>I) ENVIRONMENTAL</b>  1) Landscaping improvements to the area around Huff Pond-Memorial Drive, including all work and materials necessary therefor and incidental thereto.	\$25,000	\$23,809	15 years
<b>J) TRI-BORO SAFETY</b>  1) Network upgrade and installation of copper and fiber lines, including all work and materials necessary therefor and incidental thereto.	\$60,000	\$57,143	5 years
<b>TOTALS</b>	<u>\$2,270,000</u>	<u>\$2,161,900</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law.

The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 5.** The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 21.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,161,900, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

**Section 7.** The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

**Section 8.** Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the

event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 10.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion Introduced for second reading **Ordinance No. 2021-1497** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

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

No Public Comment

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Roche; Clerk read by title only. - All ayes on a roll call vote

**INTRODUCTION ORDINANCE NO. 2021-1498** AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2020-1492 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2021

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1498** for first reading was made by Councilmember Koelling; seconded by Councilmember Arendacs, Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Arendacs - a roll call was taken - all ayes

**INTRODUCTION ORDINANCE NO. 2021-1499** AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND READOPTING CHAPTER 292, "PARKS AND RECREATION," ARTICLE IV, "BASKETBALL COURTS," TO REVISE CERTAIN PROVISIONS CONCERNING THE USE OF PUBLIC BASKETBALL COURTS IN THE BOROUGH

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1499** for first reading was made by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken - all ayes

**INTRODUCTION ORDINANCE NO. 2021-1500** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 292 OF THE BOROUGH CODE TO CLARIFY CERTAIN PROCEDURES RELATED TO PERMIT REQUIREMENTS FOR THE USE OF BOROUGH-OWNED FIELDS AND PARKS

(Public Hearing 4-27-2021)

A motion to Introduce Ordinance **2021-1500** for first reading was made by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Roche – all ayes

**No Public Comment**

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

**March 9, 2021**

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

**March 30, 2021**

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Roche – all ayes with the exception of Councilmembers Arendacs and Curry abstaining

**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.

**77-2021 Resolution Supporting S-3522 Creating Local Part of the Public Employees' Retirement System (PERS)**

**WHEREAS**, county, municipal, and other local governments have met their pension obligations as employers for more than a decade while the State of New Jersey has continued to underfund the pension systems in varying degrees since 1996 and thus created one of the worst publicly funded retirement systems in the entire nation; and,

**WHEREAS**, despite fulfilling their fiduciary duties in meeting their pension obligations, local governments across the State will experience double digit percentage increases in total employer pension contributions in 2021 as determined in figures recently published by the Division of Pension and Benefits in the State Department of Treasury; and,

**WHEREAS**, even more alarming for local government employers is the fact that the unfunded accrued liability once again increased in 2021 to a staggering \$26.6 billion for the Public Employee's Retirement System ("PERS") alone, causing in part, a decrease in the funded ratio for the Local Part of PERS to 65.4%, the State Part to 31.2%, and the combined rate to a disconcerting 52.2% far below the target funded ratio of 75.0%; and,

**WHEREAS**, S-3522 would divide PERS into two parts: A State Part for State employees, and a Local Part for all other employees; and

**WHEREAS**, the legislation creates a seven-member board consisting of three labor employee representatives, three management representatives, and one determined by the Board, tasked with operating the retirement system and directing policies and investments to achieve and maintain full funding; and

**WHEREAS**, this legislation is similar to the legislation that separated the Police and Fire Retirement System (P.L. 2018, c. 55) except for the control of investments and that management has an equal representation on the board, which was overwhelmingly supported by the legislature and signed by the Governor; and

**WHEREAS**, S-3522 would protect local governing bodies from the State of New Jersey further directing property taxpayer dollars to subsidize its long mismanagement and underfunding of the pension systems as it would provide the new balanced board of trustees of PERS with the ability to determine or modify member benefits, direct policies and investments to achieve full funding, and serve as fiduciary of the system;

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Montvale does in fact hereby support S-3522, which would establish a new board of trustees for the Local Part of PERS to preserve the structure and integrity of the more solvent Local Part.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to Governor Phil Murphy, Senate President Stephen M. Sweeney, Speaker of the General Assembly Craig Coughlin, Senator Holly Schepisi and Assembly Representative Robert Auth, and the New Jersey League of Municipalities.

**78-2021 Resolution Revising the Borough of Montvale COVID-19 Workplace Safety Plan/Amendment/Travel**

**WHEREAS**, Governor Murphy issued Executive Orders, which provides mandatory health and safety standards to protect all New Jersey's workers at work during the pandemic; and

**WHEREAS**, the Borough of Montvale formally adopting a policy to implement the requirements of these Executive Orders on November 2020 via Resolution No. 185-2020; and

**WHEREAS**, The Borough of Montvale wishes to amend the workplace safety plan related to COVID-19 in accordance with the recommendations of the Center for Disease Control and Prevention "CDC" guidelines pertaining to travel; and

**WHEREAS**, the Borough Administrator and Borough Attorney, have reviewed these recommendations and recommend incorporating these recommendations by reference.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Montvale does hereby endorse and approve the Borough of Montvale COVID-19 Workplace Safety Plan to include this revision when travel is Domestic or International.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**79-2021 Authorize Designation of Public Agency Compliance Officer (P.A.C.O.)/Christine Kalafut**

**WHEREAS**, NJAC 17:27-1.1, regulates equal employment opportunity in the performance of contracts funded by the state; and

**WHEREAS**, NJAC 17:27-3.2 requires that a public agency annually designate a public agency compliance officer who shall be responsible for ensuring the agency's compliance with the regulations;

**NOW, THEREFORE, BE IT RESOLVED** that Christine Kalafut, Borough Treasurer and Qualified Purchasing Agent, is hereby designated as the Public Agency Compliance Officer for Equal Employment Opportunity pursuant to this action.

**BE IT FURTHER RESOLVED** that a copy of this resolution to the New Jersey Department of Treasury, Division of Contract Compliance & Equal Opportunity Office

**80-2021 A Resolution Adopting Revised Rules and Regulations for the Borough of Montvale Police Department**

**WHEREAS**, the Borough of Montvale Police Department is in the process of receiving re-accreditation in order to improve the standards and performance of the Police Department; and

**WHEREAS**, in connection therewith, it has been recommended that the Mayor and Council adopt revised Rules and Regulations governing the operations of the Police Department; and  
**WHEREAS**, the Mayor and Council have reviewed these Rules and Regulations and believe it is in the best interests of the Borough to adopt same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, as the appropriate authority pursuant to *N.J.S.A. 40A:14-118*, that the Rules and Regulations for the Montvale Police Department referenced herein are hereby adopted and shall be effective immediately.

**81-2021 Award Contract McNerney & Associates/Preparation/Appraisal Report/Tax Appeal/Thomas Caleca**

**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 110 Upper Saddle River Road and identified as Block 108 Lot 6 has filed a property tax appeal challenging the Borough's assessment of the property for the 2019, 2020 and 2021 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 April 5, 2021, 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 110 Upper Saddle River Road, at Block 108 Lot 6 in the Borough of Montvale, in accordance with the terms set forth in the April 5, 2021 Proposal attached herein.

**83-2021 Refund Tax Overpayment / Block 2501; Lot 17 / 5 Meadow Lane**

**WHEREAS**, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes; and

**WHEREAS**, the owner of 5 Meadow Lane, Aram Bedrosian, is totally exempt from taxes due to his Veteran status, he received, a Homestead Rebate, from the State of New Jersey, which is applied as a credit towards 2<sup>nd</sup> quarter taxes in the amount of \$411.63; and

**WHEREAS**, a refund in the amount of \$1,547.91 as a pro-rated amount of taxes paid in February due to being totally exempt; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund in the amount of \$1,959.54 to Aram Bedrosian, 5 Meadow Lane, Montvale, NJ 07645

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

**82-2021 Amending Resolution No.48-2021/To Include Fees for Usage of Basketball Courts**

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

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

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

**TIME SCHEDULE FOR SKATING RINK:**

Weekdays:

8:00AM - 2:00PM Pickleball  
 2:00PM - Dusk Roller/Street Hockey

Weekends:

8:00AM - 10:00AM Pickleball  
 10:00AM - 2:00PM Roller/Street Hockey  
 2:00PM - 5:00PM Pickleball  
 5:00PM - Dusk Roller/Street Hockey

<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
<b>30+ Basketball</b>	Sept-May	\$75	\$95
<b>Adult Soccer</b>	10 weeks	\$15	\$20
<b>Golf Instruction- TGA</b>	6 weeks	\$105	\$125
<b>Pickleball Clinic</b>	3 weeks	\$50	\$65
<b>Pickleball Clinic Drop In Fee</b>	1 class	\$20	\$25
<b>Pickleball Program</b>	January-May	\$50	\$75
<b>Summer Camp: Grades 1-5</b>	4 weeks	\$348 per child \$1044 family max	\$408 per child \$1224 family max
<b>Adventure Camp: Grades 6-7</b>	4 weeks	\$450 per child	\$510 per child
<b>Summer Camp Resident/Non-Resident</b>	\$30 Additional Fee after Registration Period. \$25 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
<b>Extended Day Multisport Camp by TGA</b> During Summer Camp Weeks Only	1 week (2:30-6:30pm)	\$220	\$250
<b>Multisport Camp by TGA</b> After Summer Camp Weeks Conclude and/or During School Breaks	1 week (Half Day)	\$245	\$255
	1 week (Full Day)	\$295	\$305

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	1 week (Full Day + After Care)	\$375	\$395
<b>TaeKwon-Do</b>	8 weeks (@ 2 classes per week)	\$120	\$180
<b>Tai Chi</b>	8 weeks	\$80	\$100
<b>Montvale Senior Club Tai Chi Discount:</b>	8 weeks	\$40	\$40
<b>Tennis Lessons</b>	6 weeks	\$80	\$120
	5 weeks	\$65	\$100
<b>Tennis Badges</b>			
Adult (Ages 18-61)	March-December	\$30	\$60
Child (Ages 17 & Younger)	March-December	\$10	\$20
Family Max	March-December	\$50	\$100
Seniors (Ages 62 & Up)	March-December	Free	\$10
		\$10 Fee for Replacement Tennis Badge	
<b>Basketball Badges</b>			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		\$5 Fee for Replacement Basketball Badge	
<b>Ultimate Frisbee by TGA</b>	6 weeks	\$60	\$80
<b>Volleyball- Adult</b>	January-May	\$50	\$80
<b>Volleyball- Girls</b>	8 weeks	\$80	\$75
<b>Yoga</b>	8 weeks	\$80	\$100
<b>Yoga Mini Session</b>	4 weeks	\$40	\$100
<b>Youth Theater</b>	September-December	\$10	\$50

**WHEREAS**, Borough Owned Recreational Fields and Facilities shall be scheduled by the Borough of Montvale Field Coordinator; and

**WHEREAS**, Montvale Athletic League ("MAL"), Montvale Recreation and Pascack Hills High School shall have first priority field scheduling use and shall provide a schedule to the Field Coordinator no later than February 1 and June 1 for the respective Spring and Fall seasons.

**WHEREAS**, MAL, Recreation, Pascack Hills High School and churches are exempt from payment of fees relating to field use.

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<u>Facilities</u>	<u>Fee</u>	<u>Resident Team/Corporation</u>	<u>Non-Resident Team/Corporation</u>
<b>Ballfields:</b> Baseball or Softball (Memorial, Fieldstone or LaTrenta)	Per Hour Per Field (2 hour minimum)	\$25	\$50
<b>Turf Fields:</b> Soccer or Lacrosse (Fieldstone)	Per 2 Hour Time Slot Per Field	\$75 (full field) \$50 (half field)	\$150 (full field) \$100 (half field)
<b>Basketball Courts:</b> (Memorial)	Per Hour: Court #2 Only	\$25	\$50
<b>Tennis Court Group Reservation</b> (Memorial or LaTrenta) *Two court maximum reservation at any one location	Per Day	\$25	\$50
<b>Corporation Event Field Reservation</b> (1 scheduled day plus 2 rain dates)	Per Day	\$200	\$400

**Field and Facility Permit Regulations**

MAL endorsed programs in sports that are not offered by MAL, and which have Montvale residents participating, shall be charged the resident fee for field use.

**Resident Corporation:** Any company that owns or leases commercial within the borough.

**Non-Resident Corporation:** Any company that does not own or lease commercial space within the borough.

**Residential Team:** Any athletic team comprised of at least 75% of its roster with Montvale residents.

**Non-Residential Team:** Any team not having at least 75% of its roster filled with Montvale residents.

**Time Slot:** An uninterrupted 1 or 2 hour time period or any part thereof, that a field/facility is being used by an approved team.

**Corporate Fees:** Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

**Season:** Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

Field/Facility users who provide 7 days or more notice of changes in their scheduled use can receive a time credit if the scheduled hours are decreased. Any changes in field schedules without 7-day notice will not receive a time credit for unused field time. Time credits are only valid for the existing season and the following season.

Field/facility users applying for 50 or more field hours per season will be billed by their total sum of hours.

Payment is required prior to use on all fields or no field use will be granted.

Once field use requests are received in full by February 1<sup>st</sup> for Spring season and June 1<sup>st</sup> for Fall season, field use will be established with the following order of preference:

1. Montvale Athletic League, Recreation and Pascack Hills High School
2. Resident: Not-For-Profit Entity
3. Resident: For Profit Entity
4. Non-Resident: Not-For-Profit Entity
5. Non-Resident: For-Profit Entity

**WHEREAS**, it is the Borough of Montvale's intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.

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

Borough Attorney, Joe Voytus, gave a brief explanation, this resolution is a result of the ordinance that was introduced this evening. It separates the court into a resident only court and an open court that would be for residents and non-residents. What this resolution will do, it will allow for organizations and/or teams to reserve open court play, this resolution includes the fees to do so.

**84-2021 A Resolution Establishing Rules and Regulations for the Basketball Courts**  
**Montvale Basketball Courts**

**Accessibility**

1. Prior to use of the basketball courts, all residents and non-residents must first obtain an annual badge in accordance with the below fee schedule.
2. Annual Badges must be obtained from Montvale Borough Hall during normal operation hours; Monday-Friday 8:30AM-4:30PM.
3. All residents are eligible for an annual badge granted the below rules/regulations are followed. One family member can apply on the behalf of all family members residing within the same household. Residents will receive one badge per family member. All badge users must be listed on the application form. Badges are non-transferable and non-refundable.
4. Non-Residents may apply on behalf of all family members residing within the same household, but the below fees will apply to each individual listed.
5. Season commencing January 1<sup>st</sup> – December 31<sup>st</sup>.
  - a. All non-resident badges will expire each year on December 31<sup>st</sup>. Non-residents must obtain a new badge each year.
  - b. Resident badges do not need to be renewed each year.

**Rules and Regulations**

1. Badges must be worn in a visible location at all times while on the basketball courts.
  - a. Upon request by a Police Officer, Recreation Director, or other Borough official, officer or employee, members must present their badge.
  - b. Any person who shall fail upon request to produce a valid badge (or permit, where applicable) shall immediately leave the court. Failure to immediately leave the court under such circumstances shall be deemed a violation of these rules and regulations.
2. Court 1 shall be strictly reserved for Montvale residents with badges.
3. Court 2 may be used by resident and non-resident badge holders alike.

4. Court 2 can be reserved, on a limited basis, by obtaining a permit from the Field Coordinator. Permit applicants are subject to additional rules and regulations stated within the permit application.
5. All sporting activities conducted by leagues, organizations, teams, trainers or coaches must obtain a permit for court time from the Field Coordinator prior to use.
6. Profane, loud, threatening, insulting, indecent and abusive language is prohibited.
7. Amplifiers for music shall not be unreasonably loud.
8. All trash and recycling shall be placed in proper receptacles. Users shall leave the facility in the same condition in which it was found, or better.
9. On-court play shall be limited to 60 consecutive minutes (aside from permit holders). Play may continue thereafter until others appear to exercise their playing privileges, in which event such players then on the court shall immediately retreat therefrom. Replay shall be allowed upon a player's positioning his or herself last in consecutive order of those waiting to play upon expiration of a player's court time.
10. Violations of the above rules/regulations can result in a fine and/or forfeiture of an annual badge for a period of one year and may additionally affect the ability to obtain a badge in future years.

**Fee Schedule**

**Resident**

**Non-Resident**

Adult (Ages 13 & up)- Free per badge

Adult (Ages 13 & up)- \$25

Child (Ages 12 & under)- Free per badge

Child (Ages 12 & under)- \$15

Seniors (Ages 62 & up)- Free \$10 per badge

Seniors (Ages 62 & up)-

Replacement Badge- \$5 per badge badge

Replacement Badge- \$5 per

**Borough Code Chapter 292 Article 4**

- c. Any persons who shall violate any provision of this Chapter or the rules and regulations promulgated hereunder shall be subject to suspension of membership for a period of one year from the date of conviction of a violation thereof.
- d. Penalties. Any person who shall violate the provisions of this Chapter shall be subject to a fine of not less than \$100.

The Municipal Court shall have jurisdiction to impose sanctions for violations of this ordinance.

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

Borough Attorney, Joe Voytus, explained that this resolution coincides with the ordinance and prior resolution establishing a badge system to use the basketball courts

**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 - March

**COMMITTEE REPORTS:**

**Council President Lane**

**Fire Dept**

16 fire calls; 2 drills; 3 extra credits and 1 meeting; total for the first quarter of this year 62 fires, 2 drills, 1 Chiefs call , 9 extra credits and 3 meetings. The department helped out with two major fires this past month, the Sony building in Park Ridge and the tragic fire in Spring Valley.

**Finance**

Will be adopting the budget on May 11- looking for resident participation

**Diversity Committee**

Busy month. Partnered with the Girl Scouts for a virtual world thinking day. Completed the ultimate challenge for Woman's History Month. For World Autism Day, the committee asked the residents to share an act of kindness. Ramadan starts today, April 13, the committee will be collecting donations of non-perishable foods and hygiene products to be donated to the Food Pantry.

**Councilmember Roche**

**Environmental Commission**

The dredging of Huff Pond began on March 15; looking for donations of plantings for the trail and for screening by recycle center; the Treks program, collected 1,074 pounds of plastic bags received another bench; had 110 volunteers for clean-up day. Congratulations to the new member of the commission Michelle Zink-Jojic

**Special Events/Recreation**

Recreation is currently seeking adult or high school volunteers to assist in the planning and coordinating of Montvale's annual events such as Day In The Park, the Halloween Carnival, the Christmas Tree Lighting, the Spring Fling and more! To join the Special Events Committee , please call 201-391-5700 ext. 251 or email [MontvaleRecreation@montvaleboro.org](mailto:MontvaleRecreation@montvaleboro.org) for more information.

The committee is currently working on setting dates for 2021's community events. The committee is tentatively planning for outdoor movie nights, a fishing tournament, Day in the Park, the Halloween Carnival, the Christmas Tree Lighting and the Menorah Lighting Ceremony. Spring Programs are Yoga, Tai Chi, Tennis Lessons, Golf Lessons, and Ultimate Frisbee

Registration for Summer Camp procedures and dates for will be announced by this Friday, April 16.

**MAL**

All coaches must fully complete a criminal history background check before they can begin coaching for the Spring season. Please email [backgroundchecks@montvaleboro.org](mailto:backgroundchecks@montvaleboro.org) for instructions on how to do so.

**Chamber of Commerce**

Street Fair is scheduled for October 17; new website;

**Regional BOE**

Appointed a new Athletic Director, Mr. Papa; Coach Alexander from the football team resigned, he will still be the History teacher; K-8 will return to in-person classes

**Councilmember Curry**

**Seniors**

Some programs have begun, Bocce Ball, Corn hole, exercise classes to name a few;

**Library**

Go to website for programs; the reading garden needs to be looked at by Chris Gruber for some repairs

**Councilmember Russo-Vogelsang**

**Construction**

No report at this time

**Economic Development Committee**

Meeting is scheduled for tomorrow

**Local BOE**

April 19<sup>th</sup> phase II – 5 days for in person learning and will still offer virtual for students as well

**Historic Prevention Committee**

Their meeting will be re-scheduled

**Councilmember Arendacs**

**DPW**

Spring clean-up has begun with the ball fields, the center of town clean-up along with patching pot holes and street cleaning;

**Engineering**

Out for bid for bocce courts; Grand Ave and Mercedes Drive signal will be modified by the County; 2021 road program is waiting for the budge to be approved. LaTrenta field is now open.

**Councilmember Koelling**

**Police**

Monthly report included in original minutes;

**BOH**

Meeting scheduled for May 3

**MAYOR**

Wishing all who is celebrating Ramadan; Town Hall meeting is scheduled for April 15 to discuss the new legislation on cannabis; April 24 at 4pm will be having the Armenian Genocide memorial at Huff Pond; thanked Bob Hanrahan, the Environmental Commission and all the volunteers for efforts with clean-up day; the Tri-boro Memorial Day Parade will be cancelled this year but Montvale will be doing something, we are working on the details; COVID is still here, more variants, Montvale has 35 new positive cases to date which brings the total positives for this year to 169. Last year totals were 244 positives.

**ENGINEER'S REPORT:**

Andrew Hipolit  
Report/Update

a. Various Streets – Montvale FY 2021 Municipal Aid Program Award

Received noticed that Montvale will be awarded \$210,000 DOT Grant for Craig Road, this will be for the year 2022.

**ATTORNEY REPORT:**

Joe Voytus, Esq.  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

None

**MEETING OPEN TO THE PUBLIC:**

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

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

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

Carolee Adams

Thanked the Montvale police department for providing traffic control to the Montvale Evangelical Church for their Easter Experience drive through; Suez has been sold to a large French company, suggested that the Mayor's association should have a conversation the BCUA regarding this; asked at the last meeting what is the percentage of taxes that goes to the schools; Pascack Hills HS meeting there was a discussion about having a demographic study performed, Ms. Adams feels it is premature to do a study without the numbers from all the new developments in town. The month of May is bicycle safety month, encouraged that the borough can do something for bicycle month.

Councilmember Lane answered the question regarding what percentages of taxes are for the schools, The municipal portion is 24.6%, the county is 11.3%, open space is .02% the local school is 35% and the high school is 28.8%. The total percentage of school tax is about 64% of your property tax bill.

Frank DiPalma

Will the dredging of Huff Pond be completed in time for the fishing tournament; mentioned that the PBA would like to help out and stock the pond; we were able to recover from FEMA \$113,967 for COVID expenses; next we are working on to recover funds for Tropical Storm Isaias.

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 Koelling; seconded by Councilmember Roche  
- all ayes  
Meeting was adjourned at 8:24pm

Next Meeting of the Mayor & Council will be on April 27, 2021

**BUDGET INFORMATION**

May 11, 2021 Adoption – Public Hearing (Budget Presentation)

**ZOOM information is as follows:**

Topic: M&C Meeting

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone

1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

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

DRAFT

**SPECIAL PUBLIC MEETING ON CANNABIS LEGISLATION**

**MINUTES**

The Public Meeting of the Mayor and Council was held virtually by Zoom and also 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.

**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; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

**ROLL CALL:**

Councilmember Arendacs  
Councilmember Curry  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

Mayor Ghassali started the meeting by saying this is an informal meeting and would like to hear concerns that you might have. The process of the ordinance is as follows: First Reading will be on April 27, then it goes to the Planning Board for their recommendations on May 4, then back to council for final vote on May 25. The public will have at least two more times possibly three to voice their concerns and or comments.

Mayor Ghassali asked councilmembers for their opening comments and they all agreed that they are interested in hearing what the public has to say. Mayor Ghassali agreed with councilmembers and added that at the last election in November 2020 65% of Montvale residents voted yes to legalize recreational marijuana

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

**Approximately 20 or so residents spoke, there were approximately 65 residents on the zoom call and several in person.**

**Comments and/or Concerns:**

- Need to look into potential revenue for the town whether it be medical, distribution or research
- A lot of the tax revenue goes to the State, how will it be disbursed to the towns
- Don't put your heads in the sand, people are getting it illegally now
- What if surrounding towns have retail shops, Montvale residents will go there and then bring it back into Montvale
- Montvale is the crown jewel, let's keep it that way
- How will we police it?
- The assumption is evil, if we sell it in our town, we sell vape products, cigarettes and alcohol. It is a myth that marijuana is a gateway drug

- You are not going to prevent people from using it
- No to retail shops
- Add more programs in the schools, educate the students
- Studies have shown that marijuana use in adolescence leads to stronger drug use
- Drugs have affected so many families, prefer not to have it in Montvale
- What about having it at the County level
- Do you have any data from other states about pot related crimes
- Have you spoken to our current business owners to get their opinions
- Would licenses have to be issued
- Try to get data from other states
- Put people before profit
- The medical facilities have to provide their own security and you must show a medical card to enter the facility

**Councilmember Comments and/or Concerns:**

- It's a cash business, concerned about policing, crime
- Do we have to issue licenses
- We are not hear to judge anyone
- Long lines at facilities, pedestrian safety
- We need to do more research
- We are not looking to rush into making any decisions
- Is home grown legal
- Thanked everyone for all their comments

Joe Voytus, Borough Attorney, made some final comments to some concerns from earlier discussions. The State has given the municipalities until August 22 to opt out. The Commission has yet to determine the regulations that municipalities need to follow. If you don't opt out you are stuck for five years. If you opt out now you have the ability to opt in at a later date in the future.

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

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

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 85-2021**

**RE: Authorize Refund of Recreation Program / Golf Lessons**

**BE IT RESOLVED**, the below individual is hereby granted a refund for Golf Lessons for online registration to Ann Marie Stout, 21 Raymond St., Harrington Park, NJ 07640 in the amount of \$239.65

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 86-2021**

**RE: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO SIGN THE NJDEP WQM-003 STATEMENT OF CONSENT FORM FOR METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 91 SPRING VALLEY ROAD - TREATMENT WORKS APPROVAL (TWA) APPLICATION.**

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

**WHEREAS**, the Borough of Montvale owns and operates their wastewater conveyance system that the property owner METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, (for property located at 91 Spring Valley Road) is proposing to connect for sanitary sewerage disposal;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough's sanitary sewer system has adequate capacity;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough's Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

**WHEREAS**, the Borough's Mayor and Council has considered this recommendation;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for the application by the owner, **METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 91 SPRING VALLEY ROAD.**

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

400 Valley Road  
Suite 304  
Mt. Arlington New Jersey 07856  
Main: 877 627 3772



Engineering  
& Design

April 13, 2021

Maureen Iarossi-Alwan  
Borough Clerk/Administrator  
Borough of Montvale  
12 Mercedes Drive  
Montvale, NJ 07643

**Re: TWA Application**

Metropolitan Home Development at Werimus, LLC  
91 Spring Valley Road  
Block 403 & 1103, Lots 1 & 5  
Montvale, Bergen County, NJ  
Colliers Engineering & Design Project No. MVP-529

Dear Ms. Iarossi-Alwan,

The subject Applicant requires NJDEP Treatment Works Approval (TWA) permit approval to generate sewer flow and connect their proposed development to the municipal sewer system for the above-referenced project.

We have reviewed the Applicant's TWA submission and take no exception to the submitted documents.

We recommend that the Borough Council approve a Resolution (see attached draft) granting the Borough the authority to sign the Statements of Consent (Form WQM-003), which is required prior to submission of the TWA to BCUA and the NJDEP.

Thank you for your kind attention in this matter. Please do not hesitate to contact me, should you have any questions.

Sincerely,

Colliers Engineering & Design

A handwritten signature in black ink, appearing to read "Andrew Hipolit".

Andrew Hipolit, PE, PP, CME, CFM, CPWM  
Borough Engineer - Discipline Leader

ARH/cd/lb

Maser Consulting is now Colliers Engineering & Design

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 87-2021**

**RE: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO SIGN THE NJDEP WQM-003 STATEMENT OF CONSENT FORM FOR METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 55-61 MAGNOLIA AVENUE - TREATMENT WORKS APPROVAL (TWA) APPLICATION.**

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

**WHEREAS**, the Borough of Montvale owns and operates their wastewater conveyance system that the property owner METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, (for property located at 55-61 Magnolia Avenue) is proposing to connect for sanitary sewerage disposal;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough's sanitary sewer system has adequate capacity;

**WHEREAS**, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough's Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

**WHEREAS**, the Borough's Mayor and Council has considered this recommendation;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for the application by the owner, **METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 55-61 Magnolia Avenue, Montvale, New Jersey.**

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

400 Valley Road  
Suite 304  
Mt. Arlington New Jersey 07856  
Main: 877 627 3772

April 21, 2021

Maureen Iarossi-Alwan  
Borough Clerk/Administrator  
Borough of Montvale  
12 Mercedes Drive  
Montvale, NJ 07643

**Re: TWA Application**

Metropolitan Home Development at Werimus, LLC  
55-61 Magnolia Avenue  
Block 603, Lots 34, 35 & 36  
Colliers Engineering & Design Project No. MVP-579

Dear Ms. Iarossi-Alwan,

The subject Applicant requires NJDEP Treatment Works Approval (TWA) permit approval to generate sewer flow and connect their proposed development to the municipal sewer system for the above-referenced project.

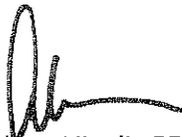
We have reviewed the Applicant's TWA submission and take no exception to the submitted documents.

We recommend that the Borough Council approve a Resolution (see attached draft) granting the Borough the authority to sign the Statements of Consent (Form WQM-003), which is required prior to submission of the TWA to BCUA and the NJDEP.

Thank you for your kind attention in this matter. Please do not hesitate to contact me, should you have any questions.

Sincerely,

Colliers Engineering & Design



Andrew Hipolit, PE, PP, CME, CFM, CPWM  
Borough Engineer - Discipline Leader

ARH/cd/lb

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 88-2021**

**RE: Authorize Hiring / Part Time on Call / Crossing Guard / Gail Eastlake**

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

**WHEREAS**, Gail Eastlake has met the qualifications for this position, agrees to the terms and conditions of employment; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above-named individual is hereby appointed to the position of Part-time on Call Crossing Guard, effective April 28, 2021.

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 89-2021**

**RE: Authorize Release of Escrow / Wilf Law Firm, LLP / Apple Hill Estates/Block 402, Lot 19.02**

**WHEREAS**, Wilf Law Firm, Apple Hill Estates with offices located at 820 Morris Turnpike, Suite 201, Short Hill, NJ 07078 have requested release of escrow posted for Block 402, Lot 19.02; and

**WHEREAS**, the Borough Engineer and other Borough professionals take no exception to the release; and

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale hereby release to Wilf Law Firm in the amount of \$78.50; and

**BE IT FURHTER RESOLVED**, the Treasurer shall receive a copy of this resolution for processing.

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 90-2021**

**RE: Award Professional Service Contract /Engineering Services /2021 NJDCA Local Recreation Improvement Grant Application/Restroom Trailer Facility Fieldstone Fields**

**WHEREAS**, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepared a declaration of Intent To apply and all other related requirements for the submission of the 2021 NJDCA Local Recreation Improvement (LRIG) for the purposes of a proposed restroom facility at Fieldstone Fields, 47 Spring Valley Road, Montvale, NJ; 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, Mt. Arlington, NJ 07856 has submitted a proposal dated April 22, 2021 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: Preparation of the grant application to the NJDCA Local Recreation Improvement Grant
- 3) The cost not to exceed shall be \$5,000.00 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.

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

**Adopted: April 27, 2021**

ATTEST:

APPROVED:

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

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

Account:  
Not To Exceed \$5,000.00

400 Valley Road  
Suite 304  
Mt. Arlington New Jersey 07856  
Main: 973 810 0006



Engineering  
& Design

## Client Authorization Form

**Date:** April 22, 2021  
**Client:** Borough of Montvale  
**Project name:** NJDCA Local Recreation Improvement Grant  
**Phase name:** Grant Application  
**Colliers Engineering & Design project no.:** MVB-0025

We request your review and authorization of services as outlined below in order to proceed:

**Services requested by:** Maureen Iarossi-Alwan, Borough Administrator

**Description of service contract scope:**

Colliers Engineering & Design, Inc. (DBA Maser Consulting) proposes to provide the following service(s):  
Preparation of a grant application to the NJDCA Local Recreation Improvement Grant (LRIG). Full Applications are due May 24, 2021.

The proposed project includes restroom facilities at Fieldstone.

This effort includes completion of the required NJDCA SAGE application form, scoping of the proposed project, preparation of a cost estimate, draft resolution; correspondence and coordination with the Borough as necessary; and, correspondence with the appropriate representative at the NJDCA.

**The Business Terms and Conditions of the original contract shall still apply.**

Services outline above shall be invoiced:

Per diem/hourly

Estimated Budget = \$ 5,000.00

Lump sum

Fee = \$ \_\_\_\_\_

I (we) hereby authorize the services to proceed as outlined above:

Client Authorization Form prepared by:

Andrew Hipolit

\_\_\_\_\_  
Signer's Name (Print)

\_\_\_\_\_  
Project Manager's Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Project Manager's Signature

4/22/2021

Please sign the form where indicated & email or mail to Colliers Engineering & Design for our records.

Maser Consulting is now Colliers Engineering & Design

Accelerating success.

**BOROUGH OF MONTVALE  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 91-2021**

**RE: A Resolution Amending Resolution No. 95-2020 Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MontVale Studio Management, Content Production and Related Services**

**WHEREAS**, the Borough of Montvale on May 12, 2020 awarded a contract to Media Consultants, LLC to engage the services of a professional and reputable company to manage, create content and provide related services concerning the MontVale Studio in order to better serve Borough officials and residents; and

**WHEREAS**, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as "extraordinary unspecifiable services"; and

**WHEREAS**, the Borough has received these services and the scope of the work has changed due to the need to have additional meeting coverage from Media Consultants, LLC (the "MC Proposal") on Zoom for the workshop session held the last Tuesday of each month. This Mayor & Council meeting was not included in the original contract proposal and scope of work with Media Consultants. Media Consultants demonstrates the expertise and proven reputation in the specialty of television studio management, content production and related services which is essential during this time of the global pandemic; and

**WHEREAS**, the Council is therefore desirous in amending the contract to Media Consultants, LLC to perform the additional related services for an additional amount of \$4,000; and

**WHEREAS**, because the value of this contract exceeds the Borough's applicable pay-to-play threshold, it shall be awarded pursuant to the "alternative" provisions of *N.J.S.A. 19:44A-20.4, et seq.*, and Media Consultants has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Media Consultants, LLC for of television studio management, consent production and related services, for the prices and on the terms set forth in the Proposal submitted by Media Consultants, LLC entitled "Borough of MontVale Studio Management Proposal" for the Borough of Montvale which is hereto attached to the original of his resolution.

**BE IT FURTHER RESOLVED** that the pricing for this contract shall be for a total increase of \$4,000 for a total contract amount of \$46,328.00 the term of one (1) year to commence April 27<sup>th</sup> 2021 for one year.

**BE IT FURTHER RESOLVED** that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this amended contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

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

**Adopted: April 27, 2021**

ATTEST:

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

APPROVED:

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

Amount \$4,000 increase total amount \$46,328.00  
Account: Cable TV

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:

<u>FUND</u>	<u>AMOUNT</u>	<u>NOTES</u>
Current	\$200,889.05	Bill List Wire 4/27/2021
	<u>291,931.20</u>	Wires/Manual Checks
Current TOTAL	492,820.25	
Escrow	9,084.50	Bill List Wire 4/27/2021
Housing Trust	628.50	Bill List Wire 4/27/2021
General Trust	386.00	Bill List Wire 4/27/2021

*This resolution was adopted by the Mayor and Council of Montvale at a meeting held on 4/27/21*

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

Approved: 4/27/21

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

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

ATTEST:

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

**MANUAL/VOID CHECKS - WIRES**  
**April 27, 2021**

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Transaction/Vendor</u>	<u>Amount</u>
WIRE		4/13/21	Payroll Account-Current	184,922.30
WIRE		4/13/21	Salary Deduction Account	107,612.90
WIRE		4/13/21	FSA Account	30.00
019135		4/19/21	Rutgers, voided check	(634.00)
<b>Total</b>				<hr/> 291,931.20

P.O. Type: All  
Range: First to Last  
Format: Condensed

Open: N Paid: N Void: N  
Rcvd: Y Held: Y Aprv: N  
Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>00019 MUNICIPAL CAPITAL CORPORATION</b>								
	21-00045	01/06/21	WIDE FORMAT COLOR COPIER	Open	444.00	0.00		B
	21-00046	01/06/21	COPY MACHINE LEASE - MAILROOM	Open	399.00	0.00		B
	21-00047	01/06/21	COPY MACHINE LEASE - POLICE	Open	179.00	0.00		B
					<u>1,022.00</u>			
<b>000920 FORD MOTOR CREDIT COMPANY</b>								
	20-01549	12/09/20	TWO-2021 DODGE CHGR POLICE VEH	Open	19,668.38	0.00		
<b>00097 CABLEVISION</b>								
	21-00453	04/05/21	07873-240495-01-5 CABLEVISION	Open	21.04	0.00		
	21-00454	04/05/21	07873-240495-01-5 CABLEVISION	Open	101.23	0.00		
	21-00488	04/13/21	07873-204461-01-0 CABLEVISION	Open	135.45	0.00		
	21-00489	04/13/21	07873-109890-01-7 CABLEVISION	Open	211.78	0.00		
					<u>469.50</u>			
<b>00112 MONTVALE SENIOR CLUB</b>								
	21-00436	04/02/21	MONTVALE SR.CLUB INVOICE 2021	Open	3,564.00	0.00		
<b>00113 FEDICK, ANDREW</b>								
	21-00481	04/08/21	REIMB CLOTHING ALLOW FEDICK	Open	424.95	0.00		
<b>00116 VERIZON</b>								
	21-00434	04/01/21	651-285-414-0001-73 VERIZON	Open	289.11	0.00		
<b>00125 NORTHWEST BERGEN REGIONAL</b>								
	21-00251	02/11/21	2021 HEALTH SERVICES	Open	5,083.34	0.00		B
<b>00146 PSE&amp;G CO.</b>								
	21-00517	04/19/21	PSE&G CO.- FEBRUARY/MARCH 2021	Open	3,971.29	0.00		
<b>00151 LAMENDOLA, BRIAN</b>								
	21-00459	04/06/21	REIMB CLOTHING ALLOWANCE	Open	352.07	0.00		
<b>00173 NEWELL, JOHN</b>								
	21-00447	04/05/21	REIMB CLOTHING NEWELL	Open	148.53	0.00		
<b>00236 JENSEN, ROBERT C &amp; MAIREAD M</b>								
	21-00433	04/01/21	ENVIRONMENTAL COMM BANNERS	Open	120.00	0.00		
<b>00258 ROCKLAND ELECTRIC COMPANY</b>								
	21-00475	04/08/21	ROCKLAND ELECTRIC - MARCH 2021	Open	5,473.16	0.00		
<b>00332 ZAGAJA, MACIEJ</b>								
	21-00480	04/08/21	REIMB OUTER CARRIER	Open	228.25	0.00		
<b>00426 TREASURER, STATE OF NEW JERSEY</b>								
	21-00466	04/07/21	QRTLQ REPORT JAN - MARCH 2021	Open	150.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00497 LEVITZKI, ANN	21-00149	01/20/21	2021 COURT - CELL PHONE	Open	62.40	0.00		B
00554 BERGEN MUNI.EMPL.BENEFITS FUND	21-00176	01/25/21	2021 HEALTH BENEFITS	Open	56,870.00	0.00		B
00730 BOGGIA & BOGGIA, ESQS.	21-00116	01/13/21	2021 LEGAL FEES	Open	12,706.10	0.00		B
00731 MASER CONSULTING P.A.	20-01073	09/02/20	AFFORDABLE HOUSING 2020 SVCS	Open	478.50	0.00		B
	21-00344	03/09/21	MUNICIPAL ENGINEERING REIVEW	Open	670.00	0.00		
	21-00345	03/09/21	MUNICIPAL ENGINEERING REVIEW	Open	30.00	0.00		
	21-00347	03/10/21	MUNICIPAL PLANNING REIVEW	Open	709.50	0.00		
	21-00348	03/10/21	MUNICIPAL ENGINEERING REIVEW	Open	1,400.00	0.00		
	21-00350	03/10/21	MUNICIPAL ENGINEERING REIVEW	Open	356.00	0.00		
	21-00351	03/10/21	MUNICIPAL PLANNING REVIEW	Open	1,951.50	0.00		
	21-00353	03/10/21	MUNICIPAL ENGINEERING REVIEW	Open	1,157.00	0.00		
	21-00358	03/11/21	MUNICIPAL PLANNING REIVEW	Open	1,060.50	0.00		
	21-00360	03/12/21	MUNICIPAL ENGINEERING REVIEW	Open	1,068.00	0.00		
	21-00362	03/12/21	MUNICIPAL ENGINEERING REVIEW	Open	<u>1,068.00</u>	0.00		
					9,949.00			
00769 URBAN AUTO SPA	21-00484	04/09/21	CAR WASH AND OIL CHANGE SRVC.	Open	13.00	0.00		
00793 CAMPBELL FIRE PROTECTION INC.	21-00342	03/09/21	KITCHEN FIRE SUPPRESSION TEST	Open	248.50	0.00		
00801 WESTPHAL WASTE SERVICES, INC.	21-00180	01/25/21	2021 GARBAGE COLLECTION	Open	65,833.33	0.00		B
00830 LINDA VISTA TOWNHOUSES CONDO.	21-00266	02/17/21	HOMEOWNER ASSOC FEE ASSISTANCE	Open	100.00	0.00		
00896 GIAMMARINO, MICHAEL	21-00027	01/04/21	2021 INTERPRETING SERVICES	Open	150.00	0.00		B
00998 EJG SPORTS LLC	21-00495	04/14/21	LATRENTA FIELD BASES	Open	418.00	0.00		
01063 SUMMIT RIDGE CONDOMINIUM	21-00381	03/18/21	HOMEOWNER ASSOC FEE ASSISTANCE	Open	50.00	0.00		
01067 POLICE TRAFFIC OFFICERS'	21-00369	03/17/21	PD 2021 ANNUAL MEMBERSHIP DUES	Open	250.00	0.00		
01134 RESERVE ACCOUNT	21-00127	01/14/21	2021 POSTAGE METER REFILL	Open	800.00	0.00		B
	21-00401	03/23/21	COURT POSTAGE - 1ST QTR. 2021	Open	<u>718.38</u>	0.00		
					1,518.38			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01156 DIRECT ENERGY BUSINESS	21-00486	04/12/21	DIRECT ENERGY BUSINESS - MARCH	Open	2,144.11	0.00		
01330 GHASSALI, MICHAEL	21-00477	04/08/21	RECORD SUBSCRIPTION - DIGITAL	Open	69.00	0.00		
	21-00487	04/12/21	ZOOM VIDEO COMM. 4/12-5/11/21	Open	<u>127.95</u>	0.00		
					196.95			
01368 ROBALINO, ERIC	21-00482	04/08/21	REIMB CLOTHING ALLOW ROBALINO	Open	594.72	0.00		
01443 FOUR SEASONS AT RIDGEMONT	20-01209	10/02/20	2020 SNOW & STREET LIGHTING	Open	1,116.00	0.00		
01702 MEDIA CONSULTANTS LLC	20-00741	06/29/20	MONTVALE STUDIO MANAGEMENT	Open	10,582.00	0.00		B
01746 STREET COP TRAINING LLC	21-00385	03/18/21	IVORY TOWER TRAINING	Open	597.00	0.00		
	21-00386	03/18/21	PD TRAINING FOLEY IVORY TOWER	Open	<u>199.00</u>	0.00		
					796.00			
01760 UNITED PARCEL SERVICE	21-00483	04/09/21	F047X6 UPS - FEB/MARCH 2021	Open	156.69	0.00		
01833 MCGEE, HEATHER (PETTY CASH)	21-00527	04/21/21	PD REIMB PETTY CASH	Open	172.72	0.00		
01859 ATLANTIC UNIFORM CO.	21-00170	01/21/21	PD INITIAL BULLET PROOF VESTS	Open	2,224.60	0.00		
01949 AT&T MOBILITY	21-00444	04/05/21	PD PATROL PHONES	Open	716.44	0.00		
01956 BLUE 360 MEDIA LLC	21-00450	04/05/21	NJ CRIMINAL LAW & VEHICLE	Open	159.12	0.00		
02408 MCDOWELL, DOUGLAS	21-00458	04/06/21	REIMB SPEED SIGN BATTERY	Open	79.97	0.00		
02426 VERIZON WIRELESS	21-00485	04/09/21	242317487-00001 VERIZON	Open	491.88	0.00		
02757 TYCO ANIMAL CONTROL SERVICES	21-00119	01/13/21	2021 ANIMAL CONTROL SERVICES	Open	875.00	0.00		B
03060 TRI-STATE TECHNICAL SERVICES	21-00117	01/13/21	2021 COMPUTER MAINTENANCE	Open	754.17	0.00		B
	21-00136	01/14/21	2021 MICROSOFT WEB EXCHANGE	Open	424.00	0.00		B
	21-00163	01/21/21	2021 ADOBE SOFTWARE / DROPBOX	Open	36.38	0.00		B
	21-00394	03/22/21	ZOOM MONTHLY COURT -APRIL 2021	Open	<u>17.05</u>	0.00		
					1,231.60			

April 21, 2021  
12:37 PM

Borough of Montvale  
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03727 STAPLES INC	21-00457	04/06/21	PD OFFICE SUPPLIES	Open	181.07	0.00		
04008 GASTON, SCOTT	21-00448	04/05/21	REIMB CLOTHING ALLOW GASTON	Open	135.89	0.00		

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Total Purchase Orders:	65	Total P.O. Line Items:	0	Total List Amount:	210,988.05	Total Void Amount:	0.00
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Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 2020 0-01	31,366.38	0.00	31,366.38	0.00	0.00	31,366.38
CURRENT FUND 2021 1-01	169,522.67	0.00	169,522.67	0.00	0.00	169,522.67
BOA ESCROW ACCOUN E-08	9,084.50	0.00	9,084.50	0.00	0.00	9,084.50
OTHER TRUST ACCOU T-03	1,014.50	0.00	1,014.50	0.00	0.00	1,014.50
Total of All Funds:	<u>210,988.05</u>	<u>0.00</u>	<u>210,988.05</u>	<u>0.00</u>	<u>0.00</u>	<u>210,988.05</u>