REORGANIZATION & REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Tuesday, January 4, 2022
Remote Meeting
MINUTES

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

Topic: Montvale Planning BOARD AND REORG MEETING
Time: Jan 4, 2022 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/87383254779?pwd=eVFtUFgzVmVQbUU2OWpkVElHWHY0Zz09

Meeting ID: 873 8325 4779
Passcode: 318707
One tap mobile
+13017158592,,87383254779#,,,,*318707# US (Washington DC)
+13126266799,,87383254779#,,,,*318707# US (Chicago)

Dial by your location
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 436 2866 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
Meeting ID: 873 8325 4779
Passcode: 318707
Find your local number: https://us02web.zoom.us/u/kik6TUJRF

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

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

ROLL CALL:

PRESENT: John Culhane, Councilmember Koelling; John Ryan, Mayor Designee; William Lintner, Frank Stefanelli, Robert Zitelli, Christopher Gruber, Dante Teagno and Chairman DePinto

ALSO PRESENT: Robert Regan, Board Attorney; Darlene Green, Borough Planner; Andrew Hipolit, Borough Engineer; Lorraine Hutter, Land Use Administrator and Erica Davenport, Assistant to the Land Use Administrator

ABSENT: Javid Huseynov

OATHS OF OFFICE: Mr. Regan swore in all the below.
ALL APPOINTMENTS MADE BY MAYOR GHASSALI ON 1/1/2022

1)	Class III – 1 Year Dieter Koelling, Councilmember	1/1/2022-12/31/2022
2)	Class II-1 Year Chris Gruber	1/1/2022-12/31/2022
3)	Class IV—4 Year Dante Teagno	1/1/2022-12/31/2025
4)	Class IV-3 Year Robert Zitelli Regular Member	1/1/2021-12/31/2023 3-year term Environmental Liaison
5)	Class IV-2 Year Javid Huseynov Alternate # 1	1/1/2022-12/31/2024
6)	Class II – 1 year John Ryan	1/1/2022-12/31/2022 Mayor's Designee

REAPPOINTMENT OF R. LORRAINE HUTTER, BOARD SECRETARY FOR 2022 – A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner with a roll call vote of all present stating aye.

NOMINATION OF BOARD CHAIRMAN – Secretary called for a motion to open nominations for Chairman. A nomination was made by Mr. Stefanelli and seconded by Mr. Lintner of John DePinto with no other nominations being made. The secretary called for a motion to close the nominations. A roll call vote was taken with all stating aye.

NOMINATION OF BOARD VICE-CHAIRMAN – Secretary called for a motion to open nominations for Vice Chairman – a nomination was made by Mr. Ryan and seconded by Mr. Lintner for Frank Stefanelli to be Vice Chairman. No other nominations were made and the secretary called for a motion to close the nominations. A roll call vote was taken with all stating aye.

RESOLUTION TO APPOINT ANDREW R. HIPOLIT, PE, PP., CME OF Colliers Engineering & Design AS PROFESSIONAL ENGINEERING CONSULTANT FOR 2022 – A motion to appoint Mr. Hipolit was made by Mr. Stefanelli and seconded by Mr. Lintner. A roll call vote was taken with all members stating aye.

RESOLUTION TO APPOINT ROBERT T. REGAN, ESQ., TO CONTINUE AS PLANNING BOARD ATTORNEY FOR 2022 – A motion to appoint Mr. Regan was made by Mr. Lintner and seconded by Mr. Stefanelli. A roll call vote was taken with all members stating aye.

RESOLUTION TO APPOINT DARLENE GREEN, COLLIERS ENGINEERING & DESIGN AS THE PROFESSIONAL PLANNER TO THE PLANNING BOARD FOR 2022 – A motion to appoint Ms. Green was made by Mr. Stefanelli and seconded by Mr. Lintner. A roll call vote was taken with all members stating aye.

RESOLUTION TO APPROVE THE PLANNING BOARD MEETING SCHEDULE: Meetings to be held on the first and third Tuesdays of the month, unless otherwise specified, convening at 7:30PM and to be adjourned subject to the call of the Chairman. – A motion to approve was made by Mr. Ryan and seconded by Mr. Lintner. A roll call vote was taken with all members stating aye.

RESOLUTION TO APPROVE THE PLANNING BOARD BY-LAWS. No changes made. – A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner with all present stating aye.

RESOLUTION TO DESIGNATE THE RIDGEWOOD NEWS AND THE BERGEN RECORD AS THE OFFICIAL NEWSPAPERS. – A motion to approve was made by Mr. Stefanelli and seconded by Mr. Teagno with all present stating aye.

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

Chairman DePinto appointed the following to the Site Plan Review Committee: Mr. Regan, Board Attorney; Mr. Hipolit, Board Engineer; Ms. Green, Borough Planner; Mr. Stefanelli, Board Member; Mr. Gruber, Construction Code Official/Zoning Official; Mr. Lintner, Board Member; Chairman DePinto; Ms. Hutter, Land Use Administrator; and himself as the Chairman.

CHAIRMAN'S APPOINTMENT OF LIAISON TO ENVIRONMENTAL COMMISSION: Chairman DePinto appointed Mr. Zitelli as the liaison.

Chairman moved on to the regular portion of the evening.

INTRODUCED BY: Mr. Stefanelli

SECONDED BY: Mr. Lintner

BOROUGH OF MONTVALE
PLANNING BOARD

RESOLUTION APPOINTING PLANNING BOARD SECRETARY

BE IT RESOLVED by the Planning Board of the Borough of Montvale that R. Lorraine Hutter be and is hereby appointed as Secretary to the Planning Board/Land Use Administrator for the calendar year 2022

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

DATE: ________________________

Planning Board
Borough of Montvale

____
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 4, 2022.

Attest:

____
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY: Mr. Stefanelli

SECONDED BY: Mr. Lintner

BOROUGH OF MONTVALE
PLANNING BOARD

RESOLUTION APPROVING PLANNING BOARD BY-LAWS

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

DATE: ______________________

Planning Board
Borough of Montvale

____
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 4, 2022.

Attest:

____
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY: Mr. Lintner

SECONDED BY: Mr. Stefanelli

BOROUGH OF MONTVALE
PLANNING BOARD

AWARDING PROFESSIONAL SERVICES CONTRACT FOR
LEGAL SERVICES GENERAL – 2022

WHEREAS, the Borough of Montvale, Planning Board requires professional legal services of a general nature for the period January 1, 2022 through December 31, 2022; and

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

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

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

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

1) For the annual sum of $18,000 legal services shall be rendered for attendance at meetings of the Planning Board, essentially advice and consultation services regarding municipal matters to the appointed officials and staff of the Planning Board, said retainer to be paid quarterly during 2022.

2) For all required legal services which are not included in the above i.e. preparation of resolutions for applications, review of applications, the charge of an hourly rate of $195.00, to be paid monthly, as billed.

3) For all required legal services provided to the Borough on any litigation, the charge of an hourly rate of $195.00, to be paid monthly, as billed.

4) Reasonable costs for reimbursable as billed shall be paid by the Borough.

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2022 Budget for the retainer and litigated matters and funds for preparation of resolutions for applications, review of applications and preparation of Developer's Agreements shall be paid by the applicant/developer from escrow funds, same as appended to the original of this resolution; and

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

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

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

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

1) That a contract for professional legal services be awarded to Robert T. Regan, Esq. for the period January 1, 2022 through December 31, 2022.

2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.

3) The fees to be paid for such services are based upon rates as specified. The cost of the retainer portion of the contract for annual services is not to exceed $18,000 unless an amendment revising that figure is approved by the Planning Board and funded by the Mayor and Council. In addition to said retainer, the Attorney shall be compensated at the rate of One Hundred and Ninety-Five ($195.00) Dollars per hour for any litigation, plus disbursements incident thereto. The amount of the contract for all other legal services provided on an as needed basis in connection with review of developer's applications, preparation of memorializing resolutions, preparation of developer's agreements, correspondence and related matters, the attorney shall be compensated at the rate of One Hundred and Ninety-Five ($195.00) Dollars per hour.

4) The line-item appropriation or ordinance to be charged is Planning Board Other Expense – 2022 Budget and the appropriate Escrow Fund depending upon the development or application.

5) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.

6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
   (a) General Liability; Certificate naming the Borough of Montvale required.
   (b) Worker's Compensation: Statutory requirements to be met.
       Certificate required.
   (c) Auto Liability; Certificate required.
   (d) Professional Errors and Omissions.

7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1, et seq.

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

DATE: ________________________

Planning Board
Borough of Montvale

____
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 4, 2022.

Attest:

____
R. Lorraine Hutter, Land Use Administrator

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Rebecca Overgaard, Chief Financial Officer of the Borough of Montvale, have ascertained, that funds are available in the 2022 Temporary Municipal Budget and subject to adequate appropriation in the 2022 Municipal Budget as finally adopted, to award a contract for professional legal services – Planning Board, to Robert Regan, Esq., Westwood, N.J. Funds for certification are therefore being made available and certified against the appropriation for Planning Board – Other Expenses.

Account Number: 0-02-21-720-028

Resolution Number: Planning Board

Dated: ____________________

____
Chief Financial Officer

INTRODUCED BY: Mr. Stefanelli

SECONDED BY: Mr. Lintner

BOROUGH OF MONTVALE
PLANNING BOARD
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL
ENGINEERING SERVICES – 2022

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of an Engineer for the year 2022

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

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

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

WHEREAS, the Planning Board has determined to appoint Andrew R. Hipolit, P.E., P.P., C.M.E., Principal OF COLLIERS ENGINEERING & DESIGN, 200 Valley Road, Suite 306, Mount Arlington, NJ 07856 as Engineer for the Planning Board for the year
2022.

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

1) That the contract for professional general engineering services be awarded to Andrew R. Hipolit, P.E., C.M. E., Principal of COLLIERS ENGINEERING & DESIGN
2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
3) The line item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2022 Planning Board Budget.
4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of COLLIERS ENGINEERING & DESIGN as the Planning Board Engineer for the borough of Montvale.
6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
   (a) General Liability; Certificate naming the Borough of Montvale required.
   (b) Worker's Compensation: Statutory requirements to be met. Certificate required.
   (c) Auto Liability; Certificate required.
   (d) Professional Errors and Omissions.

7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

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

DATE: ________________________________ ______________________________________

John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted on Tuesday, January 4, 2022

Attest:

___________________________________R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY: Mr. Stefanelli

SECONDED BY: Mr. Lintner

BOROUGH OF MONTVALE
PLANNING BOARD
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL
PLANNING SERVICES – 2022

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of a Planner for the year 2022 January 1 through December 31, to provide for contractual planning services for application review; and

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

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

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

WHEREAS, the Planning Board has determined to appoint Darlene Green, of COLLIERS ENGINEERING & DESIGN , Perryville III Corporate Park, 53 Frontage Road, Suite 120, PO Box 4107, Clinton, NJ 08809 as Planner for the Planning Board for the year 2022.

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

1) That the contract for professional general planning services be awarded to COLLIERS ENGINEERING & DESIGN.,
2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
3) The line-item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2022 Planning Board Budget.
4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of Maser Consulting, PA, as the Planning Board Planner for the Borough of Montvale.
6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
    (e) General Liability; Certificate naming the Borough of Montvale required.
    (f) Worker's Compensation: Statutory requirements to be met. Certificate required.
    (g) Auto Liability; Certificate required.
    (h) Professional Errors and Omissions.

7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

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

DATE: ________________________________ ______________________________________
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 4, 2022.

Attest: ______________________________________
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY: Mr. Ryan

SECONDED BY: Mr. Lintner

BOROUGH OF MONTVALE
PLANNING BOARD

RESOLUTION APPROVING THE PLANNING BOARD MEETING SCHEDULE

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, that the combined executive sessions and regular public meetings of the Planning Board for the year 2022 be held on the first and third Tuesday of every month at 7:30 PM, except as otherwise noted, all as set forth in the attached meeting notice; and,

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

DATE:

Planning Board
Borough of Montvale

____
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 4, 2022

Attest:

____
R. Lorraine Hutter, Land Use Administrator

MONTVALE PLANNING BOARD

2022 ANNNUAL SCHEDULE OF MEETINGS

NOTICE IS HEREBY GIVEN that regular meetings of the Montvale Planning Board will be held at 7:30 PM in the Municipal Complex Building, 12 Mercedes Drive, Montvale, New Jersey, on the dates hereinafter set forth:

Tuesday, January 4-**Reorganizational and Regular Meeting**

Tuesday, January 18
Tuesday, February 1
Tuesday, February 15
Tuesday, March 1
Tuesday, March 15
Tuesday, April 5
Tuesday, April 19
Tuesday, May 3
Tuesday, May 17
Tuesday, June 7-Cancelled Primary Election
Tuesday, June 21
Tuesday, July 5
Tuesday, July 19
Tuesday, August 2
Tuesday, August 16
Tuesday, September 6
Tuesday, September 20
Tuesday, October 4-Cancelled Yom Kippur
Tuesday, October 18
Tuesday, November 1
Tuesday, November 15
Tuesday, December 6
Tuesday, December 20

By Order of the Montvale Planning Board
R. Lorraine Hutter
Land Use Administrator

INTRODUCED BY: Mr. Stefanelli

SECONDED BY: Mr. Teagno

BOROUGH OF MONTVALE
PLANNING BOARD

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the year 2022:

The Bergen Record - Hackensack, N.J.

The Ridgewood News – Ridgewood, N.J.

DATE:

Planning Board
Borough of Montvale

____
John DePinto, Planning Board Chairman

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Attest:

____
R. Lorraine Hutter, Land Use Administrator

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

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

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

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

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

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

The contractor or subcontractor agrees to attempt to in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:2705.2 promulgated by the Treasurer pursuant to P.L.1975, c. 127, as amended and supplemented from time to time.

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

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

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

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

REGULAR MEETING OF THE MONTVALE PLANNING BOARD MINUTES

Tuesday, January 4, 2022 - Remote Meeting

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

Topic: Montvale Planning BOARD AND REORG MEETING
Time: Jan 4, 2022 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/87383254779?pwd=eVFtUFgzVmVQbUU2OWpkVElHWHY0Zz09

Meeting ID: 873 8325 4779
Passcode: 318707
One tap mobile
+13017158592,,87383254779#,,,,*318707# US (Washington DC)
+13126266799,,87383254779#,,,,*318707# US (Chicago)

Dial by your location
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 436 2866 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
Meeting ID: 873 8325 4779
Passcode: 318707
Find your local number: https://us02web.zoom.us/u/kik6TUJRF

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

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

ROLL CALL:

PRESENT: John Culhane, Councilmember Koelling; John Ryan, Mayor Designee; William Lintner, Frank Stefanelli, Robert Zitelli, Christopher Gruber, Dante Teagno and Chairman DePinto

ALSO PRESENT: Robert Regan, Board Attorney; Darlene Green, Borough Planner; Andrew Hipolit, Borough Engineer; Lorraine Hutter, Land Use Administrator and Erica Davenport, Assistant to the Land Use Administrator

ABSENT: Javid Huseynov

MISC.MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER/BOROUGH PLANNER: None

ZONING REPORT: Mr. Gruber – 200 Market Square has received their CO for the building, Thrive, located at 110 Summit Avenue has started with various final inspections and The Shoppes at DePiero's has fixed their garbage containment enclosures.

ENVIRONMENTAL COMMISSION LIAISON REPORT: None

SITE PLAN COMMITTEE REPORT: None

CORRESPONDENCE: Located at Borough Hall to view.

APPROVAL OF MINUTES: December 7, 2021 – A motion to approve was made by Mr. Lintner and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

DISCUSSION: Mr. Lintner gave a brief overview of what was discussed. They spoke about keeping the zip codes as Mr. Hipolit stated they do serve a purpose for his traffic studies. Also, it was discussed to have the square footage changed to 1000 sq. ft. in order to go directly through the building department. The fee for going through the building department would be $100.00. A regular Use Permit would remain the same price at $225.00. The Use Permit that could go directly through the building department would be an expansion of a current approved use, and a simple transfer of ownership as well as someone looking to lease 1000 sq. ft. or less. A form will be created for both Use Permit Applications. It will be presented to the planning board at its next meeting.

USE PERMITS:

Block 2908 Lot 8 – Christine T. LaPaglia – 70 Chestnut Ridge Road - (1000 sq. ft.)
https://drive.google.com/file/d/1r0VtcxJKrHQ5BHmDkvvi1Ed8IrWamH8g/view?usp=sharing

Elizabeth C. Ekmekjian, Esq. came forward to represent client Christine T. LaPaglia. Mr. Regan swore in Ms. LaPaglia. Ms. LaPaglia explained that she is doing business as "Holistic Health & Wellness Center, LLC". Chairman DePinto read the application aloud into the record. Attached to the application was the Montvale Police Department form and a list of zip codes. Ms. LaPaglia gave a brief overview of her business. Her business is a family chiropractic and acupuncture wellness office. The space has six rooms in total and she does not plan on doing any alterations to the space. A motion to approve was made by Mr. Teagno and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 403 Lot 3 – Valley Framers LLC – 103 Spring Valley Road - (2,318 sq. ft.)
https://drive.google.com/file/d/1JDS1gvvM34_efSgTuDlFe-35kiFtBZS7/view?usp=sharing

Gregory Meese, Esq. from Price, Meese, Shulman & D'Arminio, PC came forward to represent client Mayor Goldberger from Valley Framers, LLC. Mr. Regan swore in Mr. Goldberger. Chairman DePinto read the application aloud into the record. Attached to the application a list of zip codes. The Montvale Police Department form was missing however, the client agreed to drop it off the following day. Mr. Goldberger gave a brief overview of the business. His business is a framing company and he will be using the space as a general office space. He doesn't need the space as storage for any product, he only needs the space to show models of frames to clients Mr. Goldberger put on the record that there would be no overnight vehicles being parked there and no outdoor storage of any material. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

PUBLIC HEARINGS (CONT): None

PUBLIC HEARINGS (NEW): None

RESOLUTIONS:

Pay to Play – A motion to approve was made by Mr. Stefanelli and seconded by Mr. Ryan. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 1002 Lots 3 & 5 – Montvale Family Apartments, LLC – 159-161 Summit Avenue – Resolution Granting Final Subdivision Approval

https://drive.google.com/file/d/19f2xUz7SX7GCeEeq1sLeyh7k2NF3idL7/view?usp=sharing
https://drive.google.com/file/d/1KWrtkp_bjFmhiHJxwPKC1d7TY8Zk_EAq/view?usp=sharing

Chairman DePinto stated that he thought the siding was going to be hardy plank however, instead they want to use aluminum siding. Also, he is not in favor of the color they are choosing which is a light blue. We have given them more money for this project and he feels like their choice of finishes has not been up to par. All board members were in agreement. Ms. Green stated that she usually receives samples of finishes that applicant's decide to use. Chairman DePinto and the board are requesting samples of the stone and siding. Also discussed was a fourth side of the bike shelter. The board would like the bike shelter to also have the same finishes as the rest of the complex with four sides and a lock.

Chairman DePinto marked technical reviews as follows: the November 22, 2021 Planning Report (review letter #4) as **B7**, the December 29, 2021 Fire Department review as **B8**, the December 27, 2021 Police review as **B9**, the January 3, 2022 Planning Report (review letter #5) as **B10**, and the December 29, 2021 Engineer Report (review letter #4) as **B11**.

Chairman DePinto authorized the Board Attorney to prepare a resolution of approval for the next meeting held on January 18, 2022. A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Lintner. A roll call vote was taken with all members stating aye. Councilmember Koelling, Mr. Teagno and Mr. Zitelli abstained.

Other Business: None

Open Meeting to the Public: No one from the public was present.

Adjournment: A motion to adjourn was made by Mr. Zitelli and seconded by Mr. Stefanelli.

Next Regular Scheduled Meeting: January 18, 2022 AT 7:30PM

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator