

REORGANIZATION & REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

**Tuesday, January 05, 2021 at 7:30PM-Virtual Meeting (see information below)
Municipal Complex, 12 Mercedes Drive in Council Chambers**

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

You are invited to a Zoom webinar.

When: Jan 5, 2021 07:30 PM Eastern Time (US and Canada)

Topic: Planning Board Reorganizational and Regular Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87191375276?pwd=YWxUR3NQRUNTTy9FM0c5eGlyOWZoUT09>

Passcode: 872909

Or iPhone one-tap:

US: +13126266799,,87191375276#,,,,*872909# or +19294362866,,87191375276#,,,,*872909#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 871 9137 5276

Passcode: 872909

International numbers available: <https://us02web.zoom.us/j/kcRr90nCS1>

OPEN PUBLIC MEETINGS STATEMENT - Please be advised that due to the state of emergency and public health emergency declared by Governor Phil Murphy pursuant to Executive Order 103 and in an effort to prevent further spread of COVID-19, this Planning Board Meeting will be held virtually via Zoom in lieu of an in-person meeting. Notice of this meeting has been advertised in the RECORD and placed on the website. Documents have been posted on the website under the planning board agenda under documents.

All public will be muted until the chairman opens it up to the public for questions only of each applicant's or board professional testimony. The public can address their questions to the chair and he will direct it to the appropriate person. When at the end of the public hearing the chairman will again open it up to the public for comments. If you have a comment please hit the raise hand symbol and I will acknowledge you. Please state your name, spell your name and give your address when asking questions or giving comments. All questions and comments will be directed through the chair and he will in turn direct it to the appropriate person.

OATHS OF OFFICE:**ALL APPOINTMENTS MADE BY MAYOR GHASSALI ON 1/1/2021**

- | | | |
|----|--|---|
| 1) | Class III – 1 Year
Rose Curry, Councilmember | 1/1/2021-12/31/2021 |
| 2) | Class II-1 Year
Chris Gruber | 1/1/2021-12/31/2021 |
| 3) | Class IV—4 Year
John Culhane | 1/1/2021-12/31/2024 |
| 4) | Class IV-3 Year
Robert Zitelli
Alternate #1 | 1/1/2021-12/31/2023
3-year term Environmental
Liaison |
| 5) | Class IV-2 Year
Javid Huseynov
Alternate # 2 | 1/1/2021-12/31/2022 |

Mr. Regan swore in all listed members. However, Councilmember Curry was already sworn as a council member at the Mayor and Council meeting so she did not need to be sworn in again.

ROLL CALL:

PRESENT: Theresa Cudequest, John Culhane, Councilmember Curry, Christopher Gruber, Mayor Ghassali, William Lintner, Frank Stefanelli, Dante Teagno, Mr. Zitelli, Javid Huseynov, Chairman DePinto

ALSO PRESENT: Darlene Green, Borough Planner; Robert Regan, Board Attorney, Christopher Dour, Acting Engineer

ABSENT: Andrew Hipolit, Borough Engineer

REAPPOINTMENT OF R. LORRAINE HUTTER, BOARD SECRETARY FOR 2021

Reappointment of Ms. Hutter was motioned by Mr. Teagno and seconded by Ms. Cudequest. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

NOMINATION OF BOARD CHAIRMAN

- 1) Secretary to call for a motion to open nominations
- 2) Secretary to call for a motion to close nominations
- 3) Roll call vote

Ms. Hutter asked for a nomination for Board Chairman. Mr. Culhane nominated Chairman DePinto, seconded by Mr. Zitelli. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

NOMINATION OF BOARD VICE-CHAIRMAN

- 1) Secretary to call for motion to open nominations
- 2) Secretary to call for motion to close nominations
- 3) Roll call vote

Ms. Hutter asked for a nomination for Vice Chairman. Councilmember Curry nominated Frank Stefanelli, seconded by Mr. Culhane. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

RESOLUTION TO APPOINT ANDREW R. HIPOLIT, PE, PP., CME OF Maser Consulting, PA AS PROFESSIONAL ENGINEERING CONSULTANT FOR 2021.

Chairman DePinto asked for a nomination for Andrew Hipolit. A nomination was made by Ms. Cudequest and seconded by Mr. Lintner. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

RESOLUTION TO APPOINT ROBERT T. REGAN, ESQ., TO CONTINUE AS PLANNING BOARD ATTORNEY FOR 2021

Chairman DePinto asked for a nomination for Robert Regan. A nomination was made by Ms. Cudequest and seconded by Councilmember Curry. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

RESOLUTION TO APPOINT DARLENE GREEN, MASER CONSULTING, PA AS THE PROFESSIONAL PLANNER TO THE PLANNING BOARD FOR 2021

Chairman DePinto asked for motion to approve Darlene Green. A motion was made by Mr. Teagno and seconded by Mr. Stefanelli. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

RESOLUTION TO APPROVE THE PLANNING BOARD MEETING SCHEDULE: Meetings to be held on the first and third Tuesdays of the month, unless otherwise specified, convening at 7:30 PM and to be adjourned subject to the call of the Chairman.

Chairman DePinto asked for a motion to approve the Planning Board meeting schedule. A motion to approve was made by Ms. Cudequest and seconded by Mr. Culhane. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

RESOLUTION TO APPROVE THE PLANNING BOARD BY-LAWS.

Changes needed to be made to the Planning Board By-Laws so this resolution will be carried to the next meeting on January 19, 2021.

RESOLUTION TO DESIGNATE THE RIDGEWOOD NEWS AND THE BERGEN RECORD AS THE OFFICIAL NEWSPAPERS.

Chairman DePinto asked for a motion to approve these two newspapers to be the official newspapers that the Borough of Montvale uses. A motion to approve was made by Councilmember Curry and seconded by Ms. Cudequest. There was no discussion on the motion and a roll call vote was taken with

all members stating aye.

CHAIRMAN'S APPOINTMENT OF MEMBERS TO THE SITE PLAN REVIEW COMMITTEE:

Mr. Regan, Board Attorney; Mr. Hipolit, Board Engineer; Ms. Green, Borough Planner; Mr. Stefanelli, Board Member; Mr. Gruber, Construction Code Official/Zoning Official; Mayor Ghassali; Chairman DePinto; Ms. Hutter, Land Use Administrator.

Chairman DePinto made his appointments.

CHAIRMAN'S APPOINTMENT OF LIAISON TO ENVIRONMENTAL COMMISSION:

Chairman DePinto made his appointment to have Mr. Zitelli as the Environmental Commission.

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD**

RESOLUTION APPOINTING PLANNING BOARD SECRETARY

BE IT RESOLVED by the Planning Board of the Borough of Montvale that R. Lorraine Hutter be and is hereby appointed as Secretary to the Planning Board/Land Use Administrator for the calendar year 2021

BE IT FURTHER RESOLVED that said compensation for said position shall be established by the Mayor and Council of the Borough of Montvale.

DATE: _____

Planning Board
Borough of Montvale

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021.

Attest:

R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD**

RESOLUTION APPROVING PLANNING BOARD BY-LAWS

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the By-Laws of the Board be approved annually and incorporated into the permanent records of the Planning Board minutes.

DATE: _____

Planning Board
Borough of Montvale

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021.

Attest:

R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD**

**AWARDING PROFESSIONAL SERVICES CONTRACT FOR LEGAL
SERVICES GENERAL – 2021**

WHEREAS, the Borough of Montvale, Planning Board requires professional legal services of a general nature for the period January 1, 2021 through December 31, 2021; and

WHEREAS, it is the desire of the Planning Board to appoint Robert Regan, Esq., 345 Kinderkamack Road, Westwood, NJ 07675 as Planning Board Attorney to provide general legal services for the Planning Board for this period; and

WHEREAS, it is necessary to establish a rate and method of payment; and

WHEREAS, the Planning Board has determined it is in the best interest of the Borough to enter into a contract with Robert T. Regan, Esq. Legal Counsel for general legal services as a Professional Service contract; and

WHEREAS, the terms and conditions of said contract are as follows:

- 1) For the annual sum of \$15,000 legal services shall be rendered for attendance at meetings of the Planning Board, essentially advice and consultation services regarding municipal matters to the appointed officials and staff of the Planning Board, said retainer to be paid quarterly during 2021.
- 2) For all required legal services which are not included in the above i.e. preparation of resolutions for applications, review of applications, the charge of an hourly rate of \$195.00, to be paid monthly, as billed.
- 3) For all required legal services provided to the Borough on any litigation, the charge of an hourly rate of \$195.00, to be paid monthly, as billed.
- 4) Reasonable costs for reimbursable as billed shall be paid by the Borough.

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2021 Budget for the retainer and litigated matters and funds for preparation of resolutions for applications, review of applications and preparation of Developer's Agreements shall be paid by the applicant/developer from escrow funds, same as appended to the original of this resolution; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

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

- 1) That a contract for professional legal services be awarded to Robert T. Regan, Esq. for the period January 1, 2021 through December 31, 2021.
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.

- 3) The fees to be paid for such services are based upon rates as specified. The cost of the retainer portion of the contract for annual services is not to exceed \$15,000 unless an amendment revising that figure is approved by the Planning Board and funded by the Mayor and Council. In addition to said retainer, the Attorney shall be compensated at the rate of One Hundred and Ninety-Five (\$195.00) Dollars per hour for any litigation, plus disbursements incident thereto. The amount of the contract for all other legal services provided on an as needed basis in connection with review of developer's applications, preparation of memorializing resolutions, preparation of developer's agreements, correspondence and related matters, the attorney shall be compensated at the rate of One Hundred and Ninety-Five (\$195.00) Dollars per hour.
- 4) The line-item appropriation or ordinance to be charged is Planning Board Other Expense – 2021 Budget and the appropriate Escrow Fund depending upon the development or application.
- 5) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
 - (a) General Liability; Certificate naming the Borough of Montvale required.
 - (b) Worker's Compensation: Statutory requirements to be met. Certificate required.
 - (c) Auto Liability; Certificate required.
 - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1, et seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and will be on file, available for public inspection, in the office of the Secretary to the Montvale Borough Planning Board, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: _____

Planning Board
Borough of Montvale

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021.

Attest:

R. Lorraine Hutter, Land Use Administrator

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Kenneth Sesholtz, Chief Financial Officer of the Borough of Montvale, have ascertained, that funds are available in the 2021 Temporary Municipal Budget and subject to adequate appropriation in the 2021 Municipal Budget as finally adopted, to award a contract for professional legal services – Planning Board, to Robert Regan, Esq., Westwood, N.J. Funds for certification are therefore being made available and certified against the appropriation for Planning Board – Other Expenses.

Account Number: 0-01-21-720-028

Resolution Number: Planning Board

Dated: _____

Chief Financial Officer

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL
ENGINEERING SERVICES – 2021**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of an Engineer for the year 2021

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, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Andrew R. Hipolit, P.E., P.P., C.M.E., Principal OF MASER CONSULTING, PA, 200 Valley Road, Suite 306, Mount Arlington, NJ 07856 as Engineer for the Planning Board for the year 2021.

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

- 1) That the contract for professional general engineering services be awarded to Andrew R. Hipolit, P.E., C.M. E., Principal of MASER CONSULTING, PA
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line-item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2021 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of MASER CONSULTING, PA as the Planning Board Engineer for the borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
 - (a) General Liability; Certificate naming the Borough of Montvale required.
 - (b) Worker's Compensation: Statutory requirements to be met. Certificate required.
 - (c) Auto Liability; Certificate required.
 - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq. BE

IT FURTHER RESOLVED that a copy of this resolution be published in The Ridgewood News, be on file, available for public inspection, in the office of the Land Use Administrator to the Planning Board, Borough Hall, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: _____

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted on Tuesday, January 5, 2021

Attest:

R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL PLANNING
SERVICES – 2021**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of a Planner for the year 2021 January 1 through December 31, to provide for contractual planning services for application review; 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, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Darlene Green, of MASER CONSULTING, PA, Perryville III Corporate Park, 53 Frontage Road, Suite 120, PO Box 4107, Clinton, NJ 08809 as Planner for the Planning Board for the year 2018.

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

- 1) That the contract for professional general planning services be awarded to MASER CONSULTING, PA.,
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line-item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2021 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of Maser Consulting, PA, as the Planning Board Planner for the Borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
 - (e) General Liability; Certificate naming the Borough of Montvale required.
 - (f) Worker's Compensation: Statutory requirements to be met. Certificate required.
 - (g) Auto Liability; Certificate required.
 - (h) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Borough Hall, 12 Mercedes Drive, Montvale, NJ 07645.

DATE: _____

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021.

Attest:

R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD**

RESOLUTION APPROVING THE PLANNING BOARD MEETING SCHEDULE

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, that the combined executive sessions and regular public meetings of the Planning Board for the year 2021 be held on the first and third Tuesday of every month at 7:30

PM, except as otherwise noted, all as set forth in the attached meeting notice; and,

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board post a schedule of meetings in the Municipal Building and send a copy to the official newspaper of the Borough of Montvale.

DATE:

Planning Board
Borough of Montvale

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021

Attest:

R. Lorraine Hutter, Land Use Administrator

MONTVALE PLANNING BOARD

NOTICE OF REMOTE PUBLIC MEETINGS

2021 ANNUAL SCHEDULE OF MEETINGS

BE IT RESOLVED, the meetings of the Montvale Planning Board shall be held virtually on Zoom Live Streaming, on the following dates for the year 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. All meetings will commence at 7:30pm

Tuesday, January 5-Reorganizational and Regular Meeting

Tuesday, January 19

Tuesday, February 2

Tuesday, February 16

Tuesday, March 2

Tuesday, March 16

Tuesday, April 6

Tuesday, April 20

Tuesday, May 4

Tuesday, May 18

Tuesday, June 1

Tuesday, June 15

Tuesday, July 6

Tuesday, July 20

Tuesday, August 3

Tuesday, August 17

Tuesday, September 7- Rosh Hashanah - cancelled

Tuesday, September 21

Tuesday, October 5

Tuesday, October 19

Tuesday, November 2-Election Day - cancelled

Tuesday, November 16

Tuesday, December 7

Tuesday, December 21

By Order of the Montvale Planning Board

R. Lorraine Hutter

Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE
PLANNING BOARD**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the year 2021:

The Bergen Record - Hackensack, N.J. The

Ridgewood News – Ridgewood, N.J.

DATE:

Planning Board
Borough of Montvale

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 5, 2021.

Attest:

R. Lorraine Hutter, Land Use Administrator

EXHIBIT A
P.L. 1975, C. 127 (N.J.A.C. 17:27) MANDATORY AFFIRMATIVE ACTION
LANGUAGE PROCUREMENT, PROFESSIONAL AND SERVICE
CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to attempt to in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor union, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, January 5, 2021 - Remote Meeting (see below)

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

You are invited to a Zoom webinar.

When: Jan 5, 2021 07:30 PM Eastern Time (US and Canada)

Topic: Planning Board Reorganizational and Regular Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87191375276?pwd=YWxUR3NQRUNTTy9FM0c5eGlyOWZoUT09>

Passcode: 872909

Or iPhone one-tap:

US: +13126266799,,87191375276#,,,,*872909# or +19294362866,,87191375276#,,,,*872909#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

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Webinar ID: 871 9137 5276

Passcode: 872909

International numbers available: <https://us02web.zoom.us/j/87191375276?pwd=YWxUR3NQRUNTTy9FM0c5eGlyOWZoUT09>

ROLL CALL:

PRESENT: Theresa Cudequest, John Culhane, Councilmember Curry, Christopher Gruber, Mayor Ghassali, William Lintner, Frank Stefanelli, Dante Teagno, Mr. Zitelli, Javid Huseynov, Chairman DePinto

ALSO PRESENT: Darlene Green, Borough Planner; Robert Regan, Board Attorney; Christopher Dour, Acting Engineer

ABSENT: Andrew Hipolit, Borough Engineer

MISC.MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER:

Mayor Ghassali stated that the Mayor and Council had their re-org meeting last night and they did all of their re-appointments as well. Mayor Ghassali stated that there are two major projects going on. One project is the Village of Chestnut Ridge. They are going to be investing some money to have the attorney and planner attend their meetings so they can bring the information to the Mayor and he will be able to share it with the community. The second

major project is the COVID vaccination plan. It's based on the CDC and state guidelines. The essential workers get the vaccine first and then it goes through 4 general phases before the general public. He has appointed Nevene Gayed as the point person to work with the health commission and the Montvale community can contact her if they have any questions. We also have up to date information on our website. He expects everyone to be vaccinated sometime in April.

ZONING REPORT: Mr. Gruber stated that Toll Brothers was going to be open for sales early summer 2021. There is a lot of interest in outdoor dining so come spring, summer and fall, he will look into that more even if COVID goes away. He did send out reminders via email and social media about snow removal that residents are responsible for their sidewalks around their property. Also, 25 Philips removed the illegal dumpster from behind the building and they plan on removing the trees that are back there as well. They plan to come up with a new solution for their garbage situation so they can protect the garbage from bears. They will be coming up with a new design to present it to the board soon. Chairman DePinto stated that they can't remove trees without landscape approval. Mr. Gruber stated that they will only be removing dead trees and he will be in close contact with them so they are following correct protocol.

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Zitelli stated that their meeting was on December 14th and they discussed the path that was put in by Memorial Park. It is finished now and people have been using it. There is a fence being installed on Bayberry. As of last meeting it was still in the works but he expects it to be completed very soon. Also, dredging of Huff Pond \$186,000 was budgeted for that but bids came in at \$80,000 over so they are putting that project on hold for the time being. Mayor Ghassali did approve that overage however; they need to see how much contamination there is in the pond.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli had no report since there was no meeting tonight.

CORRESPONDENCE: None

APPROVAL OF MINUTES:

December 1, 2020 minutes – A motion to approve was made by Mr. Teagno and seconded by Mr. Lintner. There was no discussion on the motion and a roll call vote was taken with all members stating aye. Councilmember Curry abstained.

October 6, 2020 minutes – A motion to approve was made by Mr. Stefanelli and seconded by Mr. Culhane. There was no discussion on the motion and a roll call vote was taken with all members stating aye. Councilmember Curry and Mayor Ghassali abstained.

DISCUSSION: None**USE PERMITS:**

1. Block 1902 Lot 3- Montvale OpCp, LLC-295 West Grand Avenue-(3,847 sq. ft.)

<https://drive.google.com/drive/folders/1JwNPRF2eHFbAAqdATHOQ6dz9sl-IHKeS?usp=sharing>

Holly Schepisi, attorney, is representing the applicant. There were no changes to the application submitted. Mr. Regan swore in applicant, Kimberly Gebert. Chairman DePinto read the use permit aloud. Ms. Schepisi stated that the total number of parking spaces is 63. There will be a separate application submitted to discuss signage. Ms. Schepisi confirmed the signatures on the application as Ms. Gebert as the signature of applicant and the other signature is Mr. Langonela and he is the owner/landlord. Attached to the application is the required Montvale Police Department form. Ms. Schepisi stated that a list of zip codes that was included are zip codes of perspective employees. Ms. Gebert gave an overview of the intended use of this location. She stated that this location for her business “Thrive at Montvale” is a temporary office space that will be utilized while the new building is being constructed and completed in 2022. This location is where her team will perform day to day operations for about 12 months.

Mr. Gruber stated that they will need a certificate of occupancy and a sign permit. Ms. Schepisi stated that they will submit a separate application for the sign permit at a later date. There were no other questions that arose from the board members. Chairman DePinto asked about the parking listed as 5A and confirmed that the designated spaces will be eliminated and that parking will be in common with the other tenants of the property. Ms. Schepisi confirmed that parking spaces will not be marked. Chairman DePinto also brought up discussion about window signage and Ms. Schepisi stated that they will be compliant.

A motion to approve was made by Ms. Cudequest and seconded by Mr. Zitelli. There was no discussion on the motion and a roll call vote was taken with all members stating aye. Councilmember Curry abstained.

PUBLIC HEARINGS (CONT):

Block 1002 Lot 7- Waypoint Residential Services, LLC -127 Summit Avenue -Application for Preliminary and Final Site Plan and Bulk Variance Approval and Soil Movement - click below links below for documents to view

<https://www.dropbox.com/sh/3wpdvduuypl6l/AADMHQKfrPI-jfJZs9Z7cOY3a?dl=0>

https://drive.google.com/drive/folders/1qNHGWalyWhFQKjckE4JzItxV_cdJbTy1?usp=sharing

<https://drive.google.com/drive/folders/1484vkWTKSafi5nUb9rEJemFjV7EuOCBQ?usp=sharing>

See transcript.

Block 2002, Lot 3-Mobius Solar 1, LLC (“Mobius”) -5 Paragon Drive-amended and preliminary and final site plan approval and a Major Soil Movement Permit for Solar Panels.

This application was carried to the next meeting on January 19, 2021.

A 5-minute break was taken at 10:00 PM

PUBLIC HEARINGS (NEW):

1. Block 2904 Lot 4-Bank of America-Chestnut Ridge Road-Amended Site Plan -Lighting

https://drive.google.com/drive/folders/15Y_tPQAcuf2AJHRpGm_48-Xnhcuk_7e4?usp=sharing

Ms. Diane Hickey represented the applicant. Chairman stated that it speaks of supplying the board with past approvals and was that done. Ms. Hickey said she did not. Chairman wants her to request the documents and submit them before the next meeting. The engineer on record, Stonefield gave a brief summary of their proposal. The board asked that they come back with additional information. This application was carried to the next meeting on January 19, 2021.

RESOLUTIONS:

1. Pay to Play

A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. Mr. Regan gave a brief overview of what Pay to Play is. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

2. Block 108 Lot 6 - Thomas J. Caleca-110 Upper Saddle River Road-Resolution Granting a Major Soil Movement Permit to Thomas J. Caleca for Premises designated as Block 108, Lot 6

A motion to introduce was made by Mr. Teagno and seconded by Mr. Stefanelli. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

3. Block 1102 Lot 4 - 108 Montvale Realty, LLC-Resolution granting Amended Site Plan Approval and Variance Relief to 108 Montvale Realty, LLC, for Premises Designated as Block 1102 Lot 4

A motion to introduce was made by Ms. Cudequest and seconded by Mr. Huseynov. There was no discussion on the motion and a roll call vote was taken with all members stating aye.

Other Business: None

Open Meeting to the Public: A motion to open the meeting to the public was made by Ms. Cudequest and seconded by Mr. Teagno. All were in favor and stated aye.

There were no members of the public present.

Motion to close the meeting to the public was made by Ms. Cudequest and Mr. Culhane. All were in favor and stated aye.

Adjournment: A motion to adjourn was made by Ms. Cudequest and seconded by Councilmember Curry. All were in favor and stated aye.

Next Regular Scheduled Meeting Remote: January 19, 2021 at 7:30 PM

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator