

MONTCLAIR, NEW JERSEY

May 14, 2013

The Council of the Township of Montclair, in the County of Essex, met in the Council Chambers, in the Municipal Building, 205 Claremont Avenue, for a Pre-Regular Meeting at 7:10 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, and Councilors Baskerville, Hurlock, McMahon, Schlager, and Spiller
Absent: None

STATEMENT OF SUNSHINE NOTICE

Agenda Review: Township Manager

The Council of the Township of Montclair, in the County of Essex, met in the Council Chambers, in the Municipal Building, 205 Claremont Avenue, for a Regular Meeting at 7:30 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, and Councilors Baskerville, Hurlock, McMahon, Schlager, and Spiller
Absent: None

STATEMENT OF SUNSHINE NOTICE

PLEDGE OF ALLEGIANCE

PROCLAMATION

On motion made by Mayor Jackson and duly seconded the following proclamations were adopted by unanimous vote:

- WHEREAS, ALS (Amyotrophic Lateral Sclerosis) also referred to as Lou Gehrig's disease, is a progressive, fatal neuromuscular disorder that occurs when motor nerve cells cease to function and die. There is no known cause, cure or means of prevention making it unique compared to most other diseases; and
- WHEREAS, ALS Awareness Month increases the public's awareness of the impact this devastating disease has not only on the person living with ALS but also on his or her family and friends and recognizes the critical research underway to eradicate ALS; and
- WHEREAS, In May, members of the ALS community from across the country gather in Washington, D.C. to raise awareness of the disease and to advocate before their elected officials in the halls of Congress. It is important that their voices in Washington be echoed in the local communities across the country; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, declare May, 2013 ALS Awareness Month in Montclair and encourage increased advocacy for ALS patients and their families to insure that they receive the attention and support they need and deserve.

- WHEREAS Emergency medical services (EMS) is a vital public service; and
- WHEREAS Access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- WHEREAS EMS plays a critical role in public outreach and injury prevention, and is evolving in its role as an important member of the healthcare community; and
- WHEREAS First responders, emergency medical technicians and paramedics stand ready to provide compassionate, lifesaving care to those in need 24 hours a day, seven days a week; and
- WHEREAS Emergency medical responders are supported by emergency medical dispatchers, firefighters, law enforcement officers, educators, administrators, researchers, emergency nurses, emergency physicians and others; and
- WHEREAS The members of EMS teams, both career and volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
- WHEREAS It is appropriate to recognize the value and the accomplishments of EMS practitioners by designating Emergency Medical Services Week; now therefore

BE IT RESOLVED that we, the Township Council of Montclair, celebrate EMERGENCY MEDICAL SERVICES WEEK May 19 to May 25, 2013 with the theme "EMS: One mission. One team" and encourage the community to observe this week with appropriate programs, ceremonies and activities.

WHEREAS Melissa Walker, president and founder of Jazz House Kids, has been honored with a 2013 Jazz Journalist Association's *Jazz Hero Award*; and

WHEREAS Jazz Heroes are activists, advocates, altruists, aiders and abettors of jazz who have had significant impact in their local communities; and

WHEREAS Melissa Walker is an acclaimed jazz vocalist and recording artist, most recently featured on Christian McBride's 2012 Grammy-winning "The Good Feeling;" and

WHEREAS Jazz House Kids, which Ms. Walker founded over ten years ago, is a community-based arts organization that provides year-round musical, educational, and cultural programs to students in grades K-12, teachers, adults, and families from diverse backgrounds. In February, 2013 it entered a new 4,000 square foot state-of-the-art facility of studios and offices in the hub of Montclair's arts and music district which is expected to be pivotal in the town's developing artistic corridor and cultural dynamics; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair, in the County of Essex, congratulate Melissa Walker – 2013 Recipient of the Jazz Hero Award and honor and recognize her outstanding work in accomplishing Jazz House Kids' mission to build community through the rich legacy of jazz.

WHEREAS National Nursing Home Week is being observed in skilled nursing facilities and rehabilitation centers throughout the country this week with open houses, tours welcoming VIPs and other guests, and special events for the residents, families, staff and community; and

WHEREAS Nursing Home Week 2013 focuses on "Team Care" to personify the many professionals and caregivers whose dedication and work ethic contribute to achieving excellence and high levels of satisfaction; and

WHEREAS Van Dyk Nursing Home is holding a number of activities in observance of Nursing Home Week. The week's theme of "Team Care" and the subordinate theme of "Everyone Pitches In" highlight the ways in which staff, nurses, therapists, consultants, families and other members of the public work together to contribute to the well-being and overall happiness of the individual residents; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, declares the week of May 12 to May 18, 2013 to be NATIONAL NURSING HOME WEEK IN MONTCLAIR and

BE IT FURTHER RESOLVED that a copy of this Proclamation be presented to Van Dyk Nursing Home to commemorate this occasion.

Approved Minutes: April 30 and May 7, 2013 minutes approved by the Council

PUBLIC COMMENT

William Scott, 22 Cedar Avenue presented several questions regarding the Eastern Gateway to the redevelopment plan and its application to the Inclusive Zoning Ordinance.

Nancy Klein, 17 Mendl Terrace, representing Jazz House Kids, accepted the proclamation honoring Melissa Walker.

Nick Fiorense, 160 Valley Road, related a recent auto accident for which he believes he was improperly cited.

Audrey Hawley, 17 Granada Place, asked if the Council had reviewed a Community Garden ordinance prepared by Summit, New Jersey. She also questioned the following:

- proposed signage ordinance.
- damage to Nishuane/Cary's Woods by contractor
- cost of registrations to attend the New Jersey Historical Trust Conference

Eve Robinson, Executive Director of Montclair Pre-k thanked all those involved in their recent fundraising event. She also invited parents of three and four year olds to explore the program offered by this school.

Ira Shor, 302 N. Mountain Avenue expressed appreciation to the Council for their financial support of the Montclair Early Childhood Corporation.

Jeff Jacobston, 77 Llewellyn Road endorsed the capital expense for the Police Radio System bond ordinance. However, he expressed some concern regarding HVAC server room needs at the Fire Headquarters.

Jarvis Hawley, 17 Granada Place, believes funding of improvements to the Fire Department's HVAC server room is overdue. He also asked what percentage of the reparation costs at the Nishuane/Cary's Woods project would the municipality assume. Mr. Hawley requested that the results of the environmental sampling be posted on the website

There being no one wishing to speak, Mayor Jackson closed the public comment portion of the meeting.

ORDINANCES – SECOND READING/ADOPTION

The pending ordinance entitled: "ORDINANCE AMENDING MONTCLAIR CODE, CHAPTER 347—ZONING TO CREATE APPROPRIATE REGULATIONS FOR COMMUNITY GARDENS" (0-13-12) passed first reading April 9, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was **TABLED** by unanimous vote.

The pending ordinance entitled: "ORDINANCE AMENDING MONTCLAIR CENTER GATEWAY REDEVELOPMENT PLAN – PHASE 1" (0-13-13) passed first reading April 9, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "2012 thru 2014 OPEIU (Office & Professional Employees International Union) SALARY ORDINANCE" (0-13-14) passed first reading April 9, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "AMENDED 2012 THRU 2014 OPEIU SCHOOL CROSSING GUARDS SALARY ORDINANCE" (0-13-15) passed first reading April 9, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "ORDINANCE TO AMEND THE TRAFFIC ORDINANCE – PARK STREET BETWEEN GORDONHURST AVENUE AND WILDWOOD AVENUE" (0-13-16) passed first reading April 9, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "BOND ORDINANCE APPROPRIATING \$2,900,000 FOR VARIOUS IMPROVEMENTS TO SCHOOL BUILDINGS AND GROUNDS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,900,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF" (0-13-17) passed first reading April 16, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "ADOPTED BOND ORDINANCE BOND ORDINANCE PROVIDING FOR HVAC UPGRADES FOR THE FIREHOUSE SERVER ROOM IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$119,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$113,430 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (0-13-18) passed first reading April 16, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE ADVANCE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL IMPROVEMENT BONDS, WATER UTILITY BONDS, PARKING UTILITY BONDS, SERIES A, PARKING UTILITY BONDS, SERIES B (FEDERALLY TAXABLE) AND SCHOOL BONDS (SCHOOL BOND RESERVE ACT, P.L. 1980, C.72), APPROPRIATING \$53,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF SEVERAL SERIES OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$53,000,000 FOR FINANCING THE COST THEREOF" (0-13-19) passed first reading April 30, 2013 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was on file in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson ad duly seconded, the ordinance was adopted by unanimous vote.

William Scott asked where he could find detailed information is on past bond ordinances. Township Manager Marc Dashfield noted that this information is available in the audit.

NEW BUSINESS –ORDINANCE/FIRST READING-INTRODUCTION

Councilor Hurlock introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 11, 2013:

"BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW RADIO SYSTEM IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$180,000

THEREFOR AND AUTHORIZING THE ISSUANCE OF \$171,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”(O-13-20)

The motion was adopted by unanimous vote.

Councilor Spiller introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a regular meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE AMENDING MONTCLAIR CODE, CHAPTER 347—ZONING REGARDING SIGNAGE” (O-13-21)

The motion was adopted by unanimous vote.

Deputy Mayor Russo introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE AMENDING CHAPTER 347 FROM THE CODE OF THE TOWNSHIP OF MONTCLAIR ENTITLED “ZONING” (O-13-22)

The motion was adopted by unanimous vote.

Councilor McMahon introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE AMENDING CHAPTER 202: LAND USE PROCEDURES OF THE TOWNSHIP CODE (ARTICLE III: PROVISIONS APPLICABLE TO BOTH PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT) TO UPDATE PROCEDURES AND VARIOUS FEES” (O-13-23)

The motion was adopted by unanimous vote.

Councilor Baskerville introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE ADOPTING THE EASTERN GATEWAY REDEVELOPMENT PLAN TO THE PLANNING BOARD” (O-13-24)

The motion was adopted by unanimous vote.

Councilor McMahon introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE TO AMEND CHAPTER 297 OF THE MONTCLAIR TOWNSHIP CODE” (O-13-25)

The motion was adopted by unanimous vote.

Councilor Schlager introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a conference meeting of the Township Council to be held on June 18, 2013:

“ORDINANCE TO AMEND THE TRAFFIC ORDINANCE – GORDONHURST AVENUE” (O-13-26)

The motion was adopted by unanimous vote.

NEW BUSINESS RESOLUTIONS

On motion made by Mayor Jackson and duly seconded, the following Consent Agenda resolutions were adopted by unanimous vote:

WHEREAS, application has been filed for a Person-to-Person transfer of Plenary Retail Distribution License 0713-44-012-007, heretofore issued to John D. Finkel and Cherie E. Cohen to Finkel Inc. t/a Magnolias Wines & Spirits, Debtor in Possession, 42 Upper Montclair Plaza, Montclair, NJ 07043, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business, and all additional financing obtained in connection with the licensed business; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in Essex County, does hereby approve, effective immediately, the transfer of the aforesaid Plenary Retail Distribution License to Finkel Inc. t/a Magnolias Wines & Spirits for a term ending June 30, 2013, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership. (R-13-78)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Mayor and Township Clerk be and they are hereby authorized to execute and attest an Agreement between the Township and Essex Regional Health Commission pursuant to which the Township continues efforts in preparedness planning for, and response to, pandemic influenza. The Essex Regional Health Commission has approved to charge one year of continued internet data service for iPads purchased from the LINCS grant for Commission members to the Commission reserve for each Health Department in the form of a “sub-grant”. The Agreement provides for the Township to receive funding in the amount of \$3,055.55, to support internet data service for 5 units (designated for Montclair, Belleville, Cedar Grove, Nutley and Verona) for a period of approximately 1 year each. Complete details of the sub-grant agreement may be obtained through the Township Clerk’s Office. (R-13-79)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that JANE SUSSWEIN be and she hereby is APPOINTED to serve as a MEMBER of the Board of Trustees of the Montclair Early Childhood Corporation effective immediately and terminating July 1, 2015. (R-13-80)

WHEREAS, by resolution adopted June 12, 2012, the Township of Montclair executed an agreement with TSUJ Corp. for the electrical services for the Township of Montclair; and

WHEREAS, the level of electrical services as indicated in the contract have not been provided by TSUJ Corp., and the problems were addressed on many occasions; and

WHEREAS, the TSUJ Corp. has not corrected any deficiencies as the Township indicated; and

WHEREAS, the Terms of Cancellation clause in the contract states that the Township of Montclair may terminate the contract by giving thirty (30) days notice in writing for non-compliance with terms and conditions of the contract; and

WHEREAS, the written cancellation notice was mailed to TSUJ Corp. on March 22, 2013; now therefore

BE IT RESOLVED that TSUJ Corp has not provided electrical services to the Township as per the original terms of the contract, dated July 24, 2012 to July 23, 2013, which has necessitated a termination of said contract in accordance with the terms thereof; and

BE IT FURTHER RESOLVED by the Council of the Township of Montclair, in the County of Essex that the agreement executed with TSUJ Corp, approved by resolution adopted on June 12, 2012, be TERMINATED EFFECTIVE APRIL 22, 2013. (R-13-81)

WHEREAS, on May 1, 2013 the Township of Montclair, opened and read bid proposals for electrical services to be provided to the Township; and

WHEREAS, three (3) companies submitted bids for the electrical service in accordance with the bid specifications; and

WHEREAS, TATBIT Co. of Butler, New Jersey submitted the lowest responsible bid for the required services, in accordance with the bid specifications as follows:

Item		Per Hour
Foreman/Electrician Mon-Fri 8:30-4:30	\$	88.07
Foreman/ Electrician Saturday	\$	132.10
Foreman/ Electrician Sunday	\$	176.14
Journeyman/Electrician Mon-Fri 8:30-4:30	\$	74.25
Journeyman/ Electrician Saturday	\$	115.87
Journeyman/ Electrician Sunday	\$	154.50
Apprentice/Helper Mon-Fri 8:30-4:30	\$	27.03
Apprentice/Helper Saturday	\$	40.54
Apprentice/Helper Sunday	\$	54.06
Parts (Percentage Markup)		0%

now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that TATBIT Co. be and is hereby awarded a contract to provide electrical services to the Township of Montclair for the period from May 15, 2013 through May 14, 2014, with annual options on the part of the Township to renew said contract for one additional year, pending certification of funds by the Chief Financial Officer. Details of the contract may be obtained through the Township Clerk's office. (R-13-82)

WHEREAS, on March 12, 2013 the Township of Montclair awarded contract to LTI, Inc. for the 2013 Parks Maintenance Services at Edgemont Memorial Park; and

WHEREAS, the services to be provided are time-sensitive and must be coordinated with the Township because other work is being performed at Edgemont Park; and

WHEREAS, LTI, Inc. has been non-responsive to the Township's attempts to meet and discuss requirements for the performance of the contract at Edgemont Memorial Park; and

WHEREAS, LTI was warned by letter dated April 15, 2013 that if LTI continued to fail to respond, the contract award would be rescinded; and

WHEREAS, after the April 15, 2013 warning, LTI continued to fail to respond to the communications and instructions from the Township;

WHEREAS, the Township now desires to rescind the award of the contract to LTI; and

WHEREAS, on March 12, 2013 D'Onofrio & Son was the second lowest bidder for the Parks Maintenance Services at Edgemont Park; and

WHEREAS, the Township believes that it is in its best interest to award the contract to D'Onofrio & Son for the 2013 Parks Maintenance Services at Edgemont Memorial Park; now therefore

BE IT RESOLVED by the Council of the Township of Montclair in the County of Essex that the contract award to LTI, Inc. be, and the same is, hereby rescinded; and be it further

RESOLVED that Township enter into an agreement with D'Onofrio & Son for 2013 Parks Maintenance Services at Edgemont Memorial Park for the amount of \$9,810. (R-13-87)

WHEREAS, the Historic Preservation Commission of the Township of Montclair received and reviewed Nomination Reports, pursuant to the Historic Preservation Ordinance, on the following properties for designation as historic landmarks:

110 Orange Road ("The Israel Crane House")	Block 1304, Lot 12
110 Orange Road ("The Nathaniel Crane House")	Block 1304, Lot 12
30 North Mountain Avenue ("Evergreens") or Charles Shultz House	Block 1401, Lot 2

and

WHEREAS, the Historic Preservation Commission conducted public hearings on the proposed nominations and adopted resolutions on April 25, 2013, recommending that the subject properties be designated as historic landmarks; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Council hereby refers the Historic Preservation Commission's resolutions, and any accompanying reports regarding the aforementioned properties, to the Planning Board for a report and recommendation in accordance with Montclair Code Section 347-135B(8), which report shall be provided to the Township Council as soon as possible but not more than 60 days from the date of this Resolution. (R-13-88)

On motion made by Councilor Spiller and duly seconded, the following resolution was adopted by unanimous vote:

WHEREAS, the Township of Montclair properly advertised seeking "fair and open" proposals to furnish and deliver professional services for providing grant writing and consultant services in accordance with N.J.S.A. 19:44A-20.4; and

WHEREAS, proposals providing the above mentioned services were received from the following:

- CGP & H Community Grants
- Duane Morris
- Millennium Strategies
- Bruno Associates
- Birdsall Services Group
- Malberry Consultant

WHEREAS, after a review of the submitted proposals on the basis of price and other factors it was determined that Millennium Strategies is qualified to provide the services required by the Township; and

WHEREAS, the proposed level of service and the cost proposal is most advantageous to the Township of Montclair; and

WHEREAS, Millennium Strategies will provide the aforementioned services at the following rates:

Grant Research	\$2,000.00 per month
Grant Writing Services	\$ 95.00 per hour

now therefore

BE IT RESOLVED by the Council of the Township of Montclair, as follows

1. That the Township Manager and Clerk are hereby authorized to enter into a professional services contract with Millennium Strategies, 60 Roseland Avenue, Caldwell, New Jersey 07006, to perform grant writing and research services for a contract period of one year in an amount not to exceed \$30,000.00.
2. That the Director of Finance certifies that funds are available in account 3-01-20-100-100-232
3. Notice of the resolution shall be published in the Montclair Times as required by law within ten (10) days of passage (R-13-83)

On motion made by Councilor Hurlock and duly seconded, the following resolution was adopted by unanimous vote:

WHEREAS, local governments like the Township of Montclair provide most of the critical services needed by their citizens including police, fire, public health, sewer and water services, along with the maintenance of critical public infrastructure such as roads; and

WHEREAS, during periods of fiscal stress, it can be increasingly difficult to fund both vital services and needed infrastructure maintenance; and

WHEREAS, the competing needs for operational services and infrastructure maintenance prevent local governments from making the necessary investment into their road infrastructure, without creating an unsustainable burden on their property taxpayers; and

WHEREAS, roads are a critical part of our transportation system and contribute greatly to the health, safety and economic development of the Township as they provide the means for us to get to school and work and provide the essential services to the residents of Montclair; and

WHEREAS, natural disasters and recent weather conditions have wreaked havoc on the Township's aging road infrastructure; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that since local governments like Montclair cannot, on their own, make the investment necessary to provide the appropriate road infrastructure, there exists a need for County, State and Federal resources to be marshaled to address this issue; and

BE IT FURTHER RESOLVED that the Township of Montclair urges County, State and Federal leaders and decision makers to invest in our local road infrastructure and will contact the appropriate County, State and Federal parties to urge them to provide this critical assistance. (R-13-84)

On motion made by Councilor Baskerville and duly seconded, the following resolution was adopted by unanimous vote:

Whereas, there were 591 motor vehicle fatalities in New Jersey in 2012; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 20 – June 2, 2013 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88.29% to 90%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways; now therefore

BE IT RESOLVED that the Township of Montclair declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 20 – June 2, 2013 and pledges to increase awareness of the mobilization and the benefits of seat belt use. (R-13-85)

On motion made by Mayor Jackson and duly seconded, the following resolution was adopted by unanimous vote:

WHEREAS, the Local Municipal Budget for the Year 2013 was approved on the 12th day of March, 2013, and

WHEREAS, the public hearing on said Budget has been held as advertised, and

WHEREAS, it is desired to amend said approved Budget, now

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Montclair, County of Essex, that the following additional amendments to the approved Budget of 2013 be made:

		Baskerville		(
		Hurlock	(Abstained	(
		McMahon	((
<u>Recorded Vote</u>	Ayes	Russo	Nays	(
		Schlager		(
		Spiller		(Absent
		Mayor Jackson		(
					From
					To

1. Surplus Anticipated	\$ 1,343,352.00	\$ 1,334,651.84
 Total Surplus Anticipated	 1,343,352.00	 1,334,651.84
 3. Miscellaneous Revenues - Section A:		
Fees and Permits	569,400.00	644,400.00
 Total Section A	 3,789,100.00	 3,864,100.00
 3. Miscellaneous Revenues - Section F:		
Public and Private Revenues Offset with Appropriations:		
Comcast Grant		5,000.00
Total Section F -Public and Private Programs Offset by Total Public and Private Programs Offset by Revenues	245,389.02	250,389.02
Appropriations		
 3. Miscellaneous Revenues - Section G:		
Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services:		
FEMA - reimbursement		198,734.29
Total Section G - Special Items of General Revenue Anticipated With Prior Consent of Division of Local Government Services	4,681,507.40	4,880,241.69
 <u>Summary of Revenues</u>		
1. Surplus Anticipated	1,343,352.00	1,334,651.84
 3. Miscellaneous Revenues:		
Total Section A: Local Revenues	3,789,100.00	3,864,100.00
Total Section F: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Public and Private Revenues	245,389.02	250,389.02
Total Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items	4,681,507.40	4,880,241.69
Total Miscellaneous Revenues	13,209,662.42	13,488,396.71
 5. Sub-Total General Revenues (Items 1, 2, 3 and 4)	 17,253,014.42	 17,523,048.55
 <u>Summary of Revenues</u>		
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for		
Uncollected Taxes	52,284,557.08	52,011,350.94
Total Amount to be Raised by Taxes for Support of Municipal Budget	60,626,724.47	60,353,518.33

PARKING UTILITY

Dedicated Revenues from Parking Utility

Fund Balance	\$	800,000.00
Total Parking Utility Revenues	\$	\$
	3,170,026.40	3,970,026.40

Appropriations for Parking Utility

Capital Improvement Fund	\$	800,000.00
Total Parking Utility Appropriations	\$	\$
	3,170,026.40	3,970,026.40

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2013 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S. 40A:4-9, be published in the Montclair Times issue of May 23, 2013, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on May 28, 2013 at 7:30 P.M. **(R-13-86)**

On motion made by Councilor Baskerville and duly seconded, the following resolution was adopted by unanimous vote:

WHEREAS, the Township Council has authorized an investigation as to whether a portion of Bloomfield Avenue qualifies as an "area in need of rehabilitation" pursuant to the New Jersey Local Redevelopment and Housing Law, C. 40A:12A-14; and

WHEREAS, the Township Council did refer to the Planning Board a copy of a draft Resolution designating the area in need, and the Planning Board reviewed the Resolution and sent its comments to the Township Council for consideration; and

WHEREAS, on November 27, 2012, after careful consideration of the comments from the Planning Board, the Township Council did designate the area as an "area in need of rehabilitation", and authorized preparation of a Redevelopment Plan pursuant to the New Jersey Local Redevelopment Law; and

WHEREAS, on May 14, 2013, the Township Council introduced and adopted on first reading the Eastern Gateway Redevelopment Plan, dated May 14, 2013, prepared by the Planning Department staff; and

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, such Plan must be referred to the Planning Board for a report identifying any inconsistencies with the Master Plan and any other matters as the Board deems appropriate before adoption by ordinance,

NOW, THEREFORE, BE IT RESOLVED, that the Eastern Gateway Redevelopment Plan be referred to the Planning Board and the Housing Commission for a report, and that such report be transmitted to the Township Council within 45 days from the date of this Resolution. **(R-13-89)**

On motion made by Councilor Schlager and duly seconded, the following resolution was adopted by unanimous vote:

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that said bills be and they are hereby ordered paid and that warrants by drawn on the Treasurer to the order of such person for the amount respectively as hereinafter stated to wit: \$1,273,566.27

REPORTS AND COMMUNICATIONS

The Municipal Clerk reported that she had filed in her office a list of reports and communications received since the last meeting.

On motion made by Mayor Jackson and duly seconded, the following reports and communications were accepted and ordered to be made part of the minutes of this meeting.

Letter from Rodney P. Frelinghuysen dated April 19, 2013 regarding the former Social Security Administration building.

New Jersey Landscape Contractors Association, Inc. letter regarding enforcement of the "Contractors' Registration Act" dated April 26, 2013.

Publisher of Yellowbook "HIBU" regarding phone book delivery of the Suburban Essex County, N.J. directory.

Department of Transportation (NJDOT) Fiscal Year 2013 Municipal Aid in the amount of \$221,330.00.

Norris, McLaughlin & Marcus letter regarding AT&T's request to install fiber optic cable on existing poles in Montclair.

From NJDEP – No further Action Letter

111 North Mountain Avenue

200 Park Street

10 Mountain Terrace

88 Porter Place

9Prospect Avenue

Letter from COMCAST dated May 1, 2013 enclosing check in the amount of \$5,000 in payment of grant in support of cable related programs.

Tax Collector's Monthly Report for March 1, 2013

Memo from AFSCME – Bring Parking Lots Back In House – Parking Lot Proposal

Letter from Division of Housing & Community Development – CDBG Sub-recipient Agreement with Neighborhood Child Care Center

Letter from Susan White regarding Master Plan

Essex County Board of Taxation – Resolution adopted April 11, 2013 for the purpose of assessing the taxable values to be used in levying taxes for the calendar year 2013.

Councilor Spiller reiterated that openings and financial aid may be available for pre-schoolers at the Montclair Early Childhood Corporation Center. He encourages all to sample the entertainment and delights on Church Street.

Councilor Hurlock thanked all who participated in the First Ward Clean-up Day over 140 individuals participated and 150 bags of trash were collected. He attended the following:

- Film Festival (a huge success);
- Friends of Barnet Annual Fish and Chips dinner;
- Planning Board meeting regarding the Master Plan.

Councilor Baskerville urged all to attend the African American Parade and Festival on June 1. A good time will be had by all. Other information:

- South End Village Clean-up on Saturday, May 18 at 9:00 a.m.
- Appreciation to all "Brother-to-Brother" mentors
- Fourth Ward Community Meeting, May 21, 2013 at the Fire Headquarters
- "Hope for the Flowers", by Montclair Author Trina Paulus

Councilor Schlager reported on a meeting of a citizens group from the James Street area. She also attended a Salvation Army "Coffee and a Cause Event" On June 2, Astronaut Buzz Aldrin will be honored at several events. Councilor Schlager is developing a committee to discuss other ways to honor this "Hometown Hero". Deputy Mayor Russo and Councilor McMahon will participate.

Councilor McMahon reported that the Montclair Ambulance Unit 60th Anniversary Gala was a great success. He announced a celebration for Father Frank Burla, Immaculate Conception Church on May 22, 2013 at Mayfair Farms. Fourth of July Fundraiser will take place at Just Jakes on May 15.

Deputy Mayor Russo announced that the first Deshon Johnson Memorial Scholarship will be awarded on June 6. He noted that the highly regarded senior video is being aired on Channel 34. Deputy Mayor Russo referenced this Council's May 8 2012 election to office and believes the group is making great strides in its first year in office.

Councilor Baskerville asked for an update on overnight parking.

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Councilor Baskerville asked for an update on overnight parking.

Councilor McMahon stated that the Traffic Parking Advisory Committee is considering several possibilities for parking of commercial vehicles overnight on municipal streets.

At 9.25 P.M. on motion made by Mayor Jackson and duly seconded, the meeting was adjourned by unanimous vote.



ROBERT JACKSON MAYOR

ATTEST:



LINDA S. WANAT, MUNICIPAL CLERK