

**AGENDA
WORK SESSION MEETING
BOROUGH OF MONTVALE
Mayor and Council Meeting
May 27, 2025
Closed Executive Session 7:00PM
Meeting to Commence 7:30PM**

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2025 adopted on January 1, 2025 and posted on the bulletin board in the Municipal Building

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

- Attorney Client Privilege – Potential Litigation – Affordable Housing
- Attorney Client Privilege – DePiero Farm

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

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2025-1570 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO REVISE THE "FLAT FEE" STRUCTURE

PUBLIC HEARING OF ORDINANCE NO. 2025-1571 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385 OF THE BOROUGH CODE TO CHANGE THE PARKING RESTRICTIONS ON CERTAIN PORTIONS OF CRAIG ROAD

PUBLIC HEARING OF ORDINANCE NO. 2025-1572 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 258 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS RELATED TO MASSAGE ESTABLISHMENTS

INTRODUCTION OF ORDINANCE NO. 2025-1573 AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND REPLACING CHAPTER 210, "FLOOD DAMAGE PREVENTION," OF THE BOROUGH CODE
(public hearing 6-12-25)

INTRODUCTION OF ORDINANCE NO. 2025-1574 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 408 OF THE BOROUGH OF MONTVALE CODE TO REGULATE PET WASTE
(public hearing 6-12-25)

MEETING OPEN TO PUBLIC

Agenda Items Only

MEETING CLOSED TO PUBLIC

Agenda Items Only

MINUTES:

April 29, 2025

May 8, 2025

CLOSED SESSION MINUTES:

April 29, 2025

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.

- 121-2025 A Resolution Authorizing the Re-Affirmation of the Policy & Procedures Manual of the Municipality
- 122-2025 Approval of Business Permit for Massage and Bodywork Establishment – Cozy Thai Spa – 2 S. Kinderkamack Road
- 123-2025 Amending Resolution No. 78-2025 for a Professional Services Contract to King, Moench & Collins LLP to Serve as Special Counsel for Affordable Housing Litigation
- 124-2025 Award Professional Service Contract to Colliers Engineering & Design, for Tier A Municipal Stormwater Permit, Storm Water Outfall Inspections and Storm Sewer Locations
- 125-2025 A Resolution Awarding a Contract to 4 Clean Up Inc. for the NJDOT FY2024 – Woodland Road Resurfacing Project
- 126-2025 Award Professional Service Contract to Colliers Engineering & Design - for Construction Observation & Administration Services for NJDOT FY2024 – Woodland Road Resurfacing Project
- 127-2025 Amending Resolution No. 73-2025 To Establish Recreational Fees for Year 2025
- 128-2025 Authorize Hiring - Part Time Alternate Crossing Guard – Mary Elizabeth Moltzen
- 129-2025 A Resolution Approving a Second Addendum to the Shared Services Agreement with the Township of River Vale Concerning the Pascack Valley Department of Public Works

BILLS:

ENGINEER'S REPORT:

ATTORNEY'S REPORT:

ADMINISTRATOR'S REPORT:

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- Approval of Camp Counsellors
- Discussion – Memorial Drive Multi-Use Athletic Field

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 Meeting of the Mayor & Council will be held at 7:30pm on Thursday, June 12, 2025

**BOROUGH OF MONTVALE
ORDINANCE NO. 2025-1570**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on April 29, 2025 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on May 27, 2025 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO REVISE THE "FLAT FEE" STRUCTURE

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

Section 1. Chapter 170, "Construction Codes, Uniform," Section 11, "Other certificates and permits," subsection H, "Engineering fees," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows: follows:

§170-11 Other certificates and permits.

H. Engineering fees.

- (1) In order to ensure that the Borough standards are met for all site improvements, including curbs, sidewalks, driveway pavement, seepage pits and to create zero runoff from new residential single-family dwelling construction and additions, swimming pools, tennis and retaining walls over four feet, the following fees shall be collected at the time an application is made that will require engineering plan review and construction inspection. An administrative fee of 20% will be added to the base fees to be retained by the construction department.

	Engineering	Administrative	Initial Fee	Re-Review
New single-family dwelling	\$1000	\$200	\$1200	\$200
Additions to single- family dwelling	\$1000	\$200	\$1200	\$200
Swimming pools, tennis courts	\$1000	\$200	\$1200	\$200
Retaining walls over four feet in height	\$500	\$100	\$600	\$150

	Engineering	Administrative	Initial Fee	Re-Review
Other site improvements affecting impervious coverage or run-off	\$500	\$100	\$600	\$150

- (2) If the submitted plans are insufficient or need to be revised by the applicant requiring an additional review by the Borough Engineer, the applicant shall be required to additionally pay the "re-review" fee identified above. There shall be no administrative charge on the "re-review" fee.
- (3) In the event that there is a material change in the scope of the project (defined as an increase or decrease in the value of the anticipated improvements by 50% or more), the applicant shall be required to deposit additional engineering fees according to the original schedule above. *(By way of example, an applicant proposes a \$100,000 addition and deposits \$1,000 in engineering fees plus a \$200 administrative fee. The applicant then revises the plans to propose a \$200,000 addition instead. The applicant is required to submit an additional \$1,000 in engineering fees, not the "re-review" fee. No additional administrative fees would be collected.)*
- (4) Upon withdrawal of the application or issuance of the building permit, seventy percent (70%) of the total engineering fee deposited, including any re-review fees, shall be paid to the engineer upon submission of a proper invoice. [or] Upon completion of the work specified in the application, the remainder of the total engineering fee deposited, including any re-review fees, shall be paid to the engineer upon submission of a proper invoice.

Section 2. All other provisions of Section 170-11 other than subsection H shall remain unchanged.

Section 3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Montvale Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 5. This ordinance shall take effect immediately upon passage and publication as required by law.

Section 6. All applications submitted prior to the effective date of this ordinance shall continue to be processed under the existing engineering fee schedule and procedure.

MICHAEL GHASSALI
Mayor

ATTEST:
FRANCES SCORDO
Municipal Clerk

INTRODUCTION: 4-29-25

Councilmember	Yes	No	Absent	Abstain
Arendacs	✓			
Cudequest	✓			
Koelling	✓			
Lane	✓			
Roche	✓			
Russo-Vogelsang	✓			

ADOPTED: 5-27-25

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

**BOROUGH OF MONTVALE
ORDINANCE NO. 2025-1571**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on April 29, 2025 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on May 27, 2025 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385 OF THE BOROUGH CODE TO CHANGE THE PARKING RESTRICTIONS ON CERTAIN PORTIONS OF CRAIG ROAD

WHEREAS, it has come to the attention of the Borough that vehicles parking on certain portions of Craig Road have created difficulties with vehicular traffic and sight distances; and

WHEREAS, the Borough Code presently prohibits parking on both sides of Craig Road, but there is no signage to reflect this restriction; and

WHEREAS, the Police Department has recommended that parking only be prohibited on certain portions of Craig Road, while allowing street parking on other areas, and has further recommended that signage be placed consistent with these new regulations; and

WHEREAS, the Borough is desirous of amending the parking restrictions on certain portions of Craig Road to improve vehicular and pedestrian safety and to preserve the quality of life of area residents.

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

Section 1. Chapter 385, "Vehicles and Traffic," Section 33, "Schedule I – No Parking", is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

Street	Side and Hours	Location
Craig Road	[Both] <u>West</u>	Entire length
<u>Craig Road</u>	<u>East</u>	<u>From Grand Avenue northerly to a point 50 feet north of the intersection of Craig Road and Forshee Circle</u>

<u>Craig Road</u>	<u>East</u>	<u>From a point 250 feet north of the intersection of Craig Road and Forshee Circle northerly to Summit Avenue</u>
-------------------	-------------	--

Section 2. Repeal of Inconsistent Ordinances.

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

Section 3. Savings Clause.

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

Section 4. Severability.

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

Section 5. Effective Date.

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

MICHAEL GHASSALI
Mayor

ATTEST:
FRANCES SCORDO
Municipal Clerk

INTRODUCTION: 4-29-25

Councilmember	Yes	No	Absent	Abstain
Arendacs	✓			
Cudequest	✓			
Koelling	✓			
Lane	✓			
Roche	✓			
Russo-Vogelsang	✓			

ADOPTED: 5-27-25

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

**BOROUGH OF MONTVALE
ORDINANCE NO. 2025-1572**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on May 8, 2025 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on May 27, 2025 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 258 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS RELATED TO MASSAGE ESTABLISHMENTS

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

Section 1. Chapter 258, "Massage and Somatic Therapies Establishments," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§ 258-5 Application requirements.

- A. Application for a business permit for massage and bodywork therapy establishment. Any person, firm, corporation, organization or other entity applying for a massage and bodywork therapy establishment business permit shall submit the required application, which shall include the following information:
- (5) A complete list of the name(s) and address(es) of all massage and bodywork therapists, along with a copy of each therapist's certificate and/or license issued by the State of New Jersey pursuant to the Act and all relevant regulations. It shall be an ongoing responsibility of each licensed therapist to notify the Borough, in writing, of any change in name, address or telephone number, prior to any employee starting work. This list shall also be made available during all inspections. Additionally, two front-faced portrait photographs of the individual, at least two inches by two inches in size, taken within 30 days of the date of the application, shall be submitted with the application.

§ 258-10 Operating requirements.

- A. Every portion of the massage and bodywork therapy establishment, including all appliances and apparatus, shall be kept clean and operated in a sanitary condition. All massage tables, bathrooms, bathtubs, shower stalls, steam or bath areas and floors shall have surfaces which may be readily disinfected, and shall be maintained in a sanitary condition and regularly cleaned and disinfected by a method approved by the Health Department. Each massage, bodywork and somatic therapy area/room shall be equipped with a handwashing sink and an adequate area within each room for clients to store personal items.

W. All main entrance doors to massage and bodywork therapy establishments are not permitted to be locked or hasped during the establishments' hours of operation. The "buzzing in" of clientele into a lobby area is prohibited.

X. No employee of any massage, bodywork, or somatic therapy establishment shall possess any personal lubricant, condoms or sexual aids/toys, while working in the establishment, nor will any of said items be permitted inside of any massage, bodywork, or somatic therapy establishment.

Y. If decals are placed on exterior windows they must be at least 50% transparent and only placed on the top half of the window.

§ 258-14 Violations and penalties; suspension or revocation of permit.

A. Unless otherwise provided by law, any person or establishment owner violating any of the provisions of this chapter shall, upon determination of the Health Officer, the Borough Police Department, Construction Official, the Code Enforcement Officer, and/or the Fire Marshal be subject to suspension or revocation of a Borough-issued business permit pursuant to the provisions of this chapter. In addition to suspension or revocation of the business permit, any person/establishment owner violating any of the provisions of this chapter shall be subject to penalties or fines set forth in Chapter 1, Article I, "General Penalty," of this Code. [at the discretion of the Municipal Court.]

Section 2. Repeal of Inconsistent Ordinances.

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

Section 3. Savings Clause.

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

Section 4. Severability.

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

Section 5. Effective Date.

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

MICHAEL GHASSALI
Mayor

ATTEST:
FRANCES SCORDO
Municipal Clerk

INTRODUCTION: 5-08-25

Councilmember	Yes	No	Absent	Abstain
Arendacs	✓			
Cudequest	✓			
Koelling	✓			
Lane	✓			
Roche			✓	
Russo-Vogelsang	✓			

ADOPTED: 5-27-25

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

**BOROUGH OF MONTVALE
ORDINANCE NO. 2025-1573**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on May 27, 2025 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on June 12, 2025 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

**AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND REPLACING
CHAPTER 210, "FLOOD DAMAGE PREVENTION," OF THE BOROUGH CODE**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the **Borough of Montvale** and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the **Borough of Montvale** was accepted for participation in the National Flood Insurance Program on **June 15, 1981** and the **Mayor and Council** desire to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the **Borough of Montvale** is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the **Borough of Montvale** is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the **Borough of Montvale** is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

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

SECTION 1. Chapter 210 of the Borough Code is hereby repealed in its entirety and replaced as follows:

CHAPTER 210 – FLOOD DAMAGE PREVENTION

ARTICLE I - SCOPE AND ADMINISTRATION

§201-1. Title.

These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the **Borough of Montvale** (hereinafter "these regulations").

§201-2. Scope.

These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Article II of these regulations.

§201-3. Purposes and objectives.

The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

§201-4. Coordination with Building Codes.

Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the **Borough of Montvale** administer and enforce the State building codes, the **Mayor and Council of the Borough of Montvale** do hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

§201-5. Ordinary Building Maintenance and Minor Work.

Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 210-26 of this ordinance.

§201-6. Warning.

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

§201-7. Other laws.

The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

§201-8. Violations and Penalties for Noncompliance.

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

§210-8.1. Solid Waste Disposal in a Flood Hazard Area.

Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

§201-9. Abrogation and greater restrictions.

These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

ARTICLE II - APPLICABILITY

§201-10. General.

These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

§201-11. Establishment of Flood Hazard Areas.

The **Borough of Montvale** was accepted for participation in the National Flood Insurance Program on **June 15, 1981**.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Borough Hall, 12 DePiero Drive, Montvale, NJ 07645 at the building department.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)" dated August 28, 2019 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 210-11(1) whose top level document (appendix map) effective date is August 28, 2019 are hereby adopted by reference.

Table 210-11(1)

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
34003C0079	8/28/2019	J	34003C0091	8/28/2019	H
34003C0087	8/28/2019	J	34003C0092	8/28/2019	H

- 2) **Federal Best Available Information.** The Borough of Montvale shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 210-11(2)

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
None as of the date of this ordinance			

- 3) **Other Best Available Data.** The Borough of Montvale shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Borough of Montvale. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 210-11 (1) and (2), above. This information shall be used for floodplain regulation purposes only.

- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in Article IX, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 210-11(3) List of State Studied Waters

Name of Studied Water	File Name	Map Number
Pascack Bk	I0000016	15
Pascack Bk, Stateline Bk, Fieldstone Bk	I0000017	16
Bear Bk	I0000024	23
Bear Bk	I0000025	24
Mill Bk, Echo Glen Bk	I0000026	25
Mill Bk, Lauri Bk	I0000028	27
Holdrum Bk	I0000029	28
Hillsdale Bk	I0000031	30

§201-12. Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 210-11, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 210-11, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any undelineated watercourse (where mapping or studies described in 210-11 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:

- a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 210-35 and 210-36.
- 3) AO Zones – For Zone AO areas on the municipality's FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- 5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

ARTICLE III - DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

§201-13. Floodplain Administrator Designation.

The **Borough Engineer** is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

§201-14. General.

The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article VII of these regulations.

§201-15. Coordination.

The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

§201-16.

Duties.

The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Article II of these regulations.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 210-26 of these regulations.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Article VII of these regulations.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (11) Inspect development in accordance with Article VI of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- (12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Article VII of these regulations.
- (13) Cite violations in accordance with Article VIII of these regulations.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of the **Borough of Montvale** have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 210-11.

§201-17. Use of changed technical data.

The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

§201-18. Other permits.

It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

§201-19. Determination of Local Design Flood Elevations.

If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 210-11 and 210-12 respectively. This information shall be provided to the Construction Official and documented according to Section 210-27.

§201-20. Requirement to submit new technical data.

Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and

floodplain management requirements will be based upon current data.

§201-21. Activities in riverine flood hazard areas.

In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

§201-22. Floodway encroachment.

Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

§210-22.1. Floodway revisions.

A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

§201-23. Watercourse alteration.

Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

§210-23.1. Engineering analysis.

The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

§201-24. Alterations in coastal areas.

The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

§201-25. Development in riparian zones

All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

§201-26. Substantial improvement and substantial damage determinations.

When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 210-5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.
- (5) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

§201-27. Department records.

In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that

are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

§201-28. Liability.

The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

ARTICLE IV - PERMITS

§201-29. Permits Required.

Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

§201-30. Application for permit.

The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Article V of these regulations, grading and filling plans and other information deemed appropriate by

the Floodplain Administrator.

(5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.

(6) Be signed by the applicant or the applicant's authorized agent.

§201-31. Validity of permit.

The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

§201-32. Expiration.

A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

§201-33. Suspension or revocation.

The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

ARTICLE V - SITE PLANS AND CONSTRUCTION DOCUMENTS

§201-34. Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 210-35.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 210-35(3) of these regulations.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.

- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

§201-35. Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

§201-36. Analyses and certifications by a Licensed Professional Engineer.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed

development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 210-37 of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 210-37 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

§201-37. Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

ARTICLE VI - INSPECTIONS

§201-38. General.

Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

§201-39. Inspections of development.

The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

§201-40. Buildings and structures.

The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- 1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 210-74 shall be submitted to the Construction Official on an Elevation Certificate.
- 2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 210-74 shall be submitted to the Construction Official on an Elevation Certificate.
- 3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 210-74.
- 4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 210-74 shall be submitted to the Construction Official on an Elevation Certificate.

§201-41. Manufactured homes.

The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

ARTICLE VII - VARIANCES

§201-42. General.

The **Planning Board** shall hear and decide requests for variances. The **Planning Board** shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 210-46, the conditions of issuance set forth in Section 210-47, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The **Planning Board** has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

§201-43. Historic structures.

A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

§201-44. Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

§201-45. Restrictions in floodways.

A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 210-36(1) of these regulations.

§201-46. Considerations.

In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

§201-47. Conditions for issuance.

Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

ARTICLE VIII - VIOLATIONS

§201-48. Violations.

Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

§201-49. Authority.

The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

§201-50. Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

§201-51. Review Period to Correct Violations.

A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

ARTICLE IX - DEFINITIONS

§201-52. General.

The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

§201-53. Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of 'Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the

use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **AREA OF SPECIAL FLOOD HAZARD** – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the "100-year flood elevation".

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available

Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, "Building" means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, "Critical Building" means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event,

such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping

published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building

include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Article VII of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Planning Board requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved State program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered "lawfully existing" for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation

to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately

next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as

temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The Start of Construction is as follows:

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA),** this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement

was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be

in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

ARTICLE X - SUBDIVISIONS AND OTHER DEVELOPMENTS

§201-54. General.

Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

§201-55. Subdivision requirements.

Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

ARTICLE XI - SITE IMPROVEMENT

§201-56. Encroachment in floodways.

Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 210-36(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section 210-36(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 210-74 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

§201-56.1. Prohibited in floodways.

The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

§201-57. Sewer facilities.

All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

§201-58. Water facilities.

All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

§201-59. Storm drainage.

Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

§201-60. Streets and sidewalks.

Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

§201-61. Limitations on placement of fill.

Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

§210-62. Hazardous Materials.

The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

ARTICLE XII - MANUFACTURED HOMES

§201-63. General.

All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

§201-64. Elevation.

All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section 210-74.

§201-65. Foundations.

All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

§201-66. Anchoring.

All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

§201-67. Enclosures.

Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 210-74.

§201-68. Protection of mechanical equipment and outside appliances.

Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 210-74 of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 210-74, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE XIII - RECREATIONAL VEHICLES

§201-69. Placement prohibited.

The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

§201-70. Temporary placement.

Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

§201-71. Permanent placement.

Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 210-74 for habitable buildings and Section 210-65.

ARTICLE XIV - TANKS

§210-72. Tanks.

Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

ARTICLE XV - OTHER DEVELOPMENT AND BUILDING WORK

§201-73. General requirements for other development and building work.

All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 210-36(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of

- flooding up to the Local Design Flood Elevation determined according to Section 210-12;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
 - (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 210-12 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - i. Specifically allowed below the Local Design Flood Elevation; and
 - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
 - (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
 - (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

§201-74. Requirements for Habitable Buildings and Structures.

- 1) Construction and Elevation in A Zones not including Coastal A Zones.
 - a. No portion of a building is located within a V Zone.
 - b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - c. All new construction and substantial improvement of any habitable building (as defined in Article IX) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 210-12, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
 - d. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 210-12, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
 - e. All new construction and substantial improvements with fully enclosed areas below the

lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:

- i. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
- ii. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 210-74(1)(d)ii are met;
- iii. Be constructed to meet the requirements of ASCE 24 Chapter 2;
- iv. Have openings documented on an Elevation Certificate; and
- v. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

§201-75. Garages and accessory storage structures.

Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

§201-76. Fences.

Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 210-36(1) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Article VII of this ordinance.

§201-77. Retaining walls, sidewalks, and driveways.

Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 210-36(1) of these regulations and N.J.A.C. 7:13.

§201-78. Swimming pools.

Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 210-36(1) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

§201-79. Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 210-36(1) of these regulations.

ARTICLE XVI - TEMPORARY STRUCTURES AND TEMPORARY STORAGE

§201-80. Temporary structures.

Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

§201-81. Temporary storage.

Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

§201-82. Floodway encroachment.

Temporary structures and temporary storage in floodways shall meet the requirements of Section 210-36(1) of these regulations.

ARTICLE XVII UTILITY AND MISCELLANEOUS GROUP U

§210-83. Utility and Miscellaneous Group U.

In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

§210-84. Flood loads.

Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 210-12.

§210-85. Elevation.

Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 210-12 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

§210-86. Enclosures below base flood elevation.

Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 210-74 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

§210-87. Flood-damage resistant materials.

Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 210-12.

§210-88. Protection of mechanical, plumbing, and electrical systems.

Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 210-12.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 2. Repeal of Inconsistent Ordinances.

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

SECTION 3. Savings Clause.

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

SECTION 4. Severability.

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

SECTION 5. Effective Date.

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

MICHAEL GHASSALI
Mayor

ATTEST:
FRANCES SCORDO
Municipal Clerk

INTRODUCTION: 5-27-25

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

ADOPTED: 6-12-25

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

**BOROUGH OF MONTVALE
ORDINANCE NO. 2025-1574**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on May 27, 2025 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on June 12, 2025 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 408 OF THE BOROUGH OF MONTVALE CODE TO REGULATE PET WASTE

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

Section 1. Chapter 408, "Animals," of the Borough Code is hereby amended and supplemented by renaming Article I "Pet Waste" and replacing same to read as follows:

CHAPTER 408 - Animals

**Article I
Pet Waste**

§408-1 Definitions.

For the purpose of this Chapter, the following terms, phrases, words, and their derivations, shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"Owner/Keeper" means any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

"Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

"Pet" means any domesticated animal kept for companionship.

"Pet solid waste" means feces from any domesticated animal.

"Proper disposal" means placement in a designated waste receptacle, or other suitable container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§408-2 Regulated activities.

- A. No person shall walk a pet on any public street or any other public place, or on any private premises, except with said owner's permission, other than the property owned by or under the control of the owner of the pet unless such person shall at all times have on his person a proper scoop bag, container, similar efficient sanitary means to immediately remove any and all pet solid waste deposited by such pet.
- B. All pet owners and keepers are required to immediately and properly pick up, contain and dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.
- C. Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision or hearing loss, or other physical disabilities, shall be exempt from the provisions of this section while such animal is being used for that purpose. This exemption is not applicable to pets that are exclusively emotional support animals.

§408-3 Enforcement.

The provisions of this article shall be enforced by the Montvale Police Department and the Municipal Health Officer.

§408-4 Violations and penalties.

Any person who shall violate the terms and provisions of this article shall be subject to a fine of not less than \$20 nor more than \$500, at the discretion of the Municipal Judge

Section 2. Repeal of Inconsistent Ordinances.

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

Section 3. Savings Clause.

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

Section 4. Severability.

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

Section 5. Effective Date.

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

MICHAEL GHASSALI
Mayor

ATTEST:
FRANCES SCORDO
Municipal Clerk

INTRODUCTION: 5-27-25

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

ADOPTED: 6-12-25

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

**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. Master Sargent Dieter Koelling led in the Pledge of Allegiance. 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; Administrator, Joe Voytus; Borough Engineer, Nick Chelius and Municipal Clerk, Fran Scordo

2025 BUDGET PRESENTATION: *Councilmember Lane and Councilmember Roche***Resolution No. 114-2025 Permitting the 2025 Municipal Budget to be Read by Title Only**

WHEREAS, N.J.S. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Borough Clerk to person requiring them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

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

PUBLIC HEARING 2025 MUNICIPAL BUDGET:**MEETING OPEN TO PUBLIC:**

Municipal Budget Only

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

Carolee Adams

We are very blessed how mayor and council work well together; Curious about are we preparing for going forward with the cost of energy increasing; mentioned about the roads that were micro-paved will they be repaired; Mayor Ghassali stated the engineer will re-evaluate those roads

MEETING CLOSED TO PUBLIC:

Municipal Budget Only

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

ADOPTION 2025 MUNICIPAL BUDGET:

Resolution No. 115-2025 Adoption of 2025 Municipal Budget

Resolution attached to minutes

Introduced by: Councilmember Roche; seconded by Councilmember Lane - a roll call was taken - all ayes - Councilmembers agreed it is a responsible budget; Mayor Ghassali is very proud and fully support the budget.

ORDINANCES:

PUBLIC HEARING OF BOND ORDINANCE NO. 2025-1565 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,840,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,779,200 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Montvale, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,840,300, including a \$186,939 grant expected to be received from the New Jersey Department of Transportation for the purpose set forth in Section 3(E)(1) hereof (the "\$186,939 NJDOT Grant"), a \$209,055 grant expected to be received from the New Jersey Department of Transportation for the purpose set forth in Section 3(E)(2) hereof (the "\$209,055 Grant" and, together with the "\$186,939 NJDOT Grant, the "NJDOT Grants") and an \$84,277 Bergen County Open Space grant expected to be received (the "\$84,277 BCOS Grant") for the purpose set forth in Section 3(F) hereof, and further including the aggregate sum of \$61,100 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of the receipt of the NJDOT Grants and the \$84,277 BCOS Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,779,200 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
A) ADMINISTRATION			
1) Acquisition of an ambulance, including all related costs and expenditures incidental thereto.	\$400,000	\$380,500	10 years
B) BUILDINGS AND GROUNDS			
1) Remediation and closure of underground storage tank, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	20 years
C) FIRE DEPARTMENT			
1) Acquisition of mobile and portable radios and accessories and all related items, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	5 years
2) Acquisition of thermal imaging cameras, including all related costs and expenditures incidental thereto.	\$32,000	\$30,400	10 years
3) Acquisition of SCBA and PPE and related equipment, including all related costs and expenditures incidental thereto.	\$64,000	\$60,900	5 years
D) POLICE DEPARTMENT			
Acquisition of sport utility vehicles and radios, including all related costs and expenditures incidental thereto.	\$115,000	\$109,500	5 years
2) Acquisition of car computers with routers, including all related costs and expenditures incidental thereto.	\$17,900	\$16,900	5 years
Acquisition of license plate reader cameras, including all related costs and expenditures incidental thereto.	\$28,400	\$26,900	10 years
Acquisition of fitness equipment, including all related costs and expenditures incidental thereto.	\$22,000	\$20,900	15 years

BOROUGH OF MONTVALE**APRIL 29, 2025**

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
E) ENGINEERING			
1) Resurfacing of Woodland Road, including all work and materials necessary therefor and incidental thereto.	\$364,000 (including the \$186,939 NJDOT Grant)	\$364,000	10 years
2) Resurfacing of Paragon Drive, including all work and materials necessary therefor and incidental thereto.	\$241,000 (including the \$209,055 NJDOT Grant)	\$241,000	10 years
F) RECREATION			
1) Improvements and renovations to fields at the Memorial Drive complex, including but not limited to a synthetic turf infield, including all work and materials necessary therefor or incidental thereto.	\$216,000 (including the \$84,277 BCOS Grant)	\$205,200	15 years
G) PUBLIC WORKS			
Acquisition of a truck with a plow, including all related costs and expenditures incidental thereto.	\$200,000	\$190,000	10 years
TOTALS:	\$1,840,300	\$1,779,200	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

BOROUGH OF MONTVALE

APRIL 29, 2025

been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.29 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,779,200, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$127,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

*A motion Introduced for second reading **Ordinance No. 2025-1565** 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 Roche - 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

INTRODUCTION OF ORDINANCE NO. 2025-1570 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO REVISE THE "FLAT FEE" STRUCTURE

(public hearing 5-27-25)

*A motion to Introduce Ordinance **2025-1570** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Cudequest; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

INTRODUCTION OF ORDINANCE NO. 2025-1571 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385 OF THE BOROUGH CODE TO CHANGE THE PARKING RESTRICTIONS ON CERTAIN PORTIONS OF CRAIG ROAD

(public hearing 5-27-25)

*A motion to Introduce Ordinance **2025-1571** for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Roche - a roll call was taken – all ayes*

The BA explained that the current ordinance states no parking on both sides but there is only signage on one side of the road; Some residents at Valley View are asking for some parking to be allowed; there will be a little section allowed for Valley View residents; there will be more signage added.

MEETING OPEN TO PUBLIC

Agenda Items Only

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

No Public Comment

MEETING CLOSED TO PUBLIC

Agenda Items Only

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

MINUTES:

March 25, 2025

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

April 10, 2025

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

CLOSED/EXECUTIVE MINUTES:

March 13, 2025

A motion to accept closed minutes by Councilmember Koelling; seconded by Councilmember Lane – all ayes

March 25, 2025

A motion to accept closed minutes by Councilmember Cudequest; seconded by Councilmember Russo-Vogelsang – all ayes with the exception of Councilmember Arendacs abstaining

April 10, 2025

A motion to accept closed minutes by Councilmember Cudequest; seconded by Councilmember Russo-Vogelsang – all ayes with the exception of Councilmember Arendacs abstaining

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.

108-2025 A Resolution Awarding a Contract to DLS Contracting, Inc. for the 2025 Montvale Road Program Pursuant to the 2025 Riverside Cooperative Road Improvement Program Contract RC-35-25-01

WHEREAS, the Borough has a need to procure road paving services for the 2025 Montvale Road Program; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, pursuant to Section 11 of the Local Public Contracts Law, N.J.S.A. 40A:11-11, the Borough is a member of a cooperative pricing system for the provision of goods and services with the Riverside Cooperative (the "Co-op") with the Borough of Northvale as the Lead Agency; and

WHEREAS, the Borough of Northvale did publicly advertise for bid for paving services for the participating members of the Co-op; and

WHEREAS, the Borough of Northvale on behalf of the Co-op did award a Master Contract to DLS Contracting, Inc., a copy of which is attached hereto, which provides for individual unit pricing to be utilized by the participating members, including Montvale; and

WHEREAS, the Borough is desirous of entering into a contract through the Co-op with DLS for paving services for the 2025 Montvale Road Program on an open-ended basis at the prices and on the terms and conditions of the Master Contract; and

WHEREAS, the Borough is desirous of utilizing DLS to pave a number of roads throughout the Borough, which may include but not be limited to the following roads:

- Terry Court (from West Grand to Terminus)
- Stag Hill Road (from Woodland Road to Terminus)
- Donnybrook Road
- Jules Court (from Woodland Road to Terminus)
- Train Station Parking Lot

WHEREAS, any and all contracts entered into pursuant to this resolution shall remain subject to review and approval as to form by the Borough Attorney; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough of Montvale does hereby award the above-referenced open-ended contract pursuant to Riverside Cooperative Contract RC-35-25-01, as follows:

Vendor

DLS Contracting, Inc.
36 Montesano Road
Fairfield, NJ 07004

Contract Amount

\$149,455.53 (estimated)

BE IT FURTHER RESOLVED that the above contract price is estimated based on unit pricing and subject to change based on final quantities ordered on an open-ended basis, the CFO to provide an appropriate certification of the availability of funds at the time each Purchase Order is issued; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and all other appropriate officials, officers and employees are hereby directed, authorized and empowered to take all steps necessary to effectuate the provisions and purposes of this resolution.

109-2025 Resolution Authorizing a Refund of Overpaid Taxes Due to a Tax Court Judgement

WHEREAS, the owners of Block 53 - Lot 2, 28 Crestview Terrace has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value; and

WHEREAS, this has resulted in an overpayment of property tax for the year 2024 in the amount of **\$3,244.35**; and

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the Tax Collector be authorized to refund the overpayment of **\$3,244.35** for the year 2024 to Wolf Vespasiano LLC Attorney Trust Account on behalf of the owner of record Christopher & Melissa Rogan with offices located 331 Main Street, Chatham, NJ 07928

110-2025 Authorize Release of Escrow – JSM Construction Development – 78 Spring Valley Road, Block 1102, Lot 6

WHEREAS, Western Union has requested release of escrow posted for 78 Spring Valley Road, Block 1102, Lot 6; and

WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release escrow to JSM Construction Development, to be mailed to P.O. Box 8296, Saddle Brook, NJ 07663, in the amount of \$4,910.15; and

BE IT FURTHER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

111-2025 Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40a:4-87 – Recycling Tonnage Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law, and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2025 Municipal Budget in the sum of \$ 10,176.75, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:
Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that the like sum of \$ 10,176.75 is hereby appropriated under the caption: General Appropriations:

(A) Operations – Excluded from "CAPS"

Public and Private Revenues Offset by Revenues
Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

112-2025 Award Professional Service Contract to Colliers Engineering & Design - for Construction Observation & Administration Services for 2025 Riverside Cooperative Paving Program

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for Construction Observation & Administration Services for 2025 Riverside Cooperative Paving Program; 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 April 10, 2025 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 following be provided: Construction Observation & Administration Services
The cost not to exceed shall be \$24,500.00. 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.

113-2025 Authorize Release of the Performance Surety Bond for – Hornrock Properties MPR, LLC aka AR Landmark Montvale, LLC - Block 3302; Lot 1 and Posting of Two-Year Maintenance Bond and an additional Performance Guarantee

WHEREAS, Hornrock Properties aka AR Landmark Montvale, LLC has requested a release of their Performance Surety Bond; and

WHEREAS, a completed inspection of the site has been conducted by Colliers Engineering and takes no exception to the release of the Performance Surety Bond No. FP0025051 in the amount of \$222,065.00; and

WHEREAS, in a letter dated April 14, 2025, Colliers Engineering states that landscape buffer improvements have not been completed and a Performance Guarantee is required in the amount of **\$15,499.80** as a condition of the release of the Performance Surety Bond No. FP0025051; and

WHEREAS, a two-year maintenance bond in the amount of **\$46,244.00** is required as a condition of the release of the Performance Surety Bond No. FP0025051; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Borough Treasurer is hereby authorized to release the Performance Surety Bond No. FP0025051 in the amount of \$222,065.00 *when* a Two-Year Maintenance Bond in the amount of **\$46,244.00** and a Performance Guarantee in the amount of **\$15,499.80** shall be posted with the Municipal Clerk. A copy of this resolution shall be sent to Jeremiah Fleming of AR Landmark Montvale, LLC, 1 Sony Drive, Park Ridge, NJ 07645

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

ADD-ON RESOLUTIONS:

116-2025 REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION

N.J.S.A. 40A:4-87 – 2025 DISTRACTED DRIVING CRACKDOWN. U DRIVE. U TEXT. U PAY

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law, and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Montvale, in the County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the CY 2025 Municipal Budget in the sum of \$ 8,750.00, which is now available as revenue from:

Miscellaneous Revenues – Section F:

Special Items of Revenue Anticipated with Prior Consent of the Director of Local

Government Services – Public and Private Revenues Offset with Appropriations:

Distracted Driving Grant.

BE IT FURTHER RESOLVED that the like sum of \$ 8,750.00 is hereby appropriated under the caption:

General Appropriations:

(A) Operations – Excluded from "CAPS"

Public and Private Revenues Offset by Revenues

Distracted Driving Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be electronically filed with the Director for approval as required by law.

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

117-2025 RE: A Resolution Authorizing and Directing the Planning Board of the Borough of Montvale to Undertake a Preliminary Investigation to Determine Whether the Property Identified as Block 3102 Lot 1.01 on the Official Tax Map of the Borough of Montvale, Otherwise Known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road, Meet the Statutory Criteria for an "Area in Need of Redevelopment" With the Power of Condemnation Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, KPMG, LLP is the owner of certain real property identified as Block 3102 Lot 1.01 on the Borough of Montvale Tax Map, also known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road (the "Study Area"); and

WHEREAS, KPMG has represented to the Borough that it is consolidating its operations in Montvale and no longer intends to utilize the Study Area property for office purposes; and

WHEREAS, the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1, et seq., authorizes the Governing Body, by resolution, to authorize the Planning Board to undertake a preliminary investigation (the "Investigation") to determine whether an area (or any portion thereof) is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LRHL; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the LRHL, "the resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough and its residents to authorize the Borough's Planning Board to undertake such Investigation of the Study Area as a Condemnation Redevelopment Area; and

WHEREAS, the Borough Council wishes to direct the Planning Board to conduct the Investigation of the Study Area as authorized under the LRHL; and

WHEREAS, the notice of hearing(s) to be conducted by the Planning Board pursuant to the Redevelopment Law shall specifically state that a Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of eminent domain.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Borough Planning Board is hereby authorized and directed to conduct a preliminary investigation as to whether the property located at Block 3102, Lot 1.01 on the Official Tax Map of the Borough, otherwise known as 3 Chestnut Ridge Road and 51 Chestnut Ridge Road, (the "Study Area"), should be determined as a Condemnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-5 and 6; and

BE IT FURTHER RESOLVED, that the Borough hereby authorizes and directs the Borough Planner and the Borough Engineer, to prepare the necessary studies and reports to determine whether the Study Area meet the criteria for designation as a Condemnation Redevelopment Area under the LRHL; and

BE IT FURTHER RESOLVED, that the Borough hereby states that any Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of eminent domain; and

BE IT FURTHER RESOLVED, that the notice of the hearing(s) to be conducted by the Planning Board pursuant to the Redevelopment Law shall specifically state that a Condemnation Redevelopment Area determination shall authorize the Borough to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including the use of

eminent domain; and

BE IT FURTHER RESOLVED, that the Planning Board shall conduct a public hearing and submit its findings and recommendations to the Borough Council in the form of a resolution with all necessary supporting documentation; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded by the Borough Clerk to the Borough Planning Board; and

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

Introduced by: Councilmember Roche; seconded by Councilmember Lane - a roll call was taken - all ayes The borough attorney explained by adopting this resolution it will allow the Planning Board to start the process to determine if the land mentioned in the resolution is developable

BILLS: Administrator read the Bill Report

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

ENGINEER'S REPORT: Nick Chelius

NJDOT Woodland Road project, the bid opening is scheduled for May 6; GIS mapping is making progress field work should be completed by June; Riverside Road paving should start in the coming weeks; the survey for Kinderkamack and Magnolia intersection should be completed by first week in May

ATTORNEY REPORT: Dave Lafferty

Our special counsel filed a complaint in Federal court seeking various relief relating the affordable housing

ADMINISTRATOR REPORT: Joe Voytus

Jamie Giurintano, our engineer for the Planning Board has left Colliers and Carl O'Brien will be taking over the duties for the Planning Board; received an email from Boswell regarding the Parkway and the accidents southbound, they did get approval to add additional asphalt by mile marker 171.8 on the shoulder; in speaking with Councilmember Roche and our engineers we are working to see about getting additional recreation space down by Memorial by the swim club property

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

COMMUNICATION CORRESPONDENCE:

- 2024 Safety Award – Highest Award - Platinum - \$1,750

The BA, Joe stated that Carol Manhart does a great job organizing the quarterly meetings and gathers all the paperwork necessary to be submitted

- Arbor Day Foundation

Mayor Ghassali received a letter from the Arbor Day Foundation recognizing the Borough for achieving 2024 Tree City USA status which honors the Borough's commitment to plant, grow and maintain trees in the community, the Environmental Commission does a great job with all the clean-ups

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 Roche – all ayes

William Lovitt

Wanted to speak in regards to Major field and the snack shack field regarding the difference in the mounds; After a brief discussion with councilmembers, it was decided to have a meeting with MAL representatives, the borough engineer, Councilmember Roche and BA, Joe Voytus, to further discuss what can be done

Carolee Adams

Mentioned Thursday, May 1st is the 74 Annual National Day of Prayer; every year State Governors issue Proclamations that honor the National Day of Prayer; the theme this year is Hope; she encourages everyone to say a prayer

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

ADJOURNMENT:

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

Meeting adjourned at 8:33pm

Regular Meeting of the Mayor & Council will be held at 7:30pm on Thursday, May 8, 2025

Respectfully submitted, Frances Scordo, Municipal Clerk

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:30PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also Present: Mayor Mike Ghassali; Borough Attorney, Dave Lafferty; Borough Engineer, Nick Chelius; Administrator, Joe Voytus; and Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Arendacs
Councilmember Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche - absent
Councilmember Russo-Vogelsang

MAYOR for A DAY – Aidan Barry

ORDINANCES:

INTRODUCTION OF ORDINANCE NO. 2025-1572 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 258 OF THE BOROUGH CODE TO REVISE CERTAIN PROVISIONS RELATED TO MASSAGE ESTABLISHMENTS

*A motion to Introduce Ordinance 2025-1572 for first reading was made by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Cudequest - a roll call was taken – all ayes
The BA clarified that this ordinance reflects some changes regarding security on the buildings*

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

No Public Comment

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

None

CLOSED/EXECUTIVE MINUTES:

None

RESOLUTIONS: (CONSENT AGENDA*)

*All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

118-2025 Renew Tri-Borough Fuel Depot Agreement

WHEREAS, the Boroughs of Park Ridge, Montvale and Woodcliff Lake currently has an agreement for use of the Tri-Borough Fuel Depot which has expired; and

WHEREAS, the Boroughs of Park Ridge, Montvale and Woodcliff Lake wish to renew the 2011 Agreement for the Tri-Borough Fuel Depot; copy attached to the original of this Resolution for a five-year period of time commencing January 1, 2025 and expiring on December 31, 2029; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it hereby authorizes the renewal of the Tri-Borough Fuel Depot Agreement, for a five-year period commencing January 1, 2025 with the terms as attached.

119-2025 A Resolution of the Borough of Montvale Authorizing the Execution of an Agreement with the Pascack Valley Regional High School District Board of Education Concerning the Hiring and Placement of Special Police Officer IIIs at Pascack Hills High School For the 2025-2026 School Year

WHEREAS, the State of New Jersey has created a new class of Special Police Officers known as Special Police Officer III (SLEOIII) specifically and solely for the purpose of school security as outlined in NJSA 40A:14-146.10, 40A:14-146.11, 40A:14-146.14, and 40A:14-146.16; and

WHEREAS, the Borough of Montvale (the "Borough") and the Pascack Valley Regional School District (the "District") Board of Education (the "Board") agree that having security personnel that are police officers and specifically trained for school security is a best practice for the safety and security of the students and staff at Pascack Hills High School; and

WHEREAS, the Borough and the Board agree that school security is of the utmost importance to create a safe learning environment for students; and

WHEREAS, the Borough and the Board desire to enter into an agreement concerning the hiring by the Borough and placement of SLEO IIIs in Pascack Hills High School; and

WHEREAS, the Borough and the Board have negotiated an agreement concerning same that is acceptable to the Chief of Police, a copy of which is on file with the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the agreement entitled "AGREEMENT CONCERNING THE HIRING AND PLACEMENT OF SPECIAL POLICE OFFICER IIIS IN PASCACK HILLS HIGH SCHOOL BY AND BETWEEN THE BOROUGH OF MONTVALE AND PASCACK VALLEY REGIONAL SCHOOL DISTRICT" FOR THE YEAR 2026-2026 is hereby approved, and the Mayor and Borough Clerk are hereby authorized to execute same in substantially the form negotiated, subject to approval as to form by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and all other appropriate officials are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the purposes of this Resolution.

120-2025 Authorize Tax Court Settlement for Grand Prix Montvale, LLC – Block 2904; Lot 2

WHEREAS, a property tax appeal had been filed against the Borough of Montvale by Grand Prix Montvale, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 006461-2021, 004303-2022, 003275-2023, 004081-2024 and 003546-2025; and,

WHEREAS, the aforesaid Tax Appeal involves a hotel property located at 100 Chestnut Ridge Road, and is otherwise referred to as Block 2904 Lot 2 on the tax assessment map of the Borough (hereinafter the "subject property"); and,

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Borough Tax Assessor and the Borough Appraiser; and,

WHEREAS, the terms of the proposed settlement are set forth in the Schedule "A" attached herein; and,

WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall not apply to the terms of this settlement; and,

WHEREAS, it is in the best interest of the Borough of Montvale to settle the subject Tax Appeal in accordance with the settlement terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the aforesaid Tax Appeal settlement is hereby approved, in accordance with the terms set forth in the attached Schedule "A"; and,

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Borough Administrator, Borough Tax Appeal Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE "A"
(REVISED)

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

2021 Appeal: \$18,000,000

2022 Appeal: \$19,000,000

2023 Appeal: Withdraw

2024 Appeal: Withdraw

2025 Appeal: Withdraw

B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall not apply to the terms of this settlement.

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

REPORT OF REVENUE: *Administrator read the Report of Revenue - April*

COMMITTEE REPORTS:

Council President Lane

Fire Dept

No Report; Saturday, May 17th - Fishing with a First Responder at Huff Park; new Fire truck should be delivered in the next couple of months

Finance

Pass the budget at last meeting and wanted to thank all involved

Councilmember Cudequest

Seniors

Trip to Resort Casino is planned; May 15 will be their Mother's Day luncheon; Trip to Woodlock Pines in June and Senior luncheon at Seasons is June 19

Board of Health

27 food establishments were inspected and all found satisfactory; Rabies clinic is scheduled Nov 1st at DPW; no flu clinic this year

Library

Library week was a big success; patron visits in March were the highest it's been since 2022; the children and adult departments have programs scheduled throughout May and June; looking into installing cameras throughout the library.

Councilmember Arendacs

DPW

Doing spring clean-ups; working all the fields

Engineering

Monthly report included in original minutes; Woodland Road bids are under review; advertised for bid for Paragon Drive

Councilmember Koelling

Police

Monthly report included in original minutes;

Planning Board

Lengthy meeting on Tuesday a few residents came in regards to 22 Railroad Road; it was decided they need to amend their plans which they removed the day care; Sign was approved for Valley Health

Reminder Memorial Day Parade will begin at 9am

Councilmember Russo-Vogelsang

Chamber of Commerce

Job Fair is scheduled for May 20 at the senior community center

Mayor Ghassali

Mentioned that this week is National Clerks Week and recognized Fran Scordo; wished all – Happy Mother's Day.

ENGINEER'S REPORT: Nick Chelius

Looking into adding an athletic field on memorial drive

ATTORNEY'S REPORT: Dave Lafferty

In the process of reviewing the bids for Woodland Road paving; bids have been advertised for Solid Waste – bids will be received on June 17

ADMINSTRATOR'S REPORT: Joe Voytus

Met with the MAL and it was a productive meeting; DPW is finishing up on the fields; Hometown Hero banners will be up next week; Pruned some trees and repaired some lights at LaTrenta Field

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.

Motion to open meeting to the 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 Cudequest
- all ayes

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

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

Meeting was adjourned at 7:57pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on May 27, 2025

Respectfully submitted, Frances Scordo, Municipal Clerk

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 121-2025**

RE: A Resolution Authorizing the Re-Affirmation Of The Policy & Procedures Manual Of The Municipality

WHEREAS, the Municipality has a Policies & Procedures Manual which has been established to ensure Employees and prospective Employees are treated in a manner consistent with all applicable employment laws, regulations and protocols; and

WHEREAS, the Borough places great value and consideration in relation to the health, well-being and safety of its Employees.

WHEREAS, said Manual is also in accordance with the requirements promulgated by the Bergen County Municipal Joint Insurance Fund and under the auspices of the New Jersey Municipal Excess Liability Fund; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey the Manual previously adopted by Resolution is hereby reaffirmed to serve as the Borough's Policies and Procedures serving and applying to every Employee, Volunteer, Elected & Appointed Official and Independent Contractor(s) serving the Municipality; and

BE IT FURTHER RESOLVED, the Borough will continue to monitor changes in Federal and State Statutes and Regulations to ensure continued compliance with applicable laws, regulations and policies that impact the employment practices of the Municipality; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be maintained on file in the Clerk's office and shall also be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Municipality.

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

CLEARY | GIACOBBE | ALFIERI | JACOBS LLC

MATTHEW J. GIACOBBE, Partner
mgiacobbe@cgajlaw.com

Reply to: Oakland Office

To: Member Entities

From: Matthew J. Giacobbe, Esq.
Nicholas DelGaudio, Esq.
Fred Semrau, Esq.

Date: March 13, 2025

Re: Changes to Employee Handbook and Personnel Policies and Procedures Manual

The Municipal Excess Liability Joint Insurance Fund ("MEL") has made suggested modifications to the Model Employee Handbook and Personnel Policies and Procedures Manual ("PPPM") for our members' consideration. Below is a brief explanation of the changes that have been made.

- Additions to the Americans with Disabilities Policy to include language relating to the federal Pregnant Workers Fairness Act which was passed in 2023 and had regulations issued in 2024
- Additions to the Policy Against Harassment to include language about hostile work environments arising from conduct occurring outside of the workplace and even in non-work related contexts if it affects the workplace, which was contained in guidance issued by the EEOC in 2024
- Change in language to the Vacation Leave Policy in order to be more in line with the Comptroller's Report/State Law regarding carrying over vacation leave for one year only and only when it cannot be used due to business demands.
- Addition of an Acknowledgement of Receipt page at the end of each manual and handbook

We urge you to consult with your entity's General or Labor Counsel regarding these recommended changes.

Oakland Office: 169 Ramapo Valley Road, UL 105, Oakland, NJ 07436 Tel 973 845-6700 Fax 201 644-7601
Somerville Office: 50 Division Street, Suite 501, Somerville, NJ 08876 Tel 732 583-7474 Fax 201 644-7601
Matawan Office: 955 State Route 34, Suite 200, Matawan, NJ 07747 Tel 732 583-7474 Fax 732 290-0753

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 122-2025**

RE: Approval of Business Permit for Massage and Bodywork Establishment – Cozy Thai Spa – 2 S. Kinderkamack Road

WHEREAS, pursuant to Chapter 258-3 of our Borough Code a Massage and Bodywork Therapy Establishment must apply for a business permit; and

WHEREAS, Cozy Thai Spa submitted all required documents to the Borough Clerk which have been forwarded for review and approved by all relevant municipal officials and departments; and

NOW THEREFORE BE IT RESOLVED, that they Mayor and Council of the Borough of Montvale authorize the Borough Clerk to issue to Cozy Thai Spa a business permit for a fee of \$550.00; and

BE IT FURTHER RESOLVED, that once the business permit has been issued, Cozy Thai Spa shall apply for Certificate of Occupancy with the Building Department

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 123-2025**

RE: Amending Resolution No. 78-2025 for a Professional Services Contract to King, Moench & Collins LLP to Serve as Special Counsel for Affordable Housing Litigation

WHEREAS, the Governing Body previously awarded a professional services contract to Michael Collins, Esq. and King, Moench & Collins LLP ("KMC") to serve as Special Counsel for Affordable Housing Litigation to represent the Borough (and other municipalities) in connection with a challenge to the recent legislation concerning Round 4 of the state-wide affordable housing obligations; and

WHEREAS, the Borough's initial award had a "not to exceed" figure of \$30,000, and the Borough is desirous of increasing this figure to a "not to exceed" value of \$300,000; and

WHEREAS, the payments for KMC's services shall come from the Trust Fund established with funds from all participating municipalities; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-5(a)(i)*, a professional services contract is exempt from public bidding requirements; and

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

NOW, THEREFORE, BE IT RESOLVED that the professional services contract with Michael Collins, Esq. and King, Moench & Collins LLP to serve as Special Counsel for Affordable Housing Litigation is hereby amended to increase the "not to exceed" figure to \$250,000; and

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

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

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 124-2025**

RE: Award Professional Service Contract to Colliers Engineering & Design, for Tier A Municipal Stormwater Permit, Storm Water Outfall Inspections and Storm Sewer Locations

WHEREAS, the Borough of Montvale is required to perform inspections on all stormwater outfalls. One third has been completed and the final third by end of 2025. This requirement deems it necessary to engage the professional services of an Engineer to provide inspection services for the Montvale's Tier A- Municipal Stormwater General Permit; 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 Engineer & Design, 300 Tice Blvd, Suite 101, Woodcliff Lake, NJ 07677 has submitted a proposal dated March 19, 2025 which is attached to this resolution; and

WHEREAS, Colliers will perform the preparation of the MS4 compliance report, Storm Sewer Outfall and Detention Basin Inspections, Stormwater Pollution Prevention Plan Update and GIS mapping of approximately one third of the Borough's stormwater conveyance system for a cost not to exceed \$40,500.00; and

WHEREAS, the Certified Municipal Finance Officer certifies funds are available said certification is hereto attached to the original of this resolution; and.

BE IT FURTHER RESOLVED a copy of this resolution shall be published in an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, 12 DePiero Drive, Montvale, NJ 07645.

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

Adopted: May 27, 2025

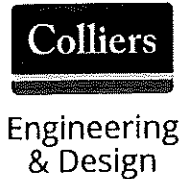
ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

300 Tice Boulevard Suite 101
Woodcliff Lake New Jersey 07677
Main: 877 627 3772



March 19, 2025

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

RE: Agreement for Professional Services
MS4 Annual Reporting, Storm Sewer Outfall Inspections and GIS Mapping
Borough of Montvale, Bergen County, NJ
Proposal No. MVB0091P

Dear Mr. Voytus,

Colliers Engineering & Design (CED) is pleased to submit this agreement for Professional Engineering Services associated with the preparation of the Boroughs MS4 compliance annual report, inspection of approximately 50 stormwater outfalls within the Borough's jurisdiction, and GIS mapping of the Borough's stormwater conveyance systems and private detention basins within the Borough. This is a requirement of the Borough's Tier A – Stormwater General Permit.

SCOPE OF SERVICES

TASK 1.0 PREPARATION OF MS4 ANNUAL REPORTING

CED will prepare and electronically submit the Annual Report and Supplemental Questionnaire, as required by the Borough's Tier-A permit. CED will review past operational procedures and verify documentation of permit responsibilities. This information will be used to formulate the submission of the Annual Report and Supplemental Questionnaire. To facilitate this task, our office will meet with representatives of the Department of Public Works (DPW) as well as the Clerk's Office, Health Department and various personnel from the Borough to ensure activities required by the permit were addressed.

As in the past, this report and questionnaire will be completed electronically through the New Jersey Department of Environmental Protection's (NJDEP) website. As a result of our coordination with the representatives as noted above, CED will complete and submit the report and questionnaire on the municipality's behalf. Once submitted and confirmation from the NJDEP is received, CED will formalize a package of the submission based off of referenced documentation and provide the same to the municipality for their records.

TASK 2.0 OUTFALL INSPECTIONS

The purpose of the inspections is to verify the physical condition of the outfalls (deterioration or scour) and to determine if there are any illicit connections (flow other than stormwater) into the Borough Storm Sewer System. Based on the requirements of the MS4 Permit, the entire outfall system must

be inspected at least once every 5 years. As such, CED proposes to inspect approximately 20% of the outfalls annually on a rotating basis to achieve compliance with this requirement.

A report of the stormwater outfall structures will be delivered to the Borough DPW Superintendent for immediate work orders in those locations that are failing or require debris and sediment removal. The report will be accompanied by commentary and photographs pertaining to the outfall and stream scouring remediation, illicit connection elimination (if any) which discharges into the water bodies and roadway erosion control. Where corrective action is required, CED will advise the Borough of the necessary corrective work and maintenance. For those areas that the DPW cannot address, coordination with outside vendors and/or contractors may be required. Certain cleaning or maintenance activities conducted in New Jersey's streams and rivers require permits pursuant to the Freshwater Wetland (FWW) Protection Act Rules (N.J.A.C. 7:7A) and the Flood Hazard Area Control (FHA) Act Rules (N.J.A.C. 7:13). However, minor cleaning activities can be conducted without the need to obtain either permit. Unless necessary, the corrective work will pertain to minor cleaning activities as defined by NJDEP FHA and FWW regulations. Coordination with site access may be necessary and temporary or permanent easements may be required.

As part of the Tier A Municipal Stormwater Permit requirements as designated by NJDEP, the Borough is responsible to identify and eliminate the illicit connections that currently discharge into the water bodies. During our investigation, should illicit connections be identified, they shall be noted and the appropriate documentation forms specific to the outfall will be prepared.

If the source of the illicit connection is not able to be immediately identified, then a separate agreement will be prepared to perform the additional engineering services needed to further investigate the source of the illicit connection and responsible party.

Water sampling necessary to identify potential illicit discharges has not been included in this agreement. Our team will prepare a list of outfalls that we recommend for water sampling. Outfalls will be recommended for water sampling if dry weather flow combined with one potential illicit discharge indicator, such as odor or floatables are observed.

TASK 3.0 STORMWATER POLLUTION PREVENTION PLAN UPDATE

Pursuant to Permit requirements, CED will review and update the Stormwater Pollution Prevention Plan (SPPP) based on the current Permit requirements and outline the operational procedures required to comply with the Tier-A Permit. Updates include review of approved or adopted Total Maximum Daily Load (TMDL) reports and identifying same in the SPPP. If applicable, these reports will be utilized for prioritizing stormwater facility improvements and identifying strategies for addressing specific sources of stormwater related pollutants. The SPPP will be updated with the current TMDL and record keeping for identification and action to address potential pollutants. In addition, approved or adopted TMDLs will be reviewed and identified to determine if TMDL information is being used to prioritize required maintenance and repairs.

Our office will meet with various Borough officials to review prior records and operational procedures to update the current SPPP and identify areas where supplemental measures may be necessary to comply with the current Permit requirements. Once complete, the SPPP will be submitted to the municipality for review and uploaded to municipality's website. The SPPP is required to be maintained and updated annually.

TASK 4.0 GIS MAPPING

As you are aware, the NJDEP now requires municipalities to map their entire stormwater conveyance system (including depth and size of pipe). This mapping is required to be completed by the end of 2025. The Borough previously completed one-third of the mapping, and an additional portion of the mapping is currently in progress; this agreement includes any remaining mapping that is needed to complete the stormwater system and the configuration of the Boroughs ArcGIS account and Web Application tool.

Task 4.1: Configure ArcGIS Online Account

CED will set up and configure an ArcGIS Online (AGO) organizational account for the Borough. The AGO organizational account will serve as the Borough's GIS platform and will allow the Borough to create and maintain GIS data and web mapping applications that can be accessed on a desktop computer, over the internet, or on mobile devices, including smart phones and tablets. We recommend that the Borough purchase one ArcGIS Online Creator account. This account will be billed annually and can be purchased through the State of New Jersey's current Esri GIS software contract. The cost for the first year of this subscription is included in this agreement but the Borough will be responsible to renew these accounts in future years, as necessary.

We will provide a two-hour training session that will include a basic overview of the Borough's new AGO account and to assist with the configuration of mobile devices. We will prepare and deliver a memo that includes the Borough's ArcGIS Online credentials and an overview of the functionality of the AGO.

Task 4.2: Field Data Collection

<u>Asset Type</u>	<u>Asset Attributes</u>
Catch Basin Inlet	Owner, Inlet Type, Depth to Invert, Rim Elevation, Bicycle Grate Presence, Clean Water Label/Cast Presence, Catch Basin Present, Retrofitted, Best Management Practice Presence
Manhole	Cover Diameter, Rim Elevation, Structure Type, Size Diameter, Photograph, Material (if visible), Comments
Detention/Retention Basin	Location Description, Bed Material, Bank Material, Trash Rack Presence, Fence Presence, Contributing Drainage Area Type

Swales/Ditch	Bed Material, Direction of Flow
Culvert	Owner, Type, Material, Diameter, Shape, Stream Name, Direction of Flow
Outfall	Elevation, Material, Receiving Surface Water Name, Type, Comments, Photograph
Ground Water Discharge Points	ID, Owner, Type, Comments
Interconnections	Type, Entity, Into/From
Pump Stations	ID, Owner, Comments
Gravity Main	Pipe Diameter, Pipe Material, Direction of Flow
Stormwater Facilities	ID, Owner, Type, Comments

CED's GIS staff has assumed the following when estimating the work to be completed in this phase:

- This task includes up to 250 inlets and up to 200 manholes owned by the Borough that we will collect and inspect;
- We will collect up to 50 stormwater outfalls in this task;
- These features are accessible in the public right-of-way or a municipal easement and can be seen from the surface (i.e. not paved over or buried underground);
- The Borough will assist our team by coordinating access to assets that are within easements on public or private property;
- Borough will confirm that all inlets will be cleared of debris and accessible to the field team prior to the start of collection;
- CED will provide a map of manholes that require DPW support to access and open. These could include assistance in opening, clearing sites, and notifying property owners of equipment to relocate;
- The Borough DPW will support CED where possible;

Our team will notify the Department of Public Works (DPW) of manholes that cannot be opened or inlets that are full of debris. We assume that the DPW will continue to assist our team by opening these manholes and clearing debris from the catch basin inlets. We will revisit each of these structures one time, once the DPW has notified our team that the issue has been resolved.

Task 4.3: MS4 Map Preparation

Once the data is collected in the field, our team will complete the subsurface mapping of the stormwater system. Stormwater data will be formatted using the NJDEP's stormwater conveyance system data model. Sanitary Sewer data will be formatted using ESRI's sanitary sewer data model.

We will digitize stormwater mains based on field observations and the Borough's existing mapping of these systems. Pipes will be digitized into GIS according to flow direction. Pipe size and material that

is available on the Borough's existing maps or observed in the field will be entered to the GIS as attribute data associated with each pipe segment in the geodatabase. Unique identifiers for features will be assigned using an incremental numbering scheme and entered to the GIS system as attribute data associated with each feature.

Once GIS data has been finalized, our team will prepare one stormwater 24x36 map depicting the features. We will additionally provide a color map book showing mapped features at 11x17 for a zoomed in view. This map and map book will be provided digitally to the Borough. Additional printing can be completed by CED for an additional fee as per our reimbursable rates schedule.

A final map will be generated noting the location of the Maintenance Yard Boundary. This will be submitted to NJDEP per existing requirements.

Task 4.4: Web Application Design

CED proposes to generate one web-GIS applications of the Borough's stormwater sewer system. The application will include the layers that were generated previously and collected in the field. The web-GIS applications will be generated using the Borough's ArcGIS Online organizational account.

Once finalized the web-GIS application will be visible only to internal Borough and CED staff, allowing for data security. This can be modified to generate a public-facing web-GIS application, if requested by the Borough. Specific layers, attributes, and other information can be omitted or added, based on the need of the user viewing the application.

The web-GIS applications will additionally include 'widgets', otherwise known as tools, to help users utilize the web-GIS applications. Some proposed widgets can be found below.

Widget	Functionality
Location	Allows the user to bring the map to their specific location, using the device GPS. This would be useful for individuals currently utilizing the applications in the field to help bring the map to where they are and show features and facilities nearby.
Bookmarks	Specific areas of the Borough can be saved to allow users to navigate to them faster. These locations could include pump houses, critical chambers, stormwater outfalls, or locations such as frequent problem areas.
Print	The end-user will have the ability to print what they see on the screen with a map legend. The print tool could benefit people who are working to map out changes or would like to plan a site visit. This could also benefit anyone who might have limited or no service outdoors.
Basemap Changer	Modify the base of the map to allow for easier visualization of features. Vector, aerial, navigation, and simple maps can be provided, based on the need of the users.

FEE AGREEMENT

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the Scope of Services.

Task Name	Fee
Task 1.0 Preparation of MS4 Annual Reporting	\$9,500.00
Task 2.0 Outfall Inspections	\$4,500.00
Task 3.0 Stormwater Pollution Prevention Plan Update	\$4,500.00
Task 4.0 GIS Mapping	
4.1 – Configure ArcGIS Online Account	\$3,700.00
4.2 – Field Data Collection	\$12,300.00
4.3 – MS4 Map Preparation	\$4,500.00
4.4 – Web Application Design (Optional)	\$1,500.00
TOTAL FEE	\$40,500.00

The above engineering services will be provided on an hourly basis not to exceed the listed amount. This contract and fee schedule are based upon the Borough Engineering Contract, authorized by the Borough (Resolution No. 25-2025).

ADDITIONAL SERVICES

If additional services beyond the scope presented herein are required and authorized, then such services shall be provided. Additional services may include, but are not limited to, preparation of permit applications, reproduction costs for plans, additional specifications, reports, etc. Additional services may also include special studies not indicated herein as well as revisions and/or supplemental effort, if required, after review of the prepared documents by the client and review agencies.

Fees for additional services will be based on our current Schedule of Hourly Rates or a negotiated fee basis after specific scope of services for additional effort has been defined.

EXCLUSIONS

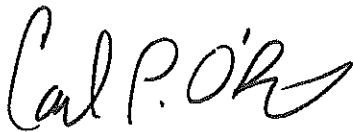
If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement, is deemed necessary, CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the additional effort. Unanticipated additional services shall be in accordance with the Schedule of Hourly Rates for the number of hours performed. No additional effort will be performed without authorization from the Borough.

Please forward a copy of the Resolution of Approval and Purchase Order for this engineering agreement to this office. This will constitute approval of the proposed engineering services.

We thank you for the opportunity and look forward to providing the services required. If you have any questions, or if additional information is required, please do not hesitate to contact me.

Very truly yours,

Colliers Engineering & Design.



Carl P. O'Brien, P.E., P.P., C.M.E., C.P.W.M.
Geographic Discipline Leader



Nick Chelius, P.E., C.M.E.
Project Manager

CPO/nhc/jw

cc: Andrew Hipolit (CED)
Ken DeGennaro (CED)
Nick Chelius (CED)
Robert Culvert (CED)
Patrick Jamieson (CED)
Julia Wolanski (CED)

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 125-2025**

RE: A Resolution Awarding a Contract to 4 Clean Up Inc. for the NJDOT FY2024 – Woodland Road Resurfacing Project

WHEREAS, the Borough of Montvale has a need to procure construction services for the NJDOT FY2024 – Woodland Road Resurfacing Project in the Borough; and

WHEREAS, the Borough of Montvale, in accordance with the laws of the State of New Jersey, publicly advertised for the receipt of bids under specifications for the NJDOT FY2024 – Woodland Road Resurfacing Project; and

WHEREAS, nine (9) bids were received on May 6, 2025; and

WHEREAS, after receipt and review of the three (3) lowest bids received, the Borough of Montvale has determined that 4 Clean Up Inc. is the lowest responsible bidder for this contract; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds have been appropriated and are available for this purpose, a copy of said certification attached to the original copy of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that a contract is hereby awarded as follows:

Contractor

4 Clean Up Inc.
4501 Dell Ave.
North Bergen, NJ 07047

Contract Amount

Base Bid:	\$288,390.71
Alternate Bid A:	<u>\$114,669.85</u>
Total:	\$403,060.56

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

HUNTINGTON BAILEY, L.L.P.

COUNSELLORS AT LAW

373 KINDERKAMACK ROAD

WESTWOOD, NEW JERSEY 07675

(201) 666-8282

FAX (201) 666-9625

WWW.HUNTINGTONBAILEY.COM

RUSSELL R. HUNTINGTON (retired)
WILLIAM J. BAILEY
DERMOT J. DOYLE
SIOBHAN SPILLANE BAILEY *
DAVID S. LAFFERTY
MAURA O'HALLORAN DEEGAN
JOANN RICCARDI SCHUMAN
JOANNE VENINO

* Also Member PA Bar

May 9, 2025

Mayor and Council
Borough of Montvale
12 DePiero Drive
Montvale, New Jersey 07645

RE: NJDOT FY2024 Woodland Road Resurfacing Project

Dear Mayor Ghassali and Members of the Borough Council:

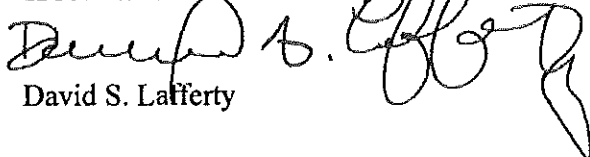
At the request of the Borough Clerk, I have reviewed the three (3) lowest bids received in response to the Notice to Bidders for the above referenced project. The three lowest bids received were from: (1) 4 Clean Up Inc.; (2) D & L Paving Contractors Inc.; and (3) LaForza Construction, Inc.

The Bid Specifications provided for a Base Bid and Alternate Bid A. Our spreadsheet reflecting compliance with the bid requirements is attached. After review of all three bids, it appears that the bid by 4 Clean Up Inc. complies with all required bid documents and is the lowest responsible and responsive bidder for the Base Bid and Alternate Bid A. Should the Borough elect to proceed with the Base Bid with or without Alternate A, this bidder is eligible for the award of this Contract. It is noted the bid documents submitted by 4 Clean Up Inc. did not include a Financial Statement prepared within the last twelve (12) months and Evidence of Affirmative Action. Such records should be submitted as a condition of any contract awarded to this entity.

Thank you for your attention to this matter.

Very truly yours,

HUNTINGTON BAILEY, L.L.P.



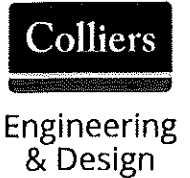
David S. Lafferty

DSL/dl

Encl.

cc: Joe Voytus, Borough Administrator
Fran Scordo, Borough Clerk

300 Tice Blvd Suite 101
Woodcliff Lake, NJ 07677
Main: 877 627 3772



May 12, 2025

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

NJDOT FY2024 Woodland Road Resurfacing Project
Bid Opening and Recommendation of Award
Borough of Montvale, Bergen County, NJ
Colliers Engineering & Design Project No. MVB0067

Dear Mr. Voytus,

On Tuesday, May 6, 2025 at 10:00 A.M., sealed bids for the above referenced project were received, opened and read aloud for the NJDOT FY2024 Woodland Road Resurfacing Project. Nine (9) bids were received. A bid tabulation displaying itemized unit prices for the nine bids is attached.

The Project consists of one (1) Base Bid and one (1) Alternate Bid. The Base Bid consists of roadway improvements along Woodland Road from W. Grand Avenue to Magnolia Avenue. The work includes milling and paving, full depth pavement repair, accessible curb ramps, repair of interior drainage structures, upgrading inlets with bicycle safe grate/eco curb pieces, asphalt curb repair and striping. Alternate Bid 'A' consists of roadway improvements along Woodland Road from Magnolia Avenue to the municipal border, with similar scope as the Base Bid.

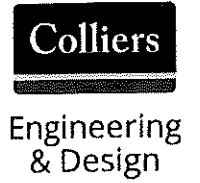
The apparent low bidder for the project is 4 Clean Up Inc., 4501 Dell Avenue, North Bergen, NJ 07047, with a Base Bid in the amount of \$288,390.71 and Alternate Bid A in the amount of \$114,669.85, for a Total Bid Amount of \$403,060.56. This bid amount is lower than the Engineer's Estimate for this project.

4 Clean Up Inc. has submitted the requisite Bid Bond, Consent of Surety, completed Statement of Ownership, Iran Sanctions form and the administrative documents as required by the NJ Local Public Bidding Laws, including a NJ Business Registration and a Certified Public Works Contractor Registration. In addition, our office has confirmed that the Contractor is not listed in the State of New Jersey Debarment List.

Based on a review of the summary of the bids and contract documents, it is our recommendation that the Borough award the project to 4 Clean Up Inc. in the amount of **\$403,060.56** for the **Total Bid**, for the construction of the NJDOT FY2024 Woodland Road Resurfacing Project, pending review and acceptance of the bid by the Borough Attorney and certification of funds by the Borough's Chief Financial Officer (CFO).

Please find enclosed the bid summary for the above referenced project. If you have any additional questions or comments, do not hesitate to contact our office.

Project No. MVB0067
May 12, 2025
Page 2 | 2



Sincerely,

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

A handwritten signature in black ink that reads "Carl P. O'Brien". The signature is fluid and cursive.

Carl O'Brien, P.E., P.P., C.M.E., C.P.W.M.
Borough Engineer

CO/nc/mt

Cc: Mayor and Council
Fran Scordo, Borough Clerk
Rich Campanelli, Public Works Superintendent (dpw@rivervalenj.org)
David S. Lafferty, Esq., Borough Attorney (dsl@huntingtonbailey.com)

BID TABULATION

DATE: TUESDAY, MAY 6, 2025 @ 10 A.M.
PROJECT: NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.: MV80057
MUNICIPALITY: BOROUGH OF MONTVALE
COUNTY: BERGEN

BASE BID - NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

					BIDDER 1		BIDDER 2		BIDDER 3	
					4 Clean Up PO Box 5098 North Bergen, NJ 07047 201-271-0042		D & L Paving Contractors Inc. 675 Franklin Ave Nutley, NJ 07110 973-667-7300		LaForza Construction Inc. 53 Wadsworth Street Wallington, NJ 07057 201-842-0707	
ITEM	DESCRIPTION	UNIT	QTY.		UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	INLET FILTER, TYPE 2, 2' X 4'	UNIT	15	\$	0.01	\$ 0.15	\$ 0.01	\$ 0.15	\$ 33.33	\$ 499.95
2	BREAKAWAY BARRICADE	UNIT	50	\$	0.01	\$ 0.50	\$ 0.01	\$ 0.50	\$ 1.00	\$ 50.00
3	DRUM	UNIT	75	\$	0.01	\$ 0.75	\$ 0.01	\$ 0.75	\$ 1.00	\$ 75.00
4	TRAFFIC CONE	UNIT	200	\$	1.00	\$ 200.00	\$ 0.01	\$ 2.00	\$ 1.00	\$ 200.00
5	CONSTRUCTION SIGNS	SF	400	\$	1.00	\$ 400.00	\$ 0.01	\$ 4.00	\$ 1.00	\$ 400.00
6	POLICE TRAFFIC DIRECTORS	HOURL	80	\$	225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00
7	FUEL PRICE ADJUSTMENT	DOLLAR	100	\$	1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00
8	ASPHALT PRICE ADJUSTMENT	DOLLAR	600	\$	1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00
9	CLEARING SITE	LS	1	\$	11,000.00	\$ 11,000.00	\$ 12,500.00	\$ 12,500.00	\$ 10,000.00	\$ 10,000.00
10	HMA MILLING, 3" OR LESS	SY	10,832	\$	4.75	\$ 51,452.00	\$ 4.77	\$ 51,668.64	\$ 4.25	\$ 46,036.00
11	HOT MIX ASPHALT PAVEMENT REPAIR	SY	1,007	\$	1.00	\$ 1,007.00	\$ 0.01	\$ 10.07	\$ 1.00	\$ 1,007.00
12	TACK COAT	GAL	1,481	\$	0.01	\$ 14.81	\$ 0.01	\$ 14.81	\$ 1.00	\$ 1,481.00
13	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	1,481	\$	87.00	\$ 128,847.00	\$ 96.58	\$ 143,034.98	\$ 115.00	\$ 170,315.00
14	RESET EXISTING CASTING	UNIT	1	\$	100.00	\$ 100.00	\$ 500.00	\$ 500.00	\$ 1.00	\$ 1.00
15	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$	500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
16	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$	500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 500.00	\$ 500.00
17	BICYCLE SAFE GRATE	UNIT	4	\$	400.00	\$ 1,600.00	\$ 350.00	\$ 1,400.00	\$ 315.00	\$ 1,260.00
18	CURB PIECE	UNIT	2	\$	350.00	\$ 700.00	\$ 350.00	\$ 700.00	\$ 300.00	\$ 600.00
19	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	18	\$	400.00	\$ 7,200.00	\$ 500.00	\$ 9,000.00	\$ 400.00	\$ 7,200.00
20	CONCRETE SIDEWALK, 4" THICK	SY	58	\$	125.00	\$ 7,250.00	\$ 125.00	\$ 7,250.00	\$ 115.00	\$ 6,670.00
21	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	350	\$	35.00	\$ 12,250.00	\$ 50.00	\$ 17,500.00	\$ 15.00	\$ 5,250.00
22	DETECTABLE WARNING SURFACE	SY	2	\$	450.00	\$ 900.00	\$ 300.00	\$ 600.00	\$ 375.00	\$ 750.00
23	9" X 18" CONCRETE VERTICAL CURB	LF	146	\$	50.00	\$ 7,300.00	\$ 40.00	\$ 5,840.00	\$ 35.00	\$ 5,110.00
24	9" X 6" HOT MIX ASPHALT CURB	LF	3,003	\$	7.50	\$ 22,522.50	\$ 5.00	\$ 15,015.00	\$ 6.50	\$ 19,519.50
25	TRAFFIC STRIPES, 4"	LF	12,531	\$	0.75	\$ 9,398.25	\$ 0.90	\$ 11,277.90	\$ 0.75	\$ 9,398.25
26	TRAFFIC MARKING LINES, 12"	LF	17	\$	2.25	\$ 38.25	\$ 3.00	\$ 51.00	\$ 2.25	\$ 38.25
27	TRAFFIC MARKING LINES, 24"	LF	75	\$	4.50	\$ 337.50	\$ 5.50	\$ 412.50	\$ 4.50	\$ 337.50
28	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$	1.00	\$ 2.00	\$ 0.01	\$ 0.02	\$ 400.00	\$ 800.00
29	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	8	\$	575.00	\$ 4,600.00	\$ 1,100.00	\$ 8,800.00	\$ 600.00	\$ 4,800.00
30	TOPSOIL SPREADING, 6" THICK	SY	314	\$	3.00	\$ 942.00	\$ 5.00	\$ 1,570.00	\$ 5.00	\$ 1,570.00
31	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	314	\$	1.00	\$ 314.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00
32	STRAW MULCHING	SY	314	\$	1.00	\$ 314.00	\$ 0.01	\$ 3.14	\$ 2.00	\$ 628.00
TOTAL BASE BID						\$ 288,390.71		\$ 308,569.46		\$ 314,224.45

ALTERNATE BID 'A' (MAGNOLIA AVENUE TO THE MUNICIPAL BORDER)

ITEM	DESCRIPTION	UNIT	QTY.		UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1A	INLET FILTER, TYPE 2, 2' X 4'	UNIT	9	\$	0.01	\$ 0.09	\$ 0.01	\$ 0.09	\$ 16.50	\$ 148.50
2A	HMA MILLING, 3" OR LESS	SY	4,402	\$	4.75	\$ 20,909.50	\$ 4.77	\$ 20,997.54	\$ 4.24	\$ 18,664.48
3A	HOT MIX ASPHALT PAVEMENT REPAIR	SY	459	\$	1.00	\$ 459.00	\$ 0.01	\$ 4.59	\$ 1.00	\$ 459.00
4A	TACK COAT	GAL	601	\$	0.01	\$ 6.01	\$ 0.01	\$ 6.01	\$ 1.00	\$ 601.00
5A	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	601	\$	87.00	\$ 52,287.00	\$ 96.58	\$ 58,044.58	\$ 125.00	\$ 75,125.00
6A	INLET, TYPE 'B' CONVERTED TO INLET, TYPE 'E'	UNIT	1	\$	3,800.00	\$ 3,800.00	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00
7A	RESET EXISTING CASTING	UNIT	1	\$	100.00	\$ 100.00	\$ 500.00	\$ 500.00	\$ 1.00	\$ 1.00
8A	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$	500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
9A	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$	500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
10A	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	9	\$	400.00	\$ 3,600.00	\$ 500.00	\$ 4,500.00	\$ 400.00	\$ 3,600.00
11A	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	167	\$	35.00	\$ 5,845.00	\$ 50.00	\$ 8,350.00	\$ 15.00	\$ 2,505.00
12A	9" X 18" CONCRETE VERTICAL CURB	LF	340	\$	50.00	\$ 17,000.00	\$ 40.00	\$ 13,600.00	\$ 35.00	\$ 11,900.00
13A	9" X 6" HOT MIX ASPHALT CURB	LF	518	\$	7.50	\$ 3,885.00	\$ 0.01	\$ 5.18	\$ 6.50	\$ 3,367.00
14A	TRAFFIC STRIPES, 4"	LF	5,929	\$	0.75	\$ 4,446.75	\$ 0.90	\$ 5,336.10	\$ 0.75	\$ 4,446.75
15A	TRAFFIC MARKING LINES, 12"	LF	22	\$	2.25	\$ 49.50	\$ 3.00	\$ 66.00	\$ 2.25	\$ 49.50
16A	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$	1.00	\$ 2.00	\$ 0.01	\$ 0.02	\$ 300.00	\$ 600.00
17A	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	1	\$	575.00	\$ 575.00	\$ 1,100.00	\$ 1,100.00	\$ 500.00	\$ 500.00
18A	TOPSOIL SPREADING, 6" THICK	SY	141	\$	3.00	\$ 423.00	\$ 5.00	\$ 705.00	\$ 5.00	\$ 705.00
19A	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	141	\$	1.00	\$ 141.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00
20A	STRAW MULCHING	SY	141	\$	1.00	\$ 141.00	\$ 0.01	\$ 1.41	\$ 2.00	\$ 282.00
TOTAL ALTERNATE BID 'A'						\$ 114,669.85		\$ 120,757.52		\$ 125,536.23

BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
BASE BID	\$ 288,390.71	\$ 308,569.46	\$ 314,224.45
BASE BID + ALTERNATE BID A	\$ 403,060.56	\$ 429,326.98	\$ 439,760.68

BID TABULATION

DATE: TUESDAY, MAY 6, 2025 @ 10 A.M.
PROJECT: NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.: MYB0067
MUNICIPALITY: BOROUGH OF MONTVALE
COUNTY: BERGEN

BASE BID- NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

					BIDDER 7		BIDDER 8		BIDDER 9	
					AJM Contractors Inc.		Cifelli & Son Gen Const		Crossroads Paving	
					973-772-9292		973-235-0302		973-902-6002	
					81 Franklin Ave		81 Franklin Ave		386 South St, Ste 169	
					Nutley, NJ 07110		Nutley, NJ 07110		Nutley, NJ 07105	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	
1	INLET FILTER, TYPE 2, 2' X 4'	UNIT	15	\$ 15.00	\$ 225.00	\$ 1.00	\$ 15.00	\$ 50.00	\$ 750.00	
2	BREAKAWAY BARRICADE	UNIT	50	\$ 15.00	\$ 750.00	\$ 1.00	\$ 50.00	\$ 50.00	\$ 2,500.00	
3	DRUM	UNIT	75	\$ 12.00	\$ 900.00	\$ 1.00	\$ 75.00	\$ 50.00	\$ 3,750.00	
4	TRAFFIC CONE	UNIT	200	\$ 7.00	\$ 1,400.00	\$ 1.00	\$ 200.00	\$ 10.00	\$ 2,000.00	
5	CONSTRUCTION SIGNS	SF	400	\$ 4.00	\$ 1,600.00	\$ 1.00	\$ 400.00	\$ 10.00	\$ 4,000.00	
6	POLICE TRAFFIC DIRECTORS	HOURL	80	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	
7	FUEL PRICE ADJUSTMENT	DOLLAR	100	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	
8	ASPHALT PRICE ADJUSTMENT	DOLLAR	600	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	
9	CLEARING SITE	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 50,000.00	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00	
10	HMA MILLING, 3" OR LESS	SY	10,832	\$ 4.75	\$ 51,452.00	\$ 5.50	\$ 59,576.00	\$ 5.00	\$ 54,160.00	
11	HOT MIX ASPHALT PAVEMENT REPAIR	SY	1,007	\$ 28.00	\$ 28,196.00	\$ 1.00	\$ 1,007.00	\$ 60.00	\$ 60,420.00	
12	TACK COAT	GAL	1,481	\$ 4.00	\$ 5,924.00	\$ 1.00	\$ 1,481.00	\$ 8.00	\$ 11,848.00	
13	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	1,481	\$ 91.00	\$ 134,771.00	\$ 88.00	\$ 130,328.00	\$ 95.00	\$ 140,695.00	
14	RESET EXISTING CASTING	UNIT	1	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00	
15	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 800.00	\$ 800.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	
16	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 700.00	\$ 700.00	\$ 400.00	\$ 400.00	\$ 600.00	\$ 600.00	
17	BICYCLE SAFE GRATE	UNIT	4	\$ 400.00	\$ 1,600.00	\$ 225.00	\$ 900.00	\$ 550.00	\$ 2,200.00	
18	CURB PIECE	UNIT	2	\$ 370.00	\$ 740.00	\$ 400.00	\$ 800.00	\$ 550.00	\$ 1,100.00	
19	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	18	\$ 470.00	\$ 8,460.00	\$ 10.00	\$ 180.00	\$ 400.00	\$ 7,200.00	
20	CONCRETE SIDEWALK, 4" THICK	SY	58	\$ 98.00	\$ 5,684.00	\$ 120.00	\$ 6,960.00	\$ 81.00	\$ 4,698.00	
21	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	350	\$ 25.00	\$ 8,750.00	\$ 30.00	\$ 10,500.00	\$ 50.00	\$ 17,500.00	
22	DETECTABLE WARNING SURFACE	SY	2	\$ 275.00	\$ 550.00	\$ 500.00	\$ 1,000.00	\$ 300.00	\$ 600.00	
23	9" X 18" CONCRETE VERTICAL CURB	LF	145	\$ 48.00	\$ 7,008.00	\$ 45.00	\$ 6,570.00	\$ 40.00	\$ 5,840.00	
24	9" X 6" HOT MIX ASPHALT CURB	LF	3,003	\$ 22.00	\$ 66,066.00	\$ 35.00	\$ 105,105.00	\$ 40.00	\$ 120,120.00	
25	TRAFFIC STRIPES, 4"	LF	12,531	\$ 1.00	\$ 12,531.00	\$ 0.70	\$ 8,771.70	\$ 1.00	\$ 12,531.00	
26	TRAFFIC MARKING LINES, 12"	LF	17	\$ 4.00	\$ 68.00	\$ 9.00	\$ 153.00	\$ 2.50	\$ 42.50	
27	TRAFFIC MARKING LINES, 24"	LF	75	\$ 6.00	\$ 450.00	\$ 14.00	\$ 1,050.00	\$ 4.50	\$ 337.50	
28	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 200.00	\$ 400.00	\$ 300.00	\$ 600.00	\$ 400.00	\$ 800.00	
29	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	8	\$ 850.00	\$ 6,800.00	\$ 700.00	\$ 5,600.00	\$ 900.00	\$ 7,200.00	
30	TOPSOIL SPREADING, 6" THICK	SY	314	\$ 9.00	\$ 2,826.00	\$ 2.00	\$ 628.00	\$ 6.00	\$ 1,884.00	
31	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	314	\$ 2.00	\$ 628.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00	
32	STRAW MULCHING	SY	314	\$ 1.00	\$ 314.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00	
TOTAL BASE BID					\$ 388,493.00	\$ 412,277.70	\$ 493,532.00			

ALTERNATE BID 'A' (MAGNOLIA AVENUE TO THE MUNICIPAL BORDER)

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	
1A	INLET FILTER, TYPE 2, 2' X 4'	UNIT	9	\$ 10.00	\$ 90.00	\$ 1.00	\$ 9.00	\$ 50.00	\$ 450.00	
2A	HMA MILLING, 3" OR LESS	SY	4,402	\$ 4.75	\$ 20,909.50	\$ 10.00	\$ 44,020.00	\$ 10.00	\$ 44,020.00	
3A	HOT MIX ASPHALT PAVEMENT REPAIR	SY	459	\$ 20.00	\$ 9,180.00	\$ 1.00	\$ 459.00	\$ 60.00	\$ 27,540.00	
4A	TACK COAT	GAL	601	\$ 4.00	\$ 2,404.00	\$ 1.00	\$ 601.00	\$ 10.00	\$ 6,010.00	
5A	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	601	\$ 92.00	\$ 55,292.00	\$ 88.00	\$ 52,888.00	\$ 100.00	\$ 60,100.00	
6A	INLET, TYPE 'B' CONVERTED TO INLET, TYPE 'E'	UNIT	1	\$ 1,700.00	\$ 1,700.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	
7A	RESET EXISTING CASTING	UNIT	1	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00	
8A	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 800.00	\$ 800.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00	
9A	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 700.00	\$ 700.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	
10A	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	9	\$ 450.00	\$ 4,050.00	\$ 400.00	\$ 3,600.00	\$ 400.00	\$ 3,600.00	
11A	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	167	\$ 45.00	\$ 7,515.00	\$ 30.00	\$ 5,010.00	\$ 50.00	\$ 8,350.00	
12A	9" X 18" CONCRETE VERTICAL CURB	LF	340	\$ 44.00	\$ 14,960.00	\$ 45.00	\$ 15,300.00	\$ 40.00	\$ 13,600.00	
13A	9" X 6" HOT MIX ASPHALT CURB	LF	518	\$ 26.00	\$ 13,468.00	\$ 35.00	\$ 18,130.00	\$ 40.00	\$ 20,720.00	
14A	TRAFFIC STRIPES, 4"	LF	5,929	\$ 0.85	\$ 5,039.65	\$ 0.70	\$ 4,150.30	\$ 1.00	\$ 5,929.00	
15A	TRAFFIC MARKING LINES, 12"	LF	22	\$ 5.00	\$ 110.00	\$ 9.00	\$ 198.00	\$ 2.50	\$ 55.00	
16A	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 200.00	\$ 400.00	\$ 300.00	\$ 600.00	\$ 400.00	\$ 800.00	
17A	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	1	\$ 900.00	\$ 900.00	\$ 700.00	\$ 700.00	\$ 1,000.00	\$ 1,000.00	
18A	TOPSOIL SPREADING, 6" THICK	SY	141	\$ 9.00	\$ 1,269.00	\$ 2.00	\$ 282.00	\$ 10.00	\$ 1,410.00	
19A	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	141	\$ 2.00	\$ 282.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00	
20A	STRAW MULCHING	SY	141	\$ 1.00	\$ 141.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00	
TOTAL ALTERNATE BID 'A'					\$ 139,410.15	\$ 150,829.30	\$ 200,548.00			

BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
BASE BID	\$ 388,493.00	\$ 412,277.70	\$ 493,532.00
BASE BID + ALTERNATE BID A	\$ 527,903.15	\$ 563,107.00	\$ 694,080.00

BID TABULATION

DATE: TUESDAY, MAY 6, 2025 @ 10 A.M.
PROJECT: NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.: MVB0067
MUNICIPALITY: BOROUGH OF MONTVALE
COUNTY: BERGEN

BASE BID- NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

ITEM	DESCRIPTION	UNIT	QTY.	BIDDER 1		BIDDER 2		BIDDER 3	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	INLET FILTER, TYPE 2, 2' X 4'	UNIT	15	\$ 0.01	\$ 0.15	\$ 0.01	\$ 0.15	\$ 33.33	\$ 499.95
2	BREAKAWAY BARRICADE	UNIT	50	\$ 0.01	\$ 0.50	\$ 0.01	\$ 0.50	\$ 1.00	\$ 50.00
3	DRUM	UNIT	75	\$ 0.01	\$ 0.75	\$ 0.01	\$ 0.75	\$ 1.00	\$ 75.00
4	TRAFFIC CONE	UNIT	200	\$ 1.00	\$ 200.00	\$ 0.01	\$ 2.00	\$ 1.00	\$ 200.00
5	CONSTRUCTION SIGNS	SF	400	\$ 1.00	\$ 400.00	\$ 0.01	\$ 4.00	\$ 1.00	\$ 400.00
6	POLICE TRAFFIC DIRECTORS	HOURL	60	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00
7	FUEL PRICE ADJUSTMENT	DOLLAR	100	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00
8	ASPHALT PRICE ADJUSTMENT	DOLLAR	600	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00
9	CLEARING SITE	LS	1	\$ 11,000.00	\$ 11,000.00	\$ 12,500.00	\$ 12,500.00	\$ 10,000.00	\$ 10,000.00
10	HMA MILLING, 3" OR LESS	SY	10,832	\$ 4.75	\$ 51,452.00	\$ 4.77	\$ 51,668.64	\$ 4.25	\$ 46,036.00
11	HOT MIX ASPHALT PAVEMENT REPAIR	SY	1,007	\$ 1.00	\$ 1,007.00	\$ 0.01	\$ 10.07	\$ 1.00	\$ 1,007.00
12	TACK COAT	GAL	1,481	\$ 0.01	\$ 14.81	\$ 0.01	\$ 14.81	\$ 1.00	\$ 1,481.00
13	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	1,481	\$ 87.00	\$ 128,847.00	\$ 96.58	\$ 143,034.98	\$ 115.00	\$ 170,315.00
14	RESET EXISTING CASTING	UNIT	1	\$ 100.00	\$ 100.00	\$ 500.00	\$ 500.00	\$ 1.00	\$ 1.00
15	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
16	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 500.00	\$ 500.00
17	BI-CYCLE SAFE GRATE	UNIT	4	\$ 400.00	\$ 1,600.00	\$ 350.00	\$ 1,400.00	\$ 315.00	\$ 1,260.00
18	CURB PIECE	UNIT	2	\$ 350.00	\$ 700.00	\$ 350.00	\$ 700.00	\$ 300.00	\$ 600.00
19	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	18	\$ 400.00	\$ 7,200.00	\$ 500.00	\$ 9,000.00	\$ 400.00	\$ 7,200.00
20	CONCRETE SIDEWALK, 4" THICK	SY	58	\$ 125.00	\$ 7,250.00	\$ 125.00	\$ 7,250.00	\$ 115.00	\$ 6,670.00
21	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	350	\$ 35.00	\$ 12,250.00	\$ 50.00	\$ 17,500.00	\$ 15.00	\$ 5,250.00
22	DETECTABLE WARNING SURFACE	SY	2	\$ 450.00	\$ 900.00	\$ 300.00	\$ 600.00	\$ 375.00	\$ 750.00
23	9" X 18" CONCRETE VERTICAL CURB	LF	146	\$ 50.00	\$ 7,300.00	\$ 40.00	\$ 5,840.00	\$ 35.00	\$ 5,110.00
24	9" X 6" HOT MIX ASPHALT CURB	LF	3,003	\$ 7.50	\$ 22,522.50	\$ 5.00	\$ 15,015.00	\$ 6.50	\$ 19,519.50
25	TRAFFIC STRIPES, 4"	LF	12,531	\$ 0.75	\$ 9,398.25	\$ 0.90	\$ 11,277.90	\$ 0.75	\$ 9,398.25
26	TRAFFIC MARKING LINES, 12"	LF	17	\$ 2.25	\$ 38.25	\$ 3.00	\$ 51.00	\$ 2.25	\$ 38.25
27	TRAFFIC MARKING LINES, 24"	LF	75	\$ 4.50	\$ 337.50	\$ 5.50	\$ 412.50	\$ 4.50	\$ 337.50
28	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 1.00	\$ 2.00	\$ 0.01	\$ 0.02	\$ 400.00	\$ 800.00
29	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	8	\$ 575.00	\$ 4,600.00	\$ 1,100.00	\$ 8,800.00	\$ 600.00	\$ 4,800.00
30	TOPSOIL SPREADING, 6" THICK	SY	314	\$ 3.00	\$ 942.00	\$ 5.00	\$ 1,570.00	\$ 5.00	\$ 1,570.00
31	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	314	\$ 1.00	\$ 314.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00
32	STRAW MULCHING	SY	314	\$ 1.00	\$ 314.00	\$ 0.01	\$ 3.14	\$ 2.00	\$ 628.00
TOTAL BASE BID					\$ 288,390.71		\$ 308,569.46		\$ 314,224.45

ALTERNATE BID 'A' (MAGNOLIA AVENUE TO THE MUNICIPAL BORDER)

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1A	INLET FILTER, TYPE 2, 2' X 4'	UNIT	9	\$ 0.01	\$ 0.09	\$ 0.01	\$ 0.09	\$ 16.50	\$ 148.50
2A	HMA MILLING, 3" OR LESS	SY	4,402	\$ 4.75	\$ 20,909.50	\$ 4.77	\$ 20,997.54	\$ 4.24	\$ 18,664.48
3A	HOT MIX ASPHALT PAVEMENT REPAIR	SY	459	\$ 1.00	\$ 459.00	\$ 0.01	\$ 4.59	\$ 1.00	\$ 459.00
4A	TACK COAT	GAL	601	\$ 0.01	\$ 6.01	\$ 0.01	\$ 6.01	\$ 1.00	\$ 601.00
5A	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	601	\$ 87.00	\$ 52,287.00	\$ 96.58	\$ 58,044.58	\$ 125.00	\$ 75,125.00
6A	INLET, TYPE 'B' CONVERTED TO INLET, TYPE 'E'	UNIT	1	\$ 3,800.00	\$ 3,800.00	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00
7A	RESET EXISTING CASTING	UNIT	1	\$ 100.00	\$ 100.00	\$ 500.00	\$ 500.00	\$ 1.00	\$ 1.00
8A	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
9A	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 1,200.00	\$ 1,200.00	\$ 400.00	\$ 400.00
10A	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	9	\$ 400.00	\$ 3,600.00	\$ 500.00	\$ 4,500.00	\$ 400.00	\$ 3,600.00
11A	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	167	\$ 35.00	\$ 5,845.00	\$ 50.00	\$ 8,350.00	\$ 15.00	\$ 2,505.00
12A	9" X 18" CONCRETE VERTICAL CURB	LF	340	\$ 50.00	\$ 17,000.00	\$ 40.00	\$ 13,600.00	\$ 35.00	\$ 11,900.00
13A	9" X 6" HOT MIX ASPHALT CURB	LF	518	\$ 7.50	\$ 3,885.00	\$ 0.01	\$ 5.18	\$ 6.50	\$ 3,367.00
14A	TRAFFIC STRIPES, 4"	LF	5,929	\$ 0.75	\$ 4,446.75	\$ 0.90	\$ 5,336.10	\$ 0.75	\$ 4,446.75
15A	TRAFFIC MARKING LINES, 12"	LF	22	\$ 2.25	\$ 49.50	\$ 3.00	\$ 66.00	\$ 2.25	\$ 49.50
16A	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 1.00	\$ 2.00	\$ 0.01	\$ 0.02	\$ 300.00	\$ 600.00
17A	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	1	\$ 575.00	\$ 575.00	\$ 1,100.00	\$ 1,100.00	\$ 500.00	\$ 500.00
18A	TOPSOIL SPREADING, 6" THICK	SY	141	\$ 3.00	\$ 423.00	\$ 5.00	\$ 705.00	\$ 5.00	\$ 705.00
19A	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	141	\$ 1.00	\$ 141.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00
20A	STRAW MULCHING	SY	141	\$ 1.00	\$ 141.00	\$ 0.01	\$ 1.41	\$ 2.00	\$ 282.00
TOTAL ALTERNATE BID 'A'					\$ 114,669.85		\$ 120,757.52		\$ 125,536.23

BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
BASE BID	\$ 288,390.71	\$ 308,569.46	\$ 314,224.45
BASE BID + ALTERNATE BID A	\$ 403,060.56	\$ 429,326.98	\$ 439,760.68

BID TABULATION

DATE: TUESDAY, MAY 6, 2025 @ 10 A.M.
PROJECT: NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.: MV80067
MUNICIPALITY: BOROUGH OF MONTVALE
COUNTY: BERGEN

BASE BID- NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.:	MVB0067					BIDDER 4		BIDDER 5		BIDDER 6	
MUNICIPALITY:	BOROUGH OF MONTVALE					DLS Contracting Inc. 36 Montessano Road Fairfield, NJ 07004 973-661-4188		Smith-Sondy Asphalt Const 150 Anderson Ave Weatlington, NJ 07057 973-777-7833		New Prince Concrete Const 215 Eileen Terrace Hackensack, NJ 07601 201-488-8208	
COUNTY:	BERGEN										
BASE BID- NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT											
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	INLET FILTER, TYPE 2, 2' X 4'	UNIT	15	\$ 0.01	\$ 0.15	\$ 0.01	\$ 0.15	\$ 0.01	\$ 0.15	\$ 0.01	\$ 0.15
2	BREAKAWAY BARRICADE	UNIT	50	\$ 0.01	\$ 0.70	\$ 0.01	\$ 0.50	\$ 0.01	\$ 0.50	\$ 0.01	\$ 0.50
3	DRUM	UNIT	75	\$ 0.01	\$ 0.75	\$ 0.01	\$ 0.75	\$ 0.01	\$ 0.75	\$ 0.01	\$ 0.75
4	TRAFFIC CONE	UNIT	200	\$ 0.01	\$ 2.00	\$ 0.01	\$ 2.00	\$ 0.01	\$ 2.00	\$ 0.01	\$ 2.00
5	CONSTRUCTION SIGNS	SF	400	\$ 0.01	\$ 4.00	\$ 0.01	\$ 4.00	\$ 0.01	\$ 4.00	\$ 0.01	\$ 4.00
6	POLICE TRAFFIC DIRECTORS	HOUR	80	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00
7	FUEL PRICE ADJUSTMENT	DOLLAR	100	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00
8	ASPHALT PRICE ADJUSTMENT	DOLLAR	600	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00
9	CLEARING SITE	LS	1	\$ 19,429.00	\$ 19,429.00	\$ 61,400.00	\$ 61,400.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
10	HMA MILLING, 3" OR LESS	SY	10,832	\$ 4.10	\$ 44,411.20	\$ 6.03	\$ 65,316.96	\$ 4.70	\$ 50,910.40		
11	HOT MIX ASPHALT PAVEMENT REPAIR	SY	1,007	\$ 1.00	\$ 1,007.00	\$ 0.01	\$ 10.07	\$ 0.01	\$ 10.07		
12	TACK COAT	GAL	1,481	\$ 3.00	\$ 4,443.00	\$ 0.01	\$ 14.81	\$ 0.01	\$ 14.81		
13	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	1,481	\$ 95.00	\$ 140,695.00	\$ 104.80	\$ 155,208.80	\$ 97.00	\$ 143,657.00		
14	RESET EXISTING CASTING	UNIT	1	\$ 1.00	\$ 1.00	\$ 933.82	\$ 933.82	\$ 800.00	\$ 800.00		
15	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 9.33	\$ 9.33	\$ 2,000.00	\$ 2,000.00		
16	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 100.00	\$ 100.00	\$ 9.33	\$ 9.33	\$ 1,950.00	\$ 1,950.00		
17	BICYCLE SAFE GRATE	UNIT	4	\$ 300.00	\$ 1,200.00	\$ 9.33	\$ 37.32	\$ 450.00	\$ 1,800.00		
18	CURB PIECE	UNIT	2	\$ 300.00	\$ 600.00	\$ 9.33	\$ 18.66	\$ 450.00	\$ 900.00		
19	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	18	\$ 450.00	\$ 8,100.00	\$ 9.33	\$ 167.94	\$ 1,000.00	\$ 18,000.00		
20	CONCRETE SIDEWALK, 4" THICK	SY	58	\$ 88.00	\$ 5,104.00	\$ 109.50	\$ 6,351.00	\$ 180.00	\$ 10,440.00		
21	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	350	\$ 35.00	\$ 12,250.00	\$ 0.01	\$ 3.50	\$ 1.00	\$ 350.00		
22	DETECTABLE WARNING SURFACE	SY	2	\$ 200.00	\$ 400.00	\$ 180.00	\$ 360.00	\$ 275.00	\$ 550.00		
23	9" X 18" CONCRETE VERTICAL CURB	LF	146	\$ 39.00	\$ 5,694.00	\$ 61.75	\$ 9,015.50	\$ 75.00	\$ 10,950.00		
24	9" X 6" HOT MIX ASPHALT CURB	LF	3,003	\$ 20.00	\$ 60,060.00	\$ 14.20	\$ 42,642.60	\$ 20.00	\$ 60,060.00		
25	TRAFFIC STRIPES, 4"	LF	12,531	\$ 0.77	\$ 9,648.87	\$ 0.50	\$ 6,265.50	\$ 0.60	\$ 7,518.60		
26	TRAFFIC MARKING LINES, 12"	LF	17	\$ 2.60	\$ 44.20	\$ 5.50	\$ 93.50	\$ 25.00	\$ 425.00		
27	TRAFFIC MARKING LINES, 24"	LF	75	\$ 4.70	\$ 352.50	\$ 11.00	\$ 825.00	\$ 40.00	\$ 3,000.00		
28	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 1.00	\$ 2.00	\$ 933.82	\$ 1,867.64	\$ 800.00	\$ 1,600.00		
29	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	8	\$ 750.00	\$ 6,000.00	\$ 933.82	\$ 7,470.56	\$ 800.00	\$ 6,400.00		
30	TOPSOIL SPREADING, 6" THICK	SY	314	\$ 3.00	\$ 942.00	\$ 3.00	\$ 942.00	\$ 0.01	\$ 3.14		
31	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	314	\$ 1.00	\$ 314.00	\$ 1.00	\$ 314.00	\$ 0.01	\$ 3.14		
32	STRAW MULCHING	SY	314	\$ 1.00	\$ 314.00	\$ 0.01	\$ 3.14	\$ 0.01	\$ 3.14		
TOTAL BASE BID					\$ 340,319.37		\$ 377,988.38		\$ 370,052.70		

ALTERNATE BID 'A' (MAGNOLIA AVENUE TO THE MUNICIPAL BORDER)

ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1A	INLET FILTER, TYPE 2, 2' X 4'	UNIT	9	\$ 0.01	\$ 0.09	\$ 0.01	\$ 0.09	\$ 0.01	\$ 0.09
2A	HMA MILLING, 3" OR LESS	SY	4,402	\$ 4.10	\$ 18,048.20	\$ 6.03	\$ 26,544.06	\$ 4.70	\$ 20,659.40
3A	HOT MIX ASPHALT PAVEMENT REPAIR	SY	459	\$ 1.00	\$ 459.00	\$ 0.01	\$ 4.59	\$ 0.01	\$ 4.59
4A	TACK COAT	GAL	601	\$ 3.00	\$ 1,803.00	\$ 0.01	\$ 6.01	\$ 0.01	\$ 6.01
5A	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	601	\$ 95.00	\$ 57,095.00	\$ 104.80	\$ 62,984.80	\$ 97.00	\$ 58,297.00
6A	INLET, TYPE 'B' CONVERTED TO INLET, TYPE 'E'	UNIT	1	\$ 1,900.00	\$ 1,900.00	\$ 1,930.00	\$ 1,930.00	\$ 2,000.00	\$ 2,000.00
7A	RESET EXISTING CASTING	UNIT	1	\$ 1.00	\$ 1.00	\$ 933.82	\$ 933.82	\$ 800.00	\$ 800.00
8A	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 500.00	\$ 500.00	\$ 9.33	\$ 9.33	\$ 2,000.00	\$ 2,000.00
9A	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 100.00	\$ 100.00	\$ 9.33	\$ 9.33	\$ 1,950.00	\$ 1,950.00
10A	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	9	\$ 450.00	\$ 4,050.00	\$ 9.33	\$ 83.97	\$ 1,000.00	\$ 9,000.00
11A	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	167	\$ 35.00	\$ 5,845.00	\$ 0.01	\$ 1.67	\$ 1.00	\$ 167.00
12A	9" X 18" CONCRETE VERTICAL CURB	LF	340	\$ 39.00	\$ 13,260.00	\$ 0.01	\$ 3.40	\$ 75.00	\$ 25,500.00
13A	9" X 6" HOT MIX ASPHALT CURB	LF	518	\$ 20.00	\$ 10,360.00	\$ 14.20	\$ 7,355.60	\$ 20.00	\$ 10,360.00
14A	TRAFFIC STRIPES, 4"	LF	5,929	\$ 0.77	\$ 4,565.33	\$ 0.50	\$ 2,964.50	\$ 0.60	\$ 3,557.40
15A	TRAFFIC MARKING LINES, 12"	LF	22	\$ 2.50	\$ 55.00	\$ 5.50	\$ 121.00	\$ 25.00	\$ 550.00
16A	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 1.00	\$ 2.00	\$ 933.82	\$ 1,867.64	\$ 800.00	\$ 1,600.00
17A	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	1	\$ 750.00	\$ 750.00	\$ 933.82	\$ 933.82	\$ 850.00	\$ 850.00
18A	TOPSOIL SPREADING, 6" THICK	SY	141	\$ 3.00	\$ 423.00	\$ 3.00	\$ 423.00	\$ 0.01	\$ 1.41
19A	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	141	\$ 1.00	\$ 141.00	\$ 1.00	\$ 141.00	\$ 0.01	\$ 1.41
20A	STRAW MULCHING	SY	141	\$ 1.00	\$ 141.00	\$ 0.01	\$ 1.41	\$ 0.01	\$ 1.41
TOTAL ALTERNATE BID 'A'					\$ 119,498.62		\$ 106,319.04		\$ 137,335.72

BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
BASE BID	\$ 340,319.37	\$ 377,988.38	\$ 370,052.70
BASE BID + ALTERNATE BID A	\$ 459,817.99	\$ 484,307.42	\$ 507,388.42

BID TABULATION

DATE: TUESDAY, MAY 6, 2025 @ 10 A.M.
PROJECT: NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

PROJECT NO.: MVB0067
MUNICIPALITY: BOROUGH OF MONTVALE
COUNTY: BERGEN

BASE BID- NJDOT FY2024 - WOODLAND ROAD RESURFACING PROJECT

				BIDDER 7		BIDDER 8		BIDDER 9	
				A/M Contractors Inc.		Cifelli & Son Gen Const		Crossroads Paving	
				973-772-9292		973-235-0302		973-902-6002	
				-		81 Franklin Ave Nutley, NJ 07110		386 South St, Ste 169 Nutley, NJ 07105	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	INLET FILTER, TYPE 2, 2' X 4'	UNIT	15	\$ 15.00	\$ 225.00	\$ 1.00	\$ 15.00	\$ 50.00	\$ 750.00
2	BREAKAWAY BARRICADE	UNIT	50	\$ 15.00	\$ 750.00	\$ 1.00	\$ 50.00	\$ 50.00	\$ 2,500.00
3	DRUM	UNIT	75	\$ 12.00	\$ 900.00	\$ 1.00	\$ 75.00	\$ 50.00	\$ 3,750.00
4	TRAFFIC CONE	UNIT	200	\$ 7.00	\$ 1,400.00	\$ 1.00	\$ 200.00	\$ 10.00	\$ 2,000.00
5	CONSTRUCTION SIGNS	SF	400	\$ 4.00	\$ 1,600.00	\$ 1.00	\$ 400.00	\$ 10.00	\$ 4,000.00
6	POLICE TRAFFIC DIRECTORS	HOURL	80	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00	\$ 225.00	\$ 18,000.00
7	FUEL PRICE ADJUSTMENT	DOLLAR	100	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00
8	ASPHALT PRICE ADJUSTMENT	DOLLAR	600	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00
9	CLEARING SITE	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 50,000.00	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00
10	HMA MILLING, 3" OR LESS	SY	10,832	\$ 4.75	\$ 51,452.00	\$ 5.50	\$ 59,576.00	\$ 5.00	\$ 54,160.00
11	HOT MIX ASPHALT PAVEMENT REPAIR	SY	1,007	\$ 28.00	\$ 28,196.00	\$ 1.00	\$ 1,007.00	\$ 60.00	\$ 60,420.00
12	TACK COAT	GAL	1,481	\$ 4.00	\$ 5,924.00	\$ 1.00	\$ 1,481.00	\$ 8.00	\$ 11,848.00
13	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	1,481	\$ 91.00	\$ 134,771.00	\$ 88.00	\$ 130,328.00	\$ 95.00	\$ 140,695.00
14	RESET EXISTING CASTING	UNIT	1	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00
15	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 800.00	\$ 800.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00
16	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 700.00	\$ 700.00	\$ 400.00	\$ 400.00	\$ 600.00	\$ 600.00
17	BICYCLE SAFE GRATE	UNIT	4	\$ 400.00	\$ 1,600.00	\$ 225.00	\$ 900.00	\$ 550.00	\$ 2,200.00
18	CURB PIECE	UNIT	2	\$ 370.00	\$ 740.00	\$ 400.00	\$ 800.00	\$ 550.00	\$ 1,100.00
19	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	18	\$ 470.00	\$ 8,460.00	\$ 10.00	\$ 180.00	\$ 400.00	\$ 7,200.00
20	CONCRETE SIDEWALK, 4" THICK	SY	58	\$ 98.00	\$ 5,684.00	\$ 120.00	\$ 6,960.00	\$ 81.00	\$ 4,698.00
21	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	350	\$ 25.00	\$ 8,750.00	\$ 30.00	\$ 10,500.00	\$ 50.00	\$ 17,500.00
22	DETECTABLE WARNING SURFACE	SY	2	\$ 275.00	\$ 550.00	\$ 500.00	\$ 1,000.00	\$ 300.00	\$ 600.00
23	9" X 18" CONCRETE VERTICAL CURB	LF	146	\$ 48.00	\$ 7,008.00	\$ 45.00	\$ 6,570.00	\$ 40.00	\$ 5,840.00
24	9" X 6" HOT MIX ASPHALT CURB	LF	3,003	\$ 22.00	\$ 66,066.00	\$ 35.00	\$ 105,105.00	\$ 40.00	\$ 120,120.00
25	TRAFFIC STRIPES, 4"	LF	12,531	\$ 1.00	\$ 12,531.00	\$ 0.70	\$ 8,771.70	\$ 1.00	\$ 12,531.00
26	TRAFFIC MARKING LINES, 12"	LF	17	\$ 4.00	\$ 68.00	\$ 9.00	\$ 153.00	\$ 2.50	\$ 42.50
27	TRAFFIC MARKING LINES, 24"	LF	75	\$ 6.00	\$ 450.00	\$ 14.00	\$ 1,050.00	\$ 4.50	\$ 337.50
28	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 200.00	\$ 400.00	\$ 300.00	\$ 600.00	\$ 400.00	\$ 800.00
29	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	8	\$ 850.00	\$ 6,800.00	\$ 700.00	\$ 5,600.00	\$ 900.00	\$ 7,200.00
30	TOPSOIL SPREADING, 6" THICK	SY	314	\$ 9.00	\$ 2,826.00	\$ 2.00	\$ 628.00	\$ 6.00	\$ 1,884.00
31	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	314	\$ 2.00	\$ 628.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00
32	STRAW MULCHING	SY	314	\$ 1.00	\$ 314.00	\$ 1.00	\$ 314.00	\$ 2.00	\$ 628.00
TOTAL BASE BID					\$ 388,493.00		\$ 412,277.70		\$ 493,532.00

ALTERNATE BID 'A' (MAGNOLIA AVENUE TO THE MUNICIPAL BORDER)

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1A	INLET FILTER, TYPE 2, 2' X 4'	UNIT	9	\$ 10.00	\$ 90.00	\$ 1.00	\$ 9.00	\$ 50.00	\$ 450.00
2A	HMA MILLING, 3" OR LESS	SY	4,402	\$ 4.75	\$ 20,909.50	\$ 10.00	\$ 44,020.00	\$ 10.00	\$ 44,020.00
3A	HOT MIX ASPHALT PAVEMENT REPAIR	SY	459	\$ 20.00	\$ 9,180.00	\$ 1.00	\$ 459.00	\$ 60.00	\$ 27,540.00
4A	TACK COAT	GAL	601	\$ 4.00	\$ 2,404.00	\$ 1.00	\$ 601.00	\$ 10.00	\$ 6,010.00
5A	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE	TON	601	\$ 92.00	\$ 55,292.00	\$ 88.00	\$ 52,888.00	\$ 100.00	\$ 60,100.00
6A	INLET, TYPE 'B' CONVERTED TO INLET, TYPE 'E'	UNIT	1	\$ 1,700.00	\$ 1,700.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00
7A	RESET EXISTING CASTING	UNIT	1	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00
8A	RECONSTRUCTED INLET, TYPE B, USING EXISTING CASTING	UNIT	1	\$ 800.00	\$ 800.00	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00
9A	RECONSTRUCTED MANHOLE, USING EXISTING CASTING	UNIT	1	\$ 700.00	\$ 700.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00
10A	REPAIR INTERIOR OF DRAINAGE STRUCTURE	UNIT	9	\$ 450.00	\$ 4,050.00	\$ 400.00	\$ 3,600.00	\$ 400.00	\$ 3,600.00
11A	HOT MIX ASPHALT DRIVEWAY, 2" THICK	SY	167	\$ 45.00	\$ 7,515.00	\$ 30.00	\$ 5,010.00	\$ 50.00	\$ 8,350.00
12A	9" X 18" CONCRETE VERTICAL CURB	LF	340	\$ 44.00	\$ 14,960.00	\$ 45.00	\$ 15,300.00	\$ 40.00	\$ 13,600.00
13A	9" X 6" HOT MIX ASPHALT CURB	LF	518	\$ 26.00	\$ 13,468.00	\$ 35.00	\$ 18,130.00	\$ 40.00	\$ 20,720.00
14A	TRAFFIC STRIPES, 4"	LF	5,929	\$ 0.85	\$ 5,039.65	\$ 0.70	\$ 4,150.30	\$ 1.00	\$ 5,929.00
15A	TRAFFIC MARKING LINES, 12"	LF	22	\$ 5.00	\$ 110.00	\$ 9.00	\$ 198.00	\$ 2.50	\$ 55.00
16A	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	UNIT	2	\$ 200.00	\$ 400.00	\$ 300.00	\$ 600.00	\$ 400.00	\$ 800.00
17A	SET MANHOLE, SANITARY SEWER, USING NEW CASTING	UNIT	1	\$ 900.00	\$ 900.00	\$ 700.00	\$ 700.00	\$ 1,000.00	\$ 1,000.00
18A	TOPSOIL SPREADING, 6" THICK	SY	141	\$ 9.00	\$ 1,269.00	\$ 2.00	\$ 282.00	\$ 10.00	\$ 1,410.00
19A	FERTILIZING AND SEEDING, TYPE ERNMX-106	SY	141	\$ 2.00	\$ 282.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00
20A	STRAW MULCHING	SY	141	\$ 1.00	\$ 141.00	\$ 1.00	\$ 141.00	\$ 2.00	\$ 282.00
TOTAL ALTERNATE BID 'A'					\$ 139,410.15		\$ 150,829.30		\$ 200,548.00

BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
BASE BID	\$ 388,493.00	\$ 412,277.70	\$ 493,532.00
BASE BID + ALTERNATE BID A	\$ 527,903.15	\$ 563,107.00	\$ 694,080.00

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 126-2025**

RE: Award Professional Service Contract to Colliers Engineering & Design - for Construction Observation & Administration Services for NJDOT FY2024 – Woodland Road Resurfacing Project

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer for Construction Observation & Administration Services for NJDOT FY2024 – Woodland Road Resurfacing Project; 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 May 12, 2025 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 following be provided: Construction Observation & Administration Services
- 2) The cost not to exceed shall be \$39,500.00. 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: May 27, 2025

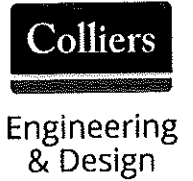
ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

400 Valley Road Suite 304
Mt. Arlington New Jersey 07856
Main: 877 627 3772



May 12, 2025

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

NJDOT FY2024 – Woodland Road Resurfacing Project
Professional Engineering Construction Administration Services
Borough of Montvale, Bergen County, NJ
Colliers Engineering & Design Project No. MVB0067

Dear Mayor and Council,

Colliers Engineering & Design is pleased to present the following agreement for construction observation and administration services related to the NJDOT FY2024 Woodland Road Resurfacing Project. Funding will be provided through current bond ordinance(s) for capital improvements.

Colliers Engineering & Design has been authorized to perform the preparation of specifications for receipt of bids on this project. Bids were received on May 6, 2025, and the apparent low bidder is 4 Clean Up Inc. The bid was in the amount of \$288,390.71 for the Base bid and \$114,669.85 for Alternate "A". The total bid amount for Base + Alternate "A" is \$403,060.56.

Section I – Scope of Services

Based on our conversations and information noted above, we propose to complete the following:

TASK 3.0 CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES:

Upon award of a contract, Colliers Engineering & Design will coordinate a Pre-Construction meeting with the contractor, Borough Officials, and the Department of Public Works (DPW). During construction, Colliers Engineering & Design will monitor the contractor's performance and enforce the adherence to the contract documents and project schedule.

Colliers Engineering & Design will provide the Borough with part-time on-site construction administration services during the concrete work, potential drainage improvements and milling/paving operations. This task should last approximately six (6) weeks. In addition, Colliers Engineering & Design anticipates that there will be two (2) weeks of part-time construction administration services for the contractor to complete the punch list items. Colliers Engineering & Design will utilize the same construction administrator on the site for the entirety of the project in order to provide consistency for the project.

Observation reports will be retained by Colliers Engineering & Design regarding the project. Colliers Engineering & Design will review and prepare contractor's payments as well as change orders (if necessary). If unacceptable work or material is supplied by the contractor, immediate corrective action will be taken by Colliers Engineering & Design on behalf of the Borough. Colliers Engineering & Design will review the submittals for the projects including shop drawings and as-built drawings provided by

the contractor. Prior to completion, a final punch list will be created by the construction administrator and completion deadlines will be scheduled for all open items. Upon completion of the punch list items, a final site visit will be scheduled with the contractor and the Borough to close out the project. Colliers Engineering & Design will prepare the paperwork for final payment for the contractor.

Projected Schedule:

The following is the estimated schedules for the project:

<u>Task</u>	<u>Anticipated Schedule</u>
Construction Contract Award	June 2025
Pre-Construction Meeting	June 2025
Construction Administration Services	Summer 2025
Project Closeout	Fall 2025

The goal is to construct the entirety of the project during the 2025 construction season. Please note that this project is weather dependent. Should inclement weather occur, the construction schedule may be altered.

Schedule of Fees

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

Task Name	Fee
Task 1 Construction Observation & Administration Services	\$39,500.00
Total Hourly not to Exceed	\$39,500.00

The above services will be provided on an hourly basis not to exceed the listed amount. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by Borough of Montvale (Resolution No. 25-2025).

Project Deliverables:

During the contractor payment preparation process, Colliers Engineering & Design will provide the Borough of Montvale with documentation for their review and execution for contractor payment. Certification by the Chief Financial Officer will be required for all closeout documents.

Reimbursable Expenses:

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the above-mentioned deliverables are included within this agreement and are included in the project cost.

Plan Revisions and Extra Services:

Any revision requested by the Borough of Montvale or review agencies that is a major redesign or not an error or omission on the part of Colliers Engineering & Design will be billed on an hourly basis in accordance with our current contract.

Exclusions:

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement is deemed necessary, then Colliers Engineering & Design may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Unanticipated additional services will be in accordance with the Schedule of Hourly Rates for the number of hours of effort required. No extra services will be performed without authorization from the Borough.

Please forward a copy of the Resolution of Approval and/or Approved Purchase Order for this agreement to this office. This will constitute approval of the proposed engineering services.

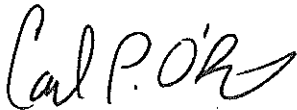
We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,

Colliers Engineering & Design



Nick Chelius, PE, CME
Project Manager



Carl O'Brien, PE, PP, CME, CPWM
Geographic Discipline Leader

cc: Robert Culvert (CED)
Ken DeGennaro (CED)

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 127-2025**

RE: Amending Resolution No. 73-2025 To Establish Recreational Fees for Year 2025

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

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

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

TIME SCHEDULE FOR PICKLEBALL COURTS:

Weekdays and Weekends:

8:00AM - Dusk

<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
30+ Basketball	Sept-May	\$75	\$95
	Jan-May	\$40	\$60
Adult Soccer	10 weeks	\$15	\$20
Chess Lessons	8 weeks	\$160	\$190
	7 weeks	\$140	\$170
	6 weeks	\$120	\$150
Drills and Skills Basketball	4 Day Camp 9:00am-12:00pm	\$155	\$185
Golf Instruction	6 weeks	\$120	\$150
	8 weeks	\$150	\$170
Pickleball Instruction	6 weeks	\$120	\$150
	8 weeks	\$160	\$200
Summer Camp: Grades 1-5	4 weeks	\$500 per child \$1500 family max	\$600 per child \$1800 family max
Adventure Camp: Grades 6-7	4 weeks	\$650 per child	\$750 per child

Summer Camp Resident/Non-Resident	\$45 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale. Camp financial assistance fee amounts will be at the discretion of the Recreation Director.		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
Multisport Camp by TGA	1 week (Full Day)	\$90	\$120
	1 week (Half Day)	\$60	\$90
The Way- The Art of Life	8 weeks (@ 2 classes per week)	\$120	\$180
Tai Chi	8 weeks	\$80	\$100
Montvale Senior Club Tai Chi Discount:	8 weeks	\$40	\$40
Tennis Lessons	6 weeks	\$120	\$150
	8 weeks	\$160	\$200
Tennis Badges			
Adult (Ages 18-61)	January-December (weather permitting)	\$30	\$60
Child (Ages 17 & Younger)	January-December (weather permitting)	\$10	\$20
Family Max	January-December (weather permitting)	\$60	\$120
Seniors (Ages 62 & Up)	January-December (weather permitting)	\$15	\$30
		\$10 Fee for Replacement Tennis Badge	
Basketball Badges			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		\$5 Fee for Replacement Basketball Badge	
Pickleball Badges			
Adult (Ages 18-61)	January-December (weather permitting)	\$30	\$100

Child (Ages 17 & Younger)	January-December (weather permitting)	\$10	\$30
Seniors (Ages 62 & Older)	January-December (weather permitting)	\$15	\$100
Family Maximum		\$60	\$200
	\$10 Fee for Replacement Pickleball Badge		
Ultimate Frisbee	6 weeks	\$75	\$95
	8 weeks	\$100	\$120
Volleyball- Adult	January-May	\$240	\$260
Volleyball- Girls	10 weeks	\$200	\$250
Women's Softball- Adult	April - August	\$60	\$80
Yoga	8 weeks	\$80	\$100
Yoga Mini Session	4 weeks	\$40	\$50
Youth Theater	September-December	\$10	\$50

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

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

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

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

Field and Facility Permit Regulations

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

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

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

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

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

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

Season: Spring season will begin March 1 and end August 30. Fall season will begin September 1 and end December 31.

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

Lightning Detection Credit Policy: If the lightning detector activates with less than 50% of scheduled time elapsed for that date, the organization shall receive a credit for that day's scheduled timeslot. If the lightning detector activates after 50% of the scheduled time has elapsed, no time credit will be granted.

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

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

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

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

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 128-2025**

RE: Authorize Hiring - Part Time Alternate Crossing Guard – Mary Elizabeth Moltzen

WHEREAS, the Montvale Police Department desires to hire a part-time alternate crossing guard in the Borough of Montvale; and,

WHEREAS, Mary Elizabeth Moltzen has met the qualifications for this position, agrees to the terms and conditions of employment; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above-named individual is hereby appointed to the position of Part-time Alternate Crossing Guard, effective May 27, 2025

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 129-2025**

RE: A Resolution Approving a Second Addendum to the Shared Services Agreement with the Township of River Vale Concerning the Pascack Valley Department of Public Works

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

WHEREAS, the Mayor and Council of the Borough of Montvale are constantly exploring options available to the Borough to obtain cost savings for Borough residents in the performance of various services, while still maintaining quality of performance and a high level of professionalism; and

WHEREAS, in furtherance of this mission, in 2013 a mutually-supported feasibility study identified opportunities to further improve the efficacy of Public Works operations for the Municipalities, while reducing the costs of delivering Public Works services for the respective local governments; and

WHEREAS, the Municipalities previously determined it to be in their mutual best interests to provide for a shared Department of Public Works (DPW) to be known as the "Pascack Valley Department of Public Works" serving the Township of River Vale and the Borough of Montvale to provide services to their respective Municipalities, with River Vale as the Lead Agency; and

WHEREAS, the parties entered into a Shared Services Agreement ("SSA") in 2013, which was established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (C.40A:65-1, et seq.); and

WHEREAS, the parties renewed this SSA in 2019, in accordance with the Uniform Shared Services and Consolidation Act, and adopted an addendum thereto in 2023; and

WHEREAS, consistent with the terms of the SSA, the municipalities did jointly solicit and fund a study conducted by LKM Consulting, LLC to determine whether the allocator and annual base fee set forth in the Shared Services Agreement fairly and equitably apportioned costs between the municipalities; and

WHEREAS, by report dated September 18, 2024, entitled "Evaluation of Shared Services Agreement Cost Allocators" by LKM Consulting, LLC, certain recommendations were made concerning changes to the allocator and the annual base fee for shared DPW services, as well as other financial and operational considerations; and

WHEREAS, the municipalities have reached an agreement on certain changes to be made to the allocator and the annual base fee for 2025 and wish to memorialize said agreement.

WHEREAS, *N.J.S.A. 40A:65-1 et seq.* requires that the Shared Services Agreement be approved by resolution of the governing body of each participating municipality; and

WHEREAS, the Mayor and Council are desirous of authorizing the attached Second Addendum to Shared Services Agreement with the Township of River Vale concerning the Pascack Valley Department of Public Works pursuant to *N.J.S.A. 40A:65-5(a)*; and

WHEREAS, pursuant to *N.J.S.A. 40A:65-5(b)*, a copy of the Shared Services Agreement with the Second Addendum shall be available for public inspection at the Municipal Complex immediately after passage of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that the Mayor and Borough Clerk are directed, authorized and empowered to execute the negotiated Second Addendum to Shared Services Agreement with the Township of River Vale concerning the operation of the Pascack Valley Department of Public Works, as well as all other documents necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:65-5(b)*, the Borough Clerk shall make the Shared Services Agreement with Second Addendum available for public inspection at the Municipal Complex immediately after passage of this Resolution.

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

Adopted: May 27, 2025

ATTEST:

APPROVED:

Frances Scordo
Municipal Clerk

Michael Ghassali
Mayor

SECOND ADDENDUM TO SHARED SERVICES AGREEMENT

This document is a Second Addendum ("Second Addendum") to the Shared Services Agreement dated September 24, 2019, between the Borough of Montvale, which has offices located at 12 DePiero Drive, Montvale, New Jersey 07645 ("Montvale"), and the Township of River Vale, which has offices located at 406 River Vale Road, River Vale, New Jersey ("River Vale") (collectively the "parties" or "municipalities").

WHEREAS, consistent with the terms of the Shared Services Agreement executed by Montvale and River Vale on or about September 24, 2019, as amended by the Addendum to Shared Services Agreement (as amended, the "Shared Services Agreement"), the municipalities did jointly solicit and fund a study conducted by LKM Consulting, LLC to determine whether the allocator and annual base fee set forth in the Shared Services Agreement fairly and equitably apportioned costs between the municipalities; and

WHEREAS, by report dated September 18, 2024, entitled "Evaluation of Shared Services Agreement Cost Allocators" by LKM Consulting, LLC, certain recommendations were made concerning changes to the allocator and the annual base fee for shared DPW services, as well as other financial and operational considerations; and

WHEREAS, the municipalities have reached an agreement on certain changes to be made to the allocator and the annual base fee for 2025 and wish to memorialize said agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, on this 1st day of January, 2025, the parties agree as follows:

1. The Shared Services Agreement executed by Montvale and River Vale on or about September 24, 2019, as amended by the Addendum to Shared Services Agreement (as amended, the "Shared Services Agreement"), shall remain in full force and effect except as modified by the below terms of this Second Addendum. If there is any inconsistency or contradiction between this Second Addendum and the Shared Services Agreement, then the terms of this Second Addendum shall control.
2. Section IV.A of the Shared Services Agreement is hereby amended to read:
 - A. Montvale's percentage share of the DPW operating expenses shall be 48.1% (the "Allocator"). The Allocator is calculated as the average of Montvale's share of the total population and households, respectively, in the two municipalities, with a 50% downgrade modifier applied to certain higher-density apartment population growth. The Parties agree that the Allocator may be readjusted according to the above formula every three (3) years.
3. Section IV.B of the Shared Services Agreement is hereby amended to read:

Montvale shall pay an Annual Base Fee equivalent to \$2,260,927 in 2025 for shared DPW services delivery to the Municipalities. The Annual Base Fee shall increase by 2% for subsequent budget years. The Parties agree that the Annual Base Fee may be readjusted based upon River Vale's actual expenditures and a new Allocator, if applicable, every three (3) years.

4. The Parties agree to have the Advisory Committee meet by July 1, 2025 to discuss potential salary adjustments for the DPW Director and promotions of staff, as well as the other action items identified in the report entitled "Evaluation of Shared Services Agreement Cost Allocators" by LKM Consulting, LLC, dated September 18, 2024.

IN WITNESS WHEREOF, the parties have hereunto set their hand and seals the day and year first above written.

ATTEST:

TOWNSHIP OF RIVER VALE

Karen Campanelli, Township Clerk

Mark Bromberg, Mayor

ATTEST:

BOROUGH OF MONTVALE

Frances Scordo, Borough Clerk

Michael Ghassali, Mayor

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the following bills have been referred to the Borough Council and found correct and are hereby authorized to be paid:

<u>FUND</u>	<u>AMOUNT</u>	<u>NOTES</u>
Current	\$104,658.88	Bill List Wire 5/27/2025
	<u>310,043.82</u>	Wires/Manual Checks
Current TOTAL	414,702.70	
Capital	155.00	Bill List Wire 5/27/2025
Escrow	1,277.50	Bill List Wire 5/27/2025
Housing Trust	1,791.25	Bill List Wire 5/27/2025
General Trust	3,629.50	Bill List Wire 5/27/2025
Dog Trust	625.08	Bill List Wire 5/27/2025
Recreation Trust	1,549.63	Bill List Wire 5/27/2025
Open Space Trust	8,554.87	Bill List Wire 5/27/2025

*This resolution was adopted by the Mayor and Council of Montvale
at a meeting held on 5/27/25 .*

Introduced by: _____

Approved: 5/27/25

Seconded by: _____

Michael Ghassali, Mayor

ATTEST:

Frances Scordo, Municipal Clerk

MANUAL/VOID CHECKS - WIRES
May 27, 2025

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Vendor/Transaction</u>	<u>Amount</u>
WIRE		5/12/25	Payroll Account	\$195,078.35
WIRE		5/12/25	Salary Deduction Account	\$114,880.47
WIRE		5/12/25	FSA Account	\$85.00
Total				<u><u>\$310,043.82</u></u>

May 22, 2025
03:52 PM

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
Rcvd: Y
Bid: Y
Paid: N
Held: Y
State: Y
Void: N
Aprv: N
Other: Y
Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00047	D & E UNIFORM	25-00563	04/22/25	HANNA CLOTHING ALLOWANCE	Open	12.00	0.00		
00065	GENERAL CODE PUBLISHERS, LLC	25-00631	05/07/25	ECODE360 ANNUAL MAINTENANCE	Open	1,195.00	0.00		
00071	VEOLIA (SUEZ)	25-00635	05/07/25	10003825412222 MAY 2025	Open	17,561.80	0.00		
00097	CABLEVISION	25-00680	05/20/25	07873-109890-01-7 OPTIMUM	Open	161.39	0.00		
		25-00681	05/20/25	07873-204461-01-0 OPTIMUM	Open	139.28	0.00		
						300.67			
00118	NJ STATE LEAGUE OF	25-00597	04/29/25	JOB POSTING FOR SLEO	Open	260.00	0.00		
00146	PSE&G CO.	25-00675	05/19/25	PSE&G APRIL 2025	Open	2,170.70	0.00		
00151	LAMENDOLA, BRIAN	25-00663	05/14/25	REIMB CLOTHING ALLOWANCE	Open	99.00	0.00		
00186	PRIMEPAY, LLC	25-00354	03/06/25	2025 FSA FEES	Open	247.18	0.00		B
00217	RIVERSIDE COMMUNICATIONS, LLC	25-00314	02/27/25	PROFESSIONAL SERVICES RENDERED	Open	2,742.00	0.00		
		25-00549	04/18/25	PROFESSIONAL SERVICES RENDERED	Open	400.00	0.00		
						3,142.00			
00318	TREASURER, STATE OF NJ - ENVIR	25-00669	05/19/25	STORMWATER DISCHARGE PERMIT	Open	2,000.00	0.00		
00329	NJ STATE DEPT. OF HEALTH	25-00621	05/05/25	STATE DOG LICENSE FEE	Open	9.60	0.00		
00332	ZAGAJA, MACIEJ	25-00662	05/14/25	REIMB CLOTHING ALLOWANCE	Open	94.47	0.00		
00705	APPROVED SURGICAL SUPPLIES INC	25-00590	04/28/25	PD OXYGEN REFILLS	Open	103.00	0.00		
00730	BOGGIA, BOGGIA, BETESH	25-00329	03/04/25	2025 LEGAL FEES	Open	1,178.00	0.00		B

May 22, 2025
03:52 PM

Borough of Montvale
Bill List By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00731	COLLIER'S ENGINEERING & DESIGN								
	24-00955	07/12/24	FOURTH ROUND AFFORD. HOUSING	Open	891.25	0.00			B
	25-00165	01/27/25	2025 BOROUGH PLANNER	Open	681.25	0.00			B
	25-00532	04/15/25	MUNICIPAL ENGINEERING REVIEW	Open	190.00	0.00			
	25-00540	04/16/25	MUNICIPAL ENGINEERING REVIEW	Open	847.50	0.00			
	25-00608	05/01/25	MUNICIPAL ENGINEERING REVIEW	Open	487.50	0.00			
					3,097.50				
00737	NORTHWEST BERGEN CENTRAL								
	25-00104	01/15/25	2025 DISPATCH SERVICE FEE	Open	56,511.00	0.00			B
00767	SCORDO, FRAN								
	25-00667	05/16/25	MILEAGE REIMBURSEMENT	Open	74.96	0.00			
00769	URBAN AUTO SPA								
	25-00622	05/05/25	CAR WASH SERVICES	Open	96.00	0.00			
00826	AMERICAN LEGION MEM POST 153								
	25-00649	05/12/25	TRIBORO MEMORIAL DAY PARADE 25	Open	2,000.00	0.00			
00891	RIDGEMONT PIZZA & RESTAURANT								
	25-00533	04/15/25	PIZZA PLANNING BOARD 4/15/25	Open	88.33	0.00			
00896	GIAMMARINO, MICHAEL								
	25-00196	01/31/25	2025 INTERPRETER COURT	Open	550.00	0.00			B
01020	WORLD INSURANCE ASSOCIATES,LLC								
	25-00252	02/13/25	2025 PIA CONSULTANT BENEFIT	Open	4,000.00	0.00			B
01186	BAKER, CHRISTINE								
	25-00665	05/14/25	2025 MONTVALE WELLNESS PROGRAM	Open	216.81	0.00			
01330	GHASSALI, MICHAEL								
	25-00651	05/13/25	GIFT CARD FOR CLERK'S WEEK	Open	100.00	0.00			
01359	BSN SPORTS								
	25-00601	04/29/25	100 PACK SOCCER NET CLIPS	Open	854.90	0.00			
01367	VLADICK, MATTHEW								
	25-00589	04/28/25	REIMB CLTHG ALLOWANCE	Open	202.93	0.00			
01368	ROBALINO, ERIC								
	25-00664	05/14/25	REIMB CLOTHING ALLOWANCE	Open	133.75	0.00			
01750	DUBELBEISS, RYAN								
	25-00588	04/28/25	REIMB CLOTHING ALLOWANCE	Open	220.00	0.00			
01767	VERIZON								
	25-00682	05/20/25	156-951-896-0001-85 VERIZON	Open	79.00	0.00			
01824	PARTAC PEAT CORPORATION								
	25-00390	03/14/25	INFIELD CLAY -MAJOR FIELD	Open	5,819.87	0.00			

May 22, 2025
03:52 PM

Borough of Montvale
Bill List By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01828	CGP&H, LLC	25-00339	03/04/25	PROFESSIONAL HOUSING REHAB SVC	Open	900.00	0.00		B
01829	LL BEAN INC	25-00592	04/28/25	BOARD OF HEALTH	Open	615.48	0.00		
01852	REDICARE LLC	25-00685	05/20/25	FIRST AID 60 DAY SERICE	Open	170.00	0.00		
01891	TIGER RIDGE LLC	25-00569	04/22/25	PD GAS FOR PATROL CARS	Open	92.00	0.00		
01892	AC DAUGHTRY INC.	25-00645	05/12/25	HOSTED ACCESS CTRL - BORO HALL	Open	2,184.00	0.00		
01962	AT&T MOBILITY II LLC	25-00693	05/20/25	PD PATROL PHONE PLAN	Open	182.20	0.00		
02005	SALAZAR, DIEGO	25-00660	05/14/25	REIMB CLOTHING ALLOWANCE	Open	145.00	0.00		
02011	HUNTINGTON BAILEY, L.L.P.	25-00409	03/19/25	2025 LEGAL FEES	Open	1,628.00	0.00		B
		25-00585	04/25/25	PROFESSIONAL SERVICES RENDERED	Open	945.50	0.00		
						<u>2,573.50</u>			
02019	UGI ENERGY SERVICES, LLC	25-00683	05/20/25	UGI ENERGY SERVICES APRIL 2025	Open	1,057.21	0.00		
02055	BLUE LINE BEASTS	25-00684	05/20/25	SIGN FIRE PREVENTION	Open	119.00	0.00		
02056	LERCH, VINCI & BLISS, LLP	25-00545	04/16/25	2025 EXCESS SEWER BILLING	Open	867.50	0.00		
02113	CIBOROWSKI, KASEY	25-00632	05/07/25	MILEAGE REIMBURSEMENT	Open	66.92	0.00		
02141	REGAN, ROBERT T., ESQ.	25-00607	05/01/25	PROFESSIONAL SERVICES RENDERED	Open	240.00	0.00		
02266	MATUTE ROOFING INC	25-00433	03/25/25	ROOF REPAIR FIRE HOUSE	Open	2,000.00	0.00		
02275	HUMDINGERS LLC	25-00583	04/24/25	DEPOSIT FOR 7/1	Open	1,049.63	0.00		
02278	POWERHOUSE ENTERTAINMENT, INC	25-00634	05/07/25	SHOW DEPOSIT FOR 6/24	Open	500.00	0.00		
02426	VERIZON WIRELESS	25-00676	05/19/25	242317487-00001 VERIZON APRIL	Open	1,006.83	0.00		

May 22, 2025
03:52 PM

Borough of Montvale
Bill List By Vendor Id

Page No: 4

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02559	INS.DESIGN ADMINSTRATORS						
25-00041	01/09/25	2025 VISION BENEFITS	Open	292.50	0.00		B
02987	DATA NETWORK SOLUTIONS						
25-00110	01/16/25	2025 BORO PHONES	Open	1,105.29	0.00		B
03084	WESLEY SICOMAC DAIRY						
25-00210	02/04/25	2025 MILK DELIVERY	Open	48.78	0.00		B
03090	PINE ISLAND TURF NURSERY, INC.						
25-00522	04/14/25	MAJOR FIELD/M1 SOD	Open	2,735.00	0.00		
03589	DELL MARKETING LP						
25-00652	05/13/25	DELL PRO 16 PLUS	Open	1,406.08	0.00		
03683	PIERRI, JASON						
25-00656	05/14/25	REIMB CLOTHING ALLOWANCE	Open	154.58	0.00		
03727	STAPLES INC						
25-00587	04/25/25	OFFICE SUPPLIES	Open	60.61	0.00		
25-00594	04/29/25	OFFICE SUPPLIES	Open	105.50	0.00		
				166.11			
03987	MAZZEO, NICHOLAS						
25-00661	05/14/25	REIMB CLOTHING ALLOWANCE	Open	145.63	0.00		
Total Purchase Orders:	63	Total P.O. Line Items:	0	Total List Amount:	122,241.71	Total Void Amount:	0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 2024	5-01	104,658.88	0.00	104,658.88	0.00	0.00	104,658.88
CAPITAL FUND	C-04	155.00	0.00	155.00	0.00	0.00	155.00
BOA ESCROW ACCOUNT	E-08	1,277.50	0.00	1,277.50	0.00	0.00	1,277.50
OTHER TRUST ACCOUNT	T-03	5,420.75	0.00	5,420.75	0.00	0.00	5,420.75
DOG TRUST ACCOUNT	T-12	625.08	0.00	625.08	0.00	0.00	625.08
OPEN SPACE TRUST	T-14	8,554.87	0.00	8,554.87	0.00	0.00	8,554.87
RECREATION TRUST	T-19	1,549.63	0.00	1,549.63	0.00	0.00	1,549.63
Year Total:		16,150.33	0.00	16,150.33	0.00	0.00	16,150.33
Total of All Funds:		122,241.71	0.00	122,241.71	0.00	0.00	122,241.71

Montvale Rec Summer and Adventure Camp Staff 2025

Summer Camp Directors - \$5250

Kathryn LoPresti
Adam LoPresti
Lisa Loranger
Kevin LoPresti

Summer & Adventure Camp Administrative Assistant - \$3000

Cassidy Strauss

Field Activities Coordinator - \$2200

Jake Bellmer

Art Director - \$2508

Martina Grambone

Adventure Camp Director - \$5250

Candice Carlisle

Adventure Camp Assistant Director - \$3500

Dawn Magie

Summer Camp Group Leaders - \$1500

Aaron Lee
Anthony DiFiore

Adventure Camp Group Leaders - \$1800

Dylan DiRese
Kylir Alexander

Summer Camp Returning Head Counselors - \$1200

Ava DiRese
Jessica Longo
Kate Zydor

Adventure Camp Returning Head Counselor - \$1300

Ben Bauta
Neel Tripuraneni

Summer Camp 1st Year Head Counselor - \$950

Aedan Charles
Audrey Gray
Ava Lucido
Evelyn Gray
Isabella Leger
Kai Munro
Mauricio Cocco

Adventure Camp 1st Year Head Counselor - \$1100

Ava Agranovich
Brianna Beauvais
Fritz Beauvais
Mikayla Miller

Summer Camp Returning Assistant Counselor - \$850

Alfonso DiPopolo
Anthony Amir
Aiden Kim
Gavin Costanza
Sofia Barrera

Adventure Camp Returning Assistant - \$1000

Adam Shabani
Brady Librino
Zain Qasem

Summer Camp 1st Year Assistant Counselor (Previous CITs)- \$800

Alexa Stephans
Ashlyn Buono
Kayleigh Munro
Francisco Cocco
George Harcher
Ilyas Alizade
Jaxon Varian

Adventure Camp 1st Year Assistant Counselor (Previous CITs) - \$900

Camryn Casey

Summer Camp 1st Year Assistant (Non-CIT) - \$700

Arianna Crabb
Aleena Shaik
Ava Angrisani
Ava Pawlyk
Keira Marrotte
Kirill Zhukau
Lina Park
Poyraz Ozgun
Rhiaine Mamangon
Yavuz Ozbek

Adventure Camp 1st Year Assistant Counselor (Non-CIT) - \$800

Bianca Frezza
Leah Cigercioglu
Sophia Junca Vasquez
Xavier Pesantes Jr

Rec Camp Setup/Cleanup Crew - \$300

Alyssa Dumont
Easton Browner
Leonardo Pinto
Nina Nigro
Penelope Ramm

Rec Camp Counselors-in-Training - Volunteers

Ethan Buonocore

Adriana Russo

Lilyanna Lou

Leo Ang

Mia Angrisani

Jayden Lee

Daniel Cruz

Giovanna Leger

Noah Kaplan

Savanna Festa

Aidan Connors

Henry Kelly

Charles Malajian

Kellen Ross

Antonio Vozzolo

Elise Del Rosario

Gabby Marino

Cooper Zodda

Riley Butler

Shoya Maenosono

Nina Tuli

Bhakti Shukla

Adventure Camp Counselors-in-Training - Volunteers

Ethan DiRese

Marin Faller

Alex Motta

Andi Bauta

Romy Alden

May 21, 2025

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

Memorial Drive Multi-Use Athletic Field
Professional Engineering Services
Borough of Montvale, Bergen County, NJ
Colliers Engineering & Design Project No. MVB0096P

Dear Mr. Voytus,

Colliers Engineering & Design Inc. (CED) is pleased to present the following agreement for engineering services related to the proposed Memorial Drive Multi-Use Athletic Field within the Borough of Montvale. It is our understanding that the Borough wishes to perform due diligence within the property for the purpose of constructing a new athletic complex. Specifically, proposed improvements could include synthetic turf baseball/softball fields, synthetic turf rectangular fields for soccer and lacrosse, lighting, sports netting, walking paths, landscaping, and a playground area. Due diligence will include a preliminary assessment of potential ecological constraints on the property and a preparation of a concept plan utilizing aerial imagery.

Therefore, this agreement includes concept plan preparation and preparation of an order of magnitude cost estimate.

CED will provide the following services:

Scope of Services

TASK 1.0 CONCEPT PREPARATION

As indicated above, it is our understanding that the proposed improvements could include synthetic turf baseball/softball fields, synthetic turf rectangular fields for soccer and lacrosse, lighting, sports netting, walking paths, landscaping, and a playground area. We will discuss specific improvements with the Borough during the due diligence period, prior to initiation of the concept. Utilizing aerial imagery as a base map, CED will develop a conceptual layout plan and order of magnitude cost estimate. A layout of proposed improvements will be determined through discussions with Borough representatives while minimizing tree removals and potential permitting, to the greatest extent feasible.



In addition to the concept plan described above, we will provide a cost opinion for the proposed improvements. CED will meet with the Borough representatives to review the concept and estimate to ensure the Borough’s goals will be met.

Schedule of Fees:

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

Task Name	Fee
Task 1 Concept Preparation	\$7,500.00
Total Hourly NTE Fee	\$7,500.00

The above services will be provided on an hourly basis not to exceed the listed amount. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by Borough of Montvale (Resolution No. 25-2025).

Project Deliverables:

CED will provide the Borough with hard copies, as well as PDFs, of the concept and cost estimate.

Project Schedule:

The following is the anticipated project schedule:

	<u>Anticipated Duration</u>
Award of Professional Services	May 2024
Concept Plan and Estimate	To be completed within 60 days of Authorization

Plan Revisions and Extra Services:

Any revision requested by the Borough or review agencies that requires a major redesign that is not an error or omission on the part of CED will be billed on an hourly basis in accordance with our current contract.

Reimbursable Expenses:

Reimbursable expenses including delivery, printing, copying, postage, and other reproducible costs are included within the overall project cost.

Exclusions:

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Services not specifically outlined above;
- Survey Services;
- Ecological Investigation Services;
- Roadway Cross Sections;
- Stream Cross Sections;
- Property title search;
- Design drawings;
- Specifications;
- Permitting;
- Stormwater design;
- Zoning analysis;
- Construction stakeout services;
- Subdivision or Consolidation Plans and/or Parcel Maps;
- Security clearance protocol.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary, CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the extra services.

CLIENT 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

Please forward a copy of the Resolution of Approval or an approved Purchase Order to this office. This will constitute approval of the proposed engineering agreement.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions, please feel free to contact me.

Sincerely,

Colliers Engineering & Design



Carl P. O'Brien, PE, PP, CME, CPWM
Geographic Discipline Leader



Nick Chelius, PE, CME
Project Manager

cc: Andrew Hipolit (CED)
Robert Culvert (CED)
Ken DeGennaro (CED)
Carl O'Brien (CED)
Matthew Cavallo, CMFO (mcavallo@montvaleboro.org)
Fran Scordo, Borough Clerk (fscordo@montvaleboro.org)