

**AGENDA
PUBLIC MEETING
BOROUGH OF MONTVALE
Mayor and Council Meeting
July 11, 2024
Closed Executive Session to Commence 7:00PM
Meeting to Commence 7:30PM**

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2024 adopted on January 1, 2024 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 Litigation – Affordable Housing

Minutes to be disclosed as per the Open Public Meetings Act 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 Cudequest	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

SWEARING IN OF POLICE OFFICER – Mark Pierro

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

June 25, 2024

CLOSED/EXECUTIVE MINUTES:

June 13, 2024

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.

- 141-2024 Resolution Approving Liquor License Renewal - July 1, 2024 Through June 30, 2025
- 142-2024 Appointing Probationary Montvale Police Officer, Mark Pierro
- 143-2024 Award Professional Service Contract – Professional Planning Services for Fourth Round Affordable Housing Services - Colliers Engineering & Design

BILLS:

REPORT OF REVENUE:

COMMITTEE REPORTS:

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

ATTORNEY'S REPORT:

Dave Lafferty, Esq.
Report/Update

ADMINISTRATOR'S REPORT:

Joe Voytus
Report/Update

UNFINISHED BUSINESS:

- a. Affordable Housing Update

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:

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on Thursday, August 8, 2024

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

**WORK SESSION
MINUTES**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:33pm. 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: Borough Attorney, Dave Lafferty; Administrator, Joe Voytus; ; Municipal Clerk, Fran Scordo

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2024-1556 AN ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE CHAPTER 400 "ZONING", ARTICLE VIII "OFF-STREET PARKING AND LOADING" TO AUTHORIZE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES

WHEREAS, adoption of this ordinance is consistent with the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to New Jersey's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements.

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

SECTION 1. The Borough Code, Chapter 400 "Zoning," Article VIII "Off-Street Parking and Loading," Section §400-61 "(Reserved)," shall be deleted in its entirety and replaced with the following text:

§400-61 Electric Vehicle Supply/Service Equipment.**Purpose.**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

- (1) Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
- (2) Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
- (3) Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
- (4) Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions.

CERTIFICATE OF OCCUPANCY

The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act, and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (N.J.S.A. 52:27D-119 et seq.) and regulations adopted pursuant thereto.

CHARGING LEVEL

The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

ELECTRIC VEHICLE

Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR EVSE

The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

MAKE-READY PARKING SPACE

Means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (N.J.S.A. 48:25-1 et al.).

PRIVATE EVSE

EVSE that has restricted access to specific users (e.g., single- and two-family homes, executive parking fleet parking with no access to the general public).

PUBLICALLY-ACCESSIBLE EVSE

EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits.

- (1) A zoning permit application submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to N.J.S.A. 40:55D-70.
- (2) EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in (1) above.
- (3) All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
- (4) The zoning officer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Borough of Montvale's land use regulations.
- (5) An application for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to N.J.S.A. 40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - (a) The proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;

- (b) All other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - (c) The proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L. 1975, c.217 (N.J.S.A. 52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
- (6) An EVSE parking space application pursuant to Section (5) above shall be deemed complete if:
- (a) the application, including the permit fee and all necessary documentation, is determined to be complete
 - (b) a notice of incompleteness is not provided within 20 days after the filing of the application, or
- (7) a one-time written correction notice is not issued by the zoning officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
- (8) A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces.

- (1) As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
- (a) prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - (b) within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - (c) within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
- (d) Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

(2)

- (a) Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
- (3) As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in (1) above shall:
 - (a) Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - (b) Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - (c) Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - (d) Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - (e) Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - (f) In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - (g) Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 - (h) Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements.

- (1) All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to the requirements of the zoning district in which they are located.
- (2) A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- (3) All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.

- (4) Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

- (1) Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

- (a) EVSE and Make-Ready parking spaces shall comply with the setback requirements applicable to off-street parking areas for the zoning district in which they are located.
- (b) All EVSE and Make-Ready parking spaces within parking garages or enclosed parking structures shall be located within 50 feet of the vehicular entrance to the garage or structure. In addition, all such buildings shall have at least one (1) car fire blanket for use on electric vehicle fires located at the entrance to such garage or parking structure.
- (c) Where practically feasible, EVSE and Make-Ready parking spaces shall be located a minimum of 75 feet from any wood-frame building or other structure made of combustible material.

(2) Installation:

- (a) Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- (b) Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- (c) To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- (d) Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- (e) The EVSE and Make-Ready parking spaces required in Subsection E, above, shall be monitored and enforced by the Borough's Zoning Official.

(3) EVSE Parking:

- (a) Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE while parked in such spaces.

Property owners shall propose a reasonable plan or technological solution to ensure compliance with this requirement.

- (b) Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
 - (c) Public Parking. Pursuant to N.J.S.A. 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space, or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Code. Signage indicating the penalties for violations shall comply with Section (5) below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
 - (d) Private Parking. The use of EVSE shall be monitored by the property owner or designee.
 - (e) Overnight parking at EVSE spaces located on nonresidential properties (excluding Borough-owned property) shall not be allowed. The owner/operator of the EVSE shall implement restrictions that prohibit charging between the hours of 11:00 p.m. and 5:00 a.m.
 - (f) All EVSE equipment shall clearly indicate upon a visual inspection whether the vehicle present is actually being charged. If the vehicle is not being actively charged, it must be readily-apparent upon a visual inspection when the vehicle's active charging concluded.
- (4) Safety
- (a) Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by painted lines, a painted charging pictograph symbol, and appropriate signage pursuant to Section (5) below.
 - (b) Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
 - (c) EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in (d) below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
 - (d) Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger

to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.

- (e) Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- (f) Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Borough of Montvale shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

(5) Signs

- (a) Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- (b) All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- (c) Wayfinding or directional signs shall not be permitted.
- (d) In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - [1] Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - [2] Usage fees and parking fees, if applicable; and
 - [3] Contact information (telephone number) for reporting when the equipment is not operating or other problems.
- (e) Neon signs and exterior lighting of EVSEs shall not be allowed. Lighting for the EVSE and its user interface, including but not limited to buttons and touch screens, shall be no brighter than necessary to allow safe operation by the user. All signage must comply with Chapter 250 of the Borough Code, entitled "Lighting."

(6) Usage Fees

- (a) For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be

established by resolution for each hour or kWh that the electric vehicle is connected to the EVSE.

- (b) This fee may be amended by a resolution adopted by the governing body.
- (c) Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

*A motion Introduced for second reading **Ordinance No. 2024-1556** by Councilmember Russo-Vogelsang; 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 Lane - all ayes Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Cudequest; Clerk read by title only - All ayes on a roll call vote

PUBLIC HEARING OF ORDINANCE NO. 2024-1558 AN ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE CHAPTER 400 "ZONING", ARTICLE IX "Signs" TO AMEND REGULATIONS RELATED TO signS in the OR-1, OR-2, OR-3, and OR-4 Zoning Districts

WHEREAS, the Borough of Montvale is desirous of allowing greater flexibility for non-residential tenants and owners to have exterior signage in the OR-1, OR-2, OR-3, and OR-4 Districts; and **WHEREAS**, On March 19, 2024, the Site Plan Review Committee discussed potential changes to Section 400-67 of the Borough Code and provided recommended Ordinance changes to the Borough Administrator; and

WHEREAS, the Borough Council accepts the recommendations of the Site Plan Review Committee and wishes to enhance signage opportunities in the OR-1, OR-2, OR-3, and OR-4 Districts.

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

SECTION 1. The Borough Code, Chapter 400 "Zoning," Article IX "Signs," Section §400-67 "Signs in nonresidential districts," shall be amended to add the following underlined text and delete the following text in ~~strikeout~~:

- A. In the instance of any use permitted in any nonresidential zoning district, there shall be permitted the location of one sign to be erected on any parcel or lot on which there is a building, which sign may be freestanding or affixed to said structure as hereinafter provided.

- (2) Freestanding signs in the OR-1, OR-2, OR-3, and OR-4 Zoning Districts shall be subject to the following regulations: Any freestanding sign in the OR-1, OR-2, OR-3 and OR-4 Zoning Districts, which sign may be two-sided, shall not be located more than 2 1/2 feet above the lowest grade elevation below it. The height of the sign shall not exceed six feet, nor shall its width exceed 12 linear feet. The maximum area of any such sign shall not exceed 32 square feet.
- (a) Any freestanding sign, which sign may be two-sided, shall not be located more than 2 1/2 feet above the lowest grade elevation below it. The height of the sign shall not exceed six feet, nor shall its width exceed 12 linear feet. The maximum area of any such sign shall not exceed 32 square feet, which shall be calculated exclusive of the base.
- (b) A second freestanding sign shall be permitted on a site which has either two or more driveways separated by a distance of at least 300 feet along a single public right-of-way or on a site located on the corner of two intersecting public rights-of-way and has one access driveway on each public right-of-way. The second freestanding sign shall be a maximum of 32 square feet, which shall be calculated exclusive of the base..
- (c) The street address number of a site may be added to a freestanding sign, provided that the number height shall not exceed four inches and an additional two square feet of sign area shall be permitted to accommodate the street address number.
- (d) No freestanding sign shall have more than four colors, black and white shall be considered colors. Components of a freestanding sign subject to this color limitation include its background, frame, and decorative parts.

SECTION 2. The Borough Code, Chapter 400 "Zoning," Article IX "Signs," Section §400-70 "General regulations for signs," shall be amended to add the following underlined text and delete the following text in ~~strikeout~~:

- G. No directories or listings of occupants and users within a building shall be permitted on any freestanding sign; provided, however, that in the instance of such freestanding signs being located within the OR-1, OR-2, OR-3 and OR-4 Districts on properties being used for the purposes allowed in said districts and ~~on which property there is located a single principal structure of at least 55,000 square feet,~~ the name of up to four tenants ~~any tenant occupying 40% or more of the gross floor area of the principal building~~ may be displayed on said freestanding sign.
- J. No sign, except for freestanding signs in the OR-1, OR-2, OR-3, and OR-4 Zoning Districts, shall have more than two colors, inclusive of its background, frame and decorative parts. For the purposes of this chapter, black and white shall be considered colors. Notwithstanding anything herein to the contrary, in such instance where black or white shall be used in the formation of a sign as aforesaid, then in such instance either of such may be used as a third color. The allowance of a third color is intended as a vehicle to encourage creativity in the arrangement of a sign, which expression is not dissonant with other signage in the area

and does not exceed the limits necessary to afford a reasonable identity to the use for which the sign is intended.

- ~~L.~~ ~~No sign shall be illuminated externally by more than one floodlight per surface of said sign.~~
- LM. No sign shall contain any letter, word, name, number, model, insignia, emblem, message or representation that is composed of gas-filled tubes.
- MN. No sign shall be illuminated by a light source which is partially visible from any place other than on the premises where the sign is located, nor shall any light source, either internal or external to the sign itself, exceed 0.5 footcandle in intensity when measured at any point on the property line of the premises upon which the sign is located.
- NO. No sign shall be artificially illuminated after 11:00 p.m. or before 7:00 a.m., unless said premises are occupied and attended.
- OP. No sign shall be placed or located or displayed upon any sidewalk or area between sidewalk and curb, nor shall any sign project on or over a sidewalk.
- PQ. No freestanding sign shall be located less than 10 feet from any property boundary line; provided, further, that such sign shall be constructed at a location so as not to obscure the line of sight at intersections or points of access to the premises being served or adjacent premises, as determined in the reasonable judgment of the enforcing official or approving authority and as otherwise may be prescribed by local, county or state regulations.
- QR. Freestanding signs shall be supported by such means as are capable of preventing injury.
- RS. A sign affixed to a building wall shall be securely affixed, and where the surface of the same shall extend more than 3 1/2 inches from the face of said wall, said sign shall not be located less than 10 feet above the average ground elevation below.
- ST. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
- TU. No sign or other advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, cause an optical illusion or be confused with any authorized traffic sign, signal or device or which makes use of words, phrases, symbols or characters in such manner as to interfere with, mislead or confuse traffic.
- UV. All signs shall be constructed in accordance with the requirements of the Uniform Construction Code and such other requirements that may be adopted therein by reference.
- VW. The enforcing official shall require the proper maintenance of all signs and shall inspect every sign for which a permit is issued within 30 days after it is erected. All signs, together with all of their supports, shall be kept in repair and in a proper state of preservation. The display surfaces

of all signs shall be kept neatly painted or posted at all times. The enforcing official may order the removal of any sign that is not maintained in accordance with the provisions of this chapter.

WX. Unless specifically approved by the governing body in accordance with this chapter or placed by the Borough itself for a public purpose, no sign shall be permitted to be placed on any public property, publicly owned property or within any public right-of-way.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 4. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 5. This Ordinance shall take effect upon final publication as provided by law.

*A motion Introduced for second reading **Ordinance No. 2024-1558** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only. Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Cudequest - all ayes
No Public Comment*

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

MINUTES:

June 13, 2024

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember - all ayes with the exception of Councilmembers Arendacs, Lane and Russo-Vogelsang abstaining

CLOSED SESSION 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.

136-2024 RE: Resolution Approving Liquor License Renewals - July 1, 2024 Through June 30, 2025

WHEREAS, the following liquor license holder has submitted their renewal application through the POSSE ABC portal and paid the required fee as directed by the Division of Alcoholic Beverage Control; and

WHEREAS, the following liquor license holder has paid the municipal fee and a Tax Clearance Certificate has been received; and

WHEREAS, the applicant is qualified to be licensed per the standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, and pertinent Borough Ordinances.

NOW THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Montvale hereby authorizes the renewal of the following liquor licenses for the period of July 1, 2024 through June 30, 2025.

BE IT FURTHER REOLVED that the Municipal Clerk is hereby authorized to issue a liquor license as follows:

0236-33-005-008 - The Waterfall, Inc., t/a Hearth & Tap for the premises at 125 N. Kinderkamack Road, Montvale, NJ

0236-33-007-004 - TPC, Inc., t/a Davey's Locker, for premises at 5 Park Street, Montvale, NJ

137-2024 Resolution Authorizing the Return of CDBG Funds No Longer Needed for their Intended Purpose

WHEREAS, in or around 1997, the Borough of Montvale did enter into a contract with the County of Bergen for the purpose of the County Providing \$300,000 in Community Development Block Grant funding to the Borough for the acquisition of certain real property known as Block 1601, Lot 21 (the "Property") to be developed for a 100% senior affordable housing development; and **WHEREAS**, the conditions of said grant required the eventual donation of the Property to be acquired to a developer to effectuate the purposes of the grant; and

WHEREAS, said funds have been sitting unused in an account of the Borough since their receipt from the County; and

WHEREAS, after being frustrated for many years by ever-changing State regulations, the Borough did eventually sell the Property to Regan Development Corporation for the sum of \$500,000 to be developed for a mix of special needs and unrestricted affordable housing units; and

WHEREAS, as a result of the Borough's sale of the Property at a substantial profit and the change in the unit types developed on the site, it is necessary to return the CDBG funds to the County.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale does authorize the return of the sum of \$300,000 in CDBG funding to the County of Bergen in accordance with the terms of the original Grant Agreement.

138-2024 Resolution Awarding a Professional Service Contract for the Position of Municipal Prosecutor for the Pascack Joint Municipal Court to the Law Offices of Geoffrey D. Mueller

WHEREAS, the Pascack Joint Municipal Court has a need to contract with a licensed attorney or firm to serve as the Municipal Prosecutor pursuant to N.J.S.A 28:24-1, et seq. for the period July 1, 2024, through December 31, 2024, and until his or her successor is appointed; and

WHEREAS, the Pascack Joint Municipal Court Committee agreed to acquire these services through a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, after public notice and advertisement, five (5) qualification statements were received by the Borough of Montvale on behalf of the Pascack Joint Municipal Court; and

WHEREAS, after review by the three participating municipalities, it is the desire of the Pascack Joint Municipal Court Committee to appoint the Law Offices of Geoffrey D. Mueller as Municipal Prosecutor, with Geoffrey D. Mueller, Esq. as the primary Municipal Prosecutor; and

WHEREAS, the compensation of the Municipal Prosecutor shall be \$40,000 per year, pro-rated from July 1, 2024; and

WHEREAS, said compensation shall be included as part of the Operational Costs for the Pascack Joint Municipal Court as per the agreement between the participating municipalities; and

WHEREAS, the term of this contract shall commence as of July 1, 2024, and shall continue through December 31, 2024, and until a successor is appointed; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for this appointment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that notice of the

adoption of the Resolution authorizing the award of contracts for professional services must be published, and the resulting contract must be available for public inspection.

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

1. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because the services are to be performed by a person authorized by law to practice a recognized profession.
2. The Contract, including the terms of compensation for each professional, shall be placed on file with this resolution.
3. Notice of this action shall be printed once in the official newspaper of the Borough.

139-2024 A Resolution Authorizing a Contract with Yorktel for the Purchase of Twenty Modules for the GovPilot Municipal Management Computer Software Via State Cooperative Contract T3121 20-TELE-01509

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.C.A. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Montvale has the need to procure ten (10) additional modules of the GovPilot Municipal Management Computer Software using New Jersey State Contract Number T3121 20-TELE-01509, from re-seller Yorktel World Headquarters, 81 Corbett Way, Eatontown, NJ 07724; and

WHEREAS, Yorktel has submitted Quote # 176541 in the amount of \$60,600.00 annually, for a total of twenty (20) modules; and

WHEREAS, the Borough already utilizes GovPilot software for a variety of uses, including business registrations, OPRA requests, pet registrations, fire prevention, work orders, and reporting concerns from the public; and

WHEREAS, the additional ten (10) modules will allow for the online submission of applications for construction permits, planning board approvals, and use permits, among other things; and

WHEREAS, the additional functionality will also offer the public the ability to access planning board application materials, and to see the status of permits, without the need to submit OPRA requests or physically inspect same at Borough Hall, increasing transparency and convenience for the public; and

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

NOW THEREFORE BE IT RESOLVED, as follows:

The Borough of Montvale does approve Quote #176541 from Yorktel for the purchase of GovPilot Municipal Management Computer Software in the amount of \$60,600.00 annually.

The Mayor, Borough Clerk and/or Borough Administrator are hereby directed, authorized and empowered to execute an agreement with Yorktel and/or GovPilot, consistent with this resolution.

This resolution shall take effect immediately.

140-2024 A Resolution Approving the Submission of a Grant Application and the Execution of a Grant Agreement with the New Jersey Department of Transportation for the Paragon Drive Resurfacing Project

BE IT RESOLVED that the Mayor and Council of the Borough of Montvale formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor, Borough Engineer, Borough Administrator and/or Borough Clerk are hereby directed, authorized and empowered to submit an electronic grant application for the Paragon Drive Resurfacing Project to the New Jersey Department of Transportation on behalf of the Borough of Montvale; and

BE IT FURTHER RESOLVED that the Mayor, Borough Administrator and/or Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Montvale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

BILLS: Administrator read the Bill Report

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

ATTORNEY REPORT:

David Lafferty, Esq.

Report/Update

No Report

ADMINISTRATOR REPORT:

Joe Voytus

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang – all ayes

No Public Comment

A motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang – all ayes

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

Meeting adjourned at 7:39pm

Respectfully submitted, Frances Scordo, Municipal Clerk

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 141-2024**

RE: Resolution Approving Liquor License Renewal - July 1, 2024 Through June 30, 2025

WHEREAS, the following liquor license holder has submitted their renewal application through the POSSE ABC portal and paid the required fee as directed by the Division of Alcoholic Beverage Control; and

WHEREAS, the following liquor license holder has paid the municipal fee and a Tax Clearance Certificate has been received; and

WHEREAS, the applicant is qualified to be licensed per the standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, and pertinent Borough Ordinances.

NOW THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Montvale hereby authorizes the renewal of the following liquor licenses for the period of July 1, 2024 through June 30, 2025.

BE IT FURTHER REOLVED that the Municipal Clerk is hereby authorized to issue a liquor license as follows:

0236-33-004-009 – OSI/Flemings LLC, for premises at 210 Market Street, Montvale, NJ

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

Adopted: July 11, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 142-2024**

Re: Appointing Probationary Montvale Police Officer, Mark Pierro

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

BE IT RESOLVED, the effective date of employment is July 1, 2024.

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

Adopted: July 11, 2024

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 143-2024**

RE: Award Professional Service Contract – Professional Planning Services for Fourth Round Affordable Housing Services - Colliers Engineering & Design

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for Planning Services for Fourth Round Affordable Housing Services; and

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

WHEREAS, Colliers Engineering & Design, 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 has submitted a proposal dated June 26, 2024 to provide engineering 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: Evaluation of DCA Obligation, Housing Element & Fair Share Plan, Update Spending Plan, Meetings and Meeting Preparations, Coordination and Additional Services.
- 3) The cost not to exceed shall be \$33,330.00. 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 DePiero Drive, Montvale, NJ 07645.

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

Adopted: July 11, 2024

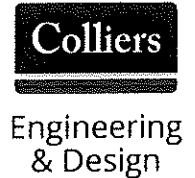
ATTEST:

Frances Scordo
Municipal Clerk

APPROVED:

Michael Ghassali
Mayor

Shelbourne at Hunterdon
53 Frontage Road, Suite 110
Hampton, New Jersey 08827
Main: 877 627 3772



June 26, 2024

VIA EMAIL

Joseph Voytus, Administrator
Borough of Montvale
12 DePiero Drive
Montvale, NJ 07645

Proposal for Professional Services
Fourth Round Affordable Housing Services
Colliers Engineering & Design Project No. MPP-0245P

Dear Mr. Voytus,

Colliers Engineering & Design (CED) is pleased to submit the following proposal for professional planning services to prepare a new Fourth Round Housing Element and Fair Share Plan for the Borough of Montvale, pursuant to the recently enacted legislation known as P.L. 2024, c.2. It should be noted that the rules outline a new procedural process, which is virgin territory for each and every planner and may require services above and beyond the scope of work outlined herein.

This proposal is divided into three sections as follows:

Section I – Scope of Work
Section II – Schedule of Fees
Section III – Client Contract Authorization

Section I - Scope of Work

The following scope of work is proposed:

Task 1.0 – Evaluation of DCA Obligation

Under the new legislation, DCA has been tasked with preparing a report on the calculations of regional need and municipal obligations for the Fourth Round prospective need and rehabilitation obligation. This report is supposed to be issued by October 20, 2024. Once the report is released, we will evaluate the report for a maximum of eight (8) hours (data inputs, regional allocation, etc.). This task assumes one (1) meeting with the affordable housing subcommittee to discuss the DCA report and our findings.

Task 2.0 – Housing Element & Fair Share Plan

The Fair Housing Act (C.52:27D-310) has been modified to read as follows:

10. A municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain at least:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L. , c. (C.) (pending before the Legislature as this bill);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20) ;
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and

i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

The Housing Element will include the required sections as described above with tables and charts as necessary. However, it should be noted that the new State Development and Redevelopment Plan has not yet been released. Once it is published, our office will evaluate it (a maximum of four (4) hours) for inclusion as appropriate into the Housing Plan.

The Fair Share Plan will include the following components:

1. Description of the Borough's four-part obligation – Rehabilitation, Prior Round, Third Round, and Fourth Round. This will include a discussion of the findings of the Vacant Land Adjustment assessment.
2. Description of the required micro requirements.
3. Description of the existing mechanisms and credits intended to satisfy/address the Borough's four-part obligation, supplemented with tables as needed.
4. Description of the proposed mechanisms to meet any outstanding obligation, supplemented with tables and maps as needed.
 - a. Pursuant to the new legislation this section will also need to address any sites that were not built in the prior rounds and demonstrate how said sites continue to present a realistic opportunity, which may include proposing changes to the zoning.
5. Draft implementation schedule that sets forth a timetable for units to be built and occupied.

Our office will work with the affordable housing sub-committee regarding proposed mechanisms. It is anticipated that this task will require two (2) to three (3) meetings with the sub-committee.

In addition to the above Fair Share Plan components, the new legislation requires municipalities that receive a vacant land adjustment of their Fourth Round obligation to identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25% of the Fourth Round obligation that has been adjusted. The municipality must adopt realistic zoning that allows for such adjusted obligation or demonstrate why the municipality is unable to do so. The rules fail to provide any guidance or parameters regarding this analysis. It is unclear if the DCA or the Affordable Housing Dispute Resolution Program will issue guidance on this topic. Due to the lack of available information and guidance, this task has eight (8) hours allocated to conduct this analysis.

Task 3.0 – Spending Plan

The Borough's Court-approved Spending Plan will need to be updated with the latest trust fund balance and expenditures. The Plan must also comport with any proposed expenditures outlined in the Housing Element & Fair Share Plan.

N.J.A.C. 5:93-5.1(c) states, "if a municipality intends to collect development fees, it shall prepare a plan to spend development fees". The rules require the following components:

1. A projection of revenues anticipated from imposing fees on development, based on historic development activity;
2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees;
4. A schedule for the creation or rehabilitation of housing units;
5. If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
6. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.

A Spending Plan will be drafted based on the rules above and circulated to the affordable housing sub-committee.

Task 4.0 – Meetings and Meeting Preparation

Colliers Engineering & Design will attend a maximum of four (4) meetings under this task. These meetings may be with the affordable housing sub-committee, the Planning Board hearing to present the Housing Element & Fair Share Plan, or Council meetings to inform the public of the process, obligation, mechanisms, etc. This task also includes preparation for each of the meetings.

Task 5.0 – Coordination

As the process outlined in P.L. 2024, c.2 is new, it is expected that there will be coordination between this office and the Borough Attorney and Business Administrator to ensure the Borough is on target to meet the deadlines established in the legislation. This task envisions fifteen (15) hours of coordination.

Task 6.0 – Additional Services

The Borough should note that the drafting of ordinances, manuals, marketing plans, master plan reexamination reports, land use element amendments, and notices is specifically excluded from the scope of work above. If the Borough requests the drafting of these documents, they will be completed on an hourly basis under this task. Additional services may be required beyond the scope outlined herein. Meetings beyond those outlined in the tasks above and any other services above and beyond those described in Tasks 1.0 through 5.0 will be billed hourly.

Section II – Schedule of Fees

The above tasks shall be invoiced on an hourly basis in accordance with the rates in the Schedule of Hourly Rates that are in effect, and included in the professional services agreement between the



Engineering
& Design

Borough and Colliers Engineering & Design, when the work is performed. We will not exceed the amount below without prior written authorization from the Borough. The maximum upset fee for this proposal is as follows:

Task Name	Fee
Task 1.0 – Evaluation of DCA Obligation	\$ 2,470.00
Task 2.0 – Housing Element & Fair Share Plan	\$ 18,540.00
Task 3.0 – Spending Plan	\$ 2,475.00
Task 4.0 – Meetings and Meeting Preparation	\$ 6,850.00
Task 5.0 – Coordination	\$ 2,995.00
Task 6.0 – Additional Services	Hourly

All work shall be invoiced in accordance with the terms and provisions of the agreement between the Borough and Colliers Engineering & Design for professional services.

Colliers Engineering & Design will commence work upon receipt of either a resolution approving the proposal or a copy of the executed client authorization in Section III.

We want to thank the Borough for providing the opportunity to perform this most important work. If you have any questions or require clarifications regarding the scope of work, please do not hesitate to call our office

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

Darlene A. Green, PP, AICP
Borough Planner

Daniel Bloch, PP, AICP, EADA
Regional Discipline Leader | Planning

cc: R. Lorraine Hutter, Planning & Zoning Board Land Use Administrator (via email)

Section III – Contract Authorization

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

R:\Projects\W-P\MPP\MPP0245P\240626dag_prop_fourth_round.docx

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	\$3,550,335.92	Bill List Wire 7/11/2024
	<u>326,629.54</u>	Wires/Manual Checks
Current TOTAL	3,876,965.46	
Capital	79,128.95	Bill List Wire 7/11/2024
Escrow	3,562.00	Bill List Wire 7/11/2024
Housing Trust	4,615.75	Bill List Wire 7/11/2024
General Trust	75.00	Bill List Wire 7/11/2024
Recreation Trust	3,756.77	Bill List Wire 7/11/2024

*This resolution was adopted by the Mayor and Council of Montvale
at a meeting held on 7/11/24*

Introduced by: _____

Approved: 7/11/24

Seconded by: _____

Michael Ghassali, Mayor

ATTEST:

Frances Scordo, Municipal Clerk

MANUAL/VOID CHECKS - WIRES**July 11, 2024**

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Vendor/Transaction</u>	<u>Amount</u>
WIRE		6/26/24	Payroll Account-Current	\$212,705.00
WIRE		6/26/24	Salary Deduction Account	\$113,849.54
WIRE		6/26/24	FSA Account	\$75.00
Total				<u><u>\$326,629.54</u></u>

July 9, 2024
10:14 AM

Borough of Montvale
Bill List By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed
Vendors: All
Rcvd Batch Id Range: First to Last
Include Non-Budgeted: Y
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
00019	MUNICIPAL CAPITAL CORPORATION								
	24-00072	01/11/24	WIDE FORMAT COPY MACHINE LEASE	Open	444.00	0.00			B
	24-00122	01/19/24	COPY MACHINE LEASE	Open	<u>369.00</u>	0.00			B
					813.00				
00023	BERGEN CTY UTILITIES AUTHORITY								
	24-00245	02/12/24	2024 SEWER SERVICE CHARGES	Open	268,761.00	0.00			B
00071	VEOLIA (SUEZ)								
	24-00928	07/08/24	10003825412222 VEOLIA JULY	Open	17,561.80	0.00			
00097	CABLEVISION								
	24-00909	06/28/24	07873-199375-01-1 OPTIMUM	Open	201.55	0.00			
	24-00929	07/08/24	07873-218840-01-0 OPTIMUM	Open	<u>39.48</u>	0.00			
					241.03				
00104	MONTVALE BOARD OF EDUCATION								
	24-00022	01/03/24	2024 LOCAL SCHOOL TAXES	Open	1,560,971.00	0.00			B
00108	MONTVALE HARDWARE & SUPPLY								
	24-00867	06/18/24	PD SUPPLIES	Open	79.83	0.00			
00113	FEDICK, ANDREW								
	24-00882	06/21/24	REIMB PD CARS REGISTERED	Open	120.00	0.00			
00116	VERIZON								
	24-00798	06/05/24	651-285-414-0001-73 VERIZON	Open	421.97	0.00			
	24-00931	07/08/24	651-285-414-0001-73 VERIZON	Open	<u>408.44</u>	0.00			
					830.41				
00118	NJ STATE LEAGUE OF								
	24-00829	06/11/24	CLASSIFIED AD FOR SPECIAL ATTY	Open	160.00	0.00			
00128	ARROW TREE SERVICE INC.								
	24-00804	06/05/24	TREE REMOVAL TOWN CENTER	Open	415.00	0.00			
00137	PASCACK VALLEY REGIONAL HS DST								
	24-00021	01/03/24	2024 REGIONAL SCHOOL TAXES	Open	1,320,785.67	0.00			B
00139	SCORDO, FRANCES								
	24-00907	06/27/24	PETTY CASH FOR JUNE	Open	292.76	0.00			
00163	STAR PRESS, INC.								
	24-00809	06/06/24	ENVELOPES - COURT	Open	240.00	0.00			
00215	TOWNSHIP OF RIVER VALE								
	24-00023	01/04/24	2024 PASCACK VALLEY DPW	Open	162,020.07	0.00			B

July 9, 2024
10:14 AM

Borough of Montvale
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00258	ROCKLAND ELECTRIC COMPANY	24-00932	07/08/24	ROCKLAND ELECTRIC JUNE 2024	Open	24,945.52	0.00		
00332	ZAGAJA, MACIEJ	24-00814	06/07/24	REIMB 364 RIMS	Open	338.00	0.00		
00426	TREASURER, STATE OF NEW JERSEY	24-00912	06/28/24	QRTLY MARRIAGE LICENSE REPORT	Open	225.00	0.00		
00497	LEVITZKI, ANN	24-00302	02/23/24	2024 COURT - CELL PHONE	Open	70.61	0.00		B
00548	THE FUNPLEX	24-00927	07/08/24	CAMP TRIP 7/8/24	Open	2,125.00	0.00		
00554	BERGEN MUNI.EMPL.BENEFITS FUND	24-00024	01/04/24	2024 HEALTH BENEFITS	Open	72,241.00	0.00		B
00635	CDW GOVERNMENT	24-00730	05/23/24	PD COMPUTER MONITOR	Open	405.29	0.00		
00717	LOPRESTI, ADAM	24-00916	07/02/24	BJS FREEZER REIMBURSEMENT	Open	487.67	0.00		
00730	BOGGIA, BOGGIA, BETESH	24-00288	02/21/24	2024 LEGAL FEES	Open	2,768.17	0.00		B
00731	COLLIER'S ENGINEERING & DESIGN	23-01096	08/08/23	AFFORD. HOUSING COMPLIANCE '23	Open	608.25	0.00		B
		24-00047	01/05/24	OR ZONES PERMITTED USE & BULK	Open	1,202.50	0.00		B
		24-00155	01/24/24	MONTVALE MASTER PLAN	Open	2,001.25	0.00		B
		24-00246	02/12/24	2024 BOROUGH PLANNER	Open	190.00	0.00		B
		24-00523	04/15/24	AFFORD HOUSING COMPLIANCE 2024	Open	807.50	0.00		B
		24-00831	06/11/24	MUNICIPAL PLANNING REVIEW	Open	1,738.75	0.00		
		24-00842	06/12/24	MUNICIPAL ENGINEERING REVIEW	Open	362.00	0.00		
		24-00873	06/18/24	MUNICIPAL PLANNING REVIEW	Open	866.25	0.00		
		24-00874	06/18/24	MUNICIPAL PLANNING REVIEW	Open	95.00	0.00		
						7,871.50			
00801	WESTPHAL WASTE SERVICES, INC.	24-00261	02/14/24	2024 GARBAGE COLLECTION	Open	75,828.75	0.00		B
00896	GIAMMARINO, MICHAEL	24-00134	01/22/24	INTERPRETER COURT	Open	320.00	0.00		B
00903	INSIDECREDIT	24-00866	06/18/24	PD BACKGROUND CHECKS	Open	100.00	0.00		
00999	AMAZON.COM SERVICES, INC.	24-00792	06/04/24	OFFICE SUPPLIES	Open	91.08	0.00		
		24-00852	06/17/24	recreation camp	Open	279.99	0.00		
						371.07			

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PO #	PO Date	Description					
01027	SPEEDPRO IMAGING						
24-00860	06/17/24	WELCOME SIGNS	Open	75.00	0.00		
01042	McMANIMON, SCOTLAND, BAUMANN LLC						
24-00795	06/05/24	BOND NOTE SALE	Open	5,988.85	0.00		
01152	BAVIELLO LANDSCAPING CO., INC.						
24-00728	05/23/24	REMOVE POISON HEMLOCK	Open	560.00	0.00		
01210	GOOSETOWN COMMUNICATIONS						
24-00548	04/22/24	KENWOOD BATTERY KNB-55L	Open	61.60	0.00		
01330	GHASSALI, MICHAEL						
24-00853	06/17/24	FIRE DEPT DINNER	Open	1,856.93	0.00		
01367	VLADICK, MATTHEW						
24-00887	06/21/24	REIMB CLOTHING ALLOWANCE	Open	171.39	0.00		
01368	ROBALINO, ERIC						
24-00865	06/18/24	REIMB CLOTHING ALLOWANCE 134	Open	127.96	0.00		
24-00871	06/18/24	REIMB CDR FLASHDRIVE	Open	<u>69.42</u>	0.00		
				197.38			
01453	STEIN'S FRESH BAGEL INC.						
24-00868	06/18/24	PD NEW HIRE BREAKFAST	Open	67.05	0.00		
01471	RICCIARDELLA ELECTRIC INC.						
24-00830	06/11/24	TENNIS COURT LIGHT REPAIRS	Open	1,876.00	0.00		
24-00899	06/26/24	12 DEPIERO EXTRA WALL LIGHT	Open	<u>158.60</u>	0.00		
				2,034.60			
01542	WICKERSHEIM & SONS						
24-00803	06/05/24	TOILET LEAKING DPW	Open	1,314.52	0.00		
01568	R.L.DEHN & SONS						
24-00705	05/21/24	FIRE SPRINKLER POLICE LOCKER	Open	1,800.00	0.00		
24-00808	06/06/24	LEAKING SPRINKLER POLICE DEPT	Open	<u>1,400.00</u>	0.00		
				3,200.00			
01624	CMRS-FP						
24-00026	01/04/24	REFILL POSTAGE METER	Open	800.00	0.00		8
01643	LORANGER, LISA						
24-00833	06/11/24	LAMINATING PAPER&CERTIFICATES	Open	182.81	0.00		
24-00915	07/02/24	CAMP SUPPLIES REIMBURSEMENT	Open	1,231.25	0.00		
24-00920	07/02/24	MAILCHIMP REIMBURSEMENT	Open	<u>110.00</u>	0.00		
				1,524.06			
01680	WEGMANS BUSINESS						
24-00834	06/11/24	FISH W/ FIRST RESP. SUPPLIES	Open	3.25	0.00		
01724	MOTOROLA SOLUTIONS INC.						
23-01591	11/29/23	FIRE DEPT PORTABLE RADIOS-5	Open	65,536.45	0.00		

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Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
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01748	WERBA, JOSEPH						
24-00818	06/07/24	REIMB CLOTHING	Open	211.20	0.00		
01760	UNITED PARCEL SERVICE						
24-00933	07/08/24	F047X6 UPS MARCH 2024	Open	554.40	0.00		
01767	VERIZON						
24-00910	06/28/24	555-569-014-0001-55 VERIZON	Open	175.64	0.00		
01788	TIGHE, RAYMOND						
24-00841	06/12/24	ANNUAL MEMBERSHIP DUES NJMLS	Open	250.00	0.00		
24-00861	06/17/24	NJ IAAO 3/7/24 CONFERENCE	Open	<u>145.00</u>	0.00		
				395.00			
01828	CGP&H, LLC						
24-00276	02/16/24	PROFESSIONAL HOUSING REHAB SVC	Open	1,300.00	0.00		B
01833	MCGEE, HEATHER (PETTY CASH)						
24-00886	06/21/24	PETTY CASH REIMBURSEMENT	Open	241.36	0.00		
01852	REDICARE LLC						
24-00858	06/17/24	FIRST AID 60 DAY SERVICE	Open	255.00	0.00		
01858	DR. MICHAEL GOLZ						
24-00719	05/22/24	PD RECRUIT PHYSICAL	Open	1,680.00	0.00		
01882	PRESTIGE BUSINESS PRODUCTS, INC						
24-00864	06/18/24	PD INK CARTRIDGE 114	Open	92.00	0.00		
01892	AC DAUGHTRY INC.						
24-00869	06/18/24	PD SOFT CELL DOOR REPAIR	Open	274.20	0.00		
01932	4IMPRINT, INC.						
24-00800	06/05/24		Open	647.01	0.00		
01949	AT&T MOBILITY						
24-00815	06/07/24	PD PATROL PHONES	Open	863.54	0.00		
01954	STEWART & STEVENSON POWER PROD						
24-00608	05/02/24	FIRE TRUCK REPAIR	Open	2,270.00	0.00		
01956	BLUE 360 MEDIA LLC						
24-00774	06/03/24	NJ CRIMINAL LAW VEHICLE BOOK	Open	89.95	0.00		
01962	AT&T MOBILITY II LLC						
24-00885	06/21/24	PD PATROL PHONE PLAN	Open	134.32	0.00		
01968	DISPOTO, NICHOLAS						
24-00884	06/21/24	REIMB HOTEL OVERNIGHT STAY	Open	165.48	0.00		
01993	GREG TANZER SPRINKLERS						
24-00776	06/03/24	REPAIR SPRINKLERS - LA TRENTA	Open	5,949.67	0.00		

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02011	HUNTINGTON BAILEY, L.L.P.								
	24-00806	06/06/24	PROFESSIONAL SERVICES RENDERED	Open		852.50	0.00		
02038	VOYTUS, JOSEPH								
	24-00903	06/27/24	MILEAGE JAN - JUNE 2024	Open		403.59	0.00		
02141	REGAN, ROBERT T., ESQ.								
	24-00224	02/06/24	MONTVALE MASTER PLAN	Open		100.00	0.00		B
	24-00828	06/11/24	PROFESSIONAL SERVICES RENDERED	Open		<u>500.00</u>	0.00		
						600.00			
02426	VERIZON WIRELESS								
	24-00862	06/17/24	242317487-00001 VERIZON	Open		777.65	0.00		
02757	TYCO ANIMAL CONTROL SERVICES								
	24-00206	02/02/24	2024 GEESE CONTROL SERVICES	Open		400.00	0.00		B
	24-00207	02/02/24	2024 ANIMAL CONTROL SERVICES	Open		<u>920.00</u>	0.00		B
						1,320.00			
02987	DATA NETWORK SOLUTIONS								
	24-00109	01/18/24	2024 BORO PHONE LINES	Open		1,096.29	0.00		B
02990	VILLAGE SPRINGS AT MONTVALE								
	24-00770	06/03/24	VILLAGE SPRINGS HOA ASSISTANCE	Open		1,900.00	0.00		
02999	REGENCY LIGHTING, INC.								
	24-00168	01/25/24	LIGHTING POLE	Open		12,740.00	0.00		
03084	WESLEY SICOMAC DAIRY								
	24-00234	02/07/24	2024 MILK DELIVERY	Open		32.82	0.00		B
03472	AAA EMERGENCY SUPPLY								
	23-00650	05/04/23	LEATHER FIRE BOOTS	Open		1,196.00	0.00		
03727	STAPLES INC								
	24-00753	05/30/24	Office Supplies	Open		288.91	0.00		
04006	GRAMBONE, MARTINA ROSA								
	24-00919	07/02/24	ART SUPPLIES REIMBURSEMENT	Open		187.63	0.00		
Total Purchase Orders:		92	Total P.O. Line Items:		0	Total List Amount:		3,641,474.39	Total Void Amount: 0.00

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Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
CURRENT FUND 2023	3-01	1,196.00	0.00	1,196.00	0.00	0.00	1,196.00
CURRENT FUND 2024	4-01	3,549,139.92	0.00	3,549,139.92	0.00	0.00	3,549,139.92
CAPITAL FUND	C-04	79,128.95	0.00	79,128.95	0.00	0.00	79,128.95
BOA ESCROW ACCOUNT	E-08	3,562.00	0.00	3,562.00	0.00	0.00	3,562.00
OTHER TRUST ACCOUNT	T-03	4,690.75	0.00	4,690.75	0.00	0.00	4,690.75
RECREATION TRUST	T-19	3,756.77	0.00	3,756.77	0.00	0.00	3,756.77
Year Total:		8,447.52	0.00	8,447.52	0.00	0.00	8,447.52
Total of All Funds:		3,641,474.39	0.00	3,641,474.39	0.00	0.00	3,641,474.39