

**SPECIAL ZOOM
MEETING
MINUTES**

Special Meeting of the Mayor and Council was on ZOOM and called to order at 6:47PM. Adequate notification was published in the official newspaper of the Borough of Montvale. 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).

ROLL CALL:

Councilmember Arendacs
Councilmember Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

Also Present: Mayor Ghassali; Borough Attorney, Dave Lafferty; Borough Administrator, Joe Voytus; Planning Board Chairman, John DePinto; Borough Planner, Darlene Green; Special Counsel, Mike Edwards; and Municipal Clerk, Fran Scordo

RESOLUTIONS: (NON-CONSENT)**221 A – 2025 A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OVER THE HILL HOLDINGS, LLC, IN CONNECTION WITH THE BOROUGH’S FOURTH ROUND AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, the Borough of Montvale (“Borough”) filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program (“Program”) and a Declaratory Judgment Action pursuant to the Fair Housing Act on January 30, 2025; and

WHEREAS, on June 12, 2025, the Court entered an order establishing the Borough’s Fourth Round affordable housing obligations and directing the Borough to file its Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Borough filed its HEFSP on June 18, 2025; and

WHEREAS, on August 29, 2025, Over the Hill Holdings, LLC (“Over the Hill”) filed a formal challenge to the Borough’s HEFSP pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, the Borough and Over the Hill participated in mediation sessions before the Affordable Housing Dispute Resolution Program to address the issues raised in the challenge and negotiate a resolution; and

WHEREAS, these mediation efforts have resulted in a proposed Agreement that resolves the issues raised by Over the Hill and establishes a path toward compliance certification for the Borough in the Fourth Round; and

WHEREAS, the Mayor and Borough Council find that entering into an agreement with Over the Hill is in the best interests of the Borough, will facilitate compliance with the Fair Housing Act, and will allow the Program and the Mount Laurel judge to review the HEFSP and implementing ordinances for compliance; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

1. Subject to the approval of the Borough's HEFSP, as amended, by the Program, the Mayor and Borough Clerk are hereby authorized and directed to execute, on behalf of the Borough, an Agreement between the Borough of Montvale and Over the Hill, subject to de minimis changes from counsel.
2. The Borough's Affordable Housing Counsel is hereby authorized to take any and all steps necessary to effectuate the Agreement, including preparing and submitting filings, participating in any additional proceedings before the Program, coordinating with the Borough's professionals, and implementing all requirements contained in the Agreement.
3. The Borough Attorney, Affordable Housing Counsel, Borough Planner, Borough Administrator, and all other appropriate Borough officials are authorized and directed to take any additional actions necessary to implement the terms of the Agreement and to advance the Borough's efforts toward obtaining compliance certification.
4. This Resolution shall take effect immediately upon adoption according to law.

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

Mike Edwards explained that Over the Hill Holdings LLC is one of the objectors in this case; the proposed agreement is a total of 30 units age restricted units, 6 will be affordable at 30 Craig Road

221 B – 2025 A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SHG MONTVALE I, LLC, ET. AL., IN CONNECTION WITH THE BOROUGH'S FOURTH ROUND AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Borough of Montvale ("Borough") filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program ("Program") and a Declaratory Judgment Action pursuant to the Fair Housing Act on January 30, 2025; and

WHEREAS, on June 12, 2025, the Court entered an order establishing the Borough's Fourth Round affordable housing obligations and directing the Borough to file its Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

WHEREAS, the Borough filed its HEFSP on June 18, 2025; and

WHEREAS, on August 29, 2025, SHG Montvale I, LLC, et. al., ("SHG") filed a formal challenge to the Borough's HEFSP pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, the Borough and SHG participated in mediation sessions before the Affordable Housing Dispute Resolution Program to address the issues raised in the challenge and negotiate a resolution; and

WHEREAS, these mediation efforts have resulted in a proposed Agreement that resolves the issues raised by SHG and establishes a path toward compliance certification for the Borough in the Fourth Round; and

WHEREAS, the Mayor and Borough Council find that entering into an agreement with SHG is in the best interests of the Borough, will facilitate compliance with the Fair Housing Act, and will allow the Program and the Mount Laurel judge to review the HEFSP and implementing ordinances for compliance; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

1. Subject to the approval of the Borough's HEFSP, as amended, by the Program, the Mayor and Borough Clerk are hereby authorized and directed to execute, on behalf of the Borough, an Agreement between the Borough of Montvale and SHG, subject to de minimis changes from counsel.
2. The Borough's Affordable Housing Counsel is hereby authorized to take any and all steps necessary to effectuate the Agreement, including preparing and submitting filings, participating in any additional proceedings before the Program, coordinating with the Borough's professionals, and implementing all requirements contained in the Agreement.
3. The Borough Attorney, Affordable Housing Counsel, Borough Planner, Borough Administrator, and all other appropriate Borough officials are authorized and directed to take any additional actions necessary to implement the terms of the Agreement and to advance the Borough's efforts toward obtaining compliance certification.
4. This Resolution shall take effect immediately upon adoption according to law.

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

Mike Edwards explained that SHG was the primary objector, they control roughly 50 acres in the borough, as part of this settlement at the Mercedes Benz site they will be entitled to do 35 luxury townhomes where a hotel was previously proposed; in addition at the KPMG site 250 units of which 50 will be affordable or a data center; Glenview site 135 units of which 24 will be affordable; the Reckitt site will produce 230 units of which 35 will be affordable.

MEETING OPEN TO THE PUBLIC:

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

No Public Comment

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

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

Meeting adjourned at 6:57PM

Respectfully submitted, Frances Scordo, Municipal Clerk