

MONTCLAIR, NEW JERSEY

July 9, 2013

The Council of the Township of Montclair, in the County of Essex, met in the Second Floor Conference Room of the Municipal Building, 205 Claremont Avenue, for a Conference Meeting at 7:05 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, and Councilors Baskerville, Hurlock, McMahon, Schlager, and Spiller
Absent: None

STATEMENT OF SUNSHINE NOTICE

PUBLIC COMMENT

Mayor Jackson asked if there was anyone present wishing to be heard regarding any matters of interest or importance.

William Scott, 23 Cedar Avenue commented on several ordinances dealing with on curb and street improvements on various streets in Montclair. He noted that Cedar Avenue is one of the most dangerous streets in Montclair and in need of improvement. Mr. Scott reviewed the criteria used to select streets for improvements and that Cedar Avenue falls in the lowest ranking of a poor street and a dangerous street. The best way to traverse is to come down the street in the middle of the street. He asked when these problems would be addressed.

Township Manager Marc Dashield addressed the condition of Montclair's streets and roads, indicating that he wanted to set up a program that allows the township to deal with streets with bad potholes and bumpy surfaces by milling and paving or overlaying small sections of streets.

ORDINANCE – SECOND READING/ADOPTION

The pending ordinance entitled: "ORDINANCE ADOPTING THE EASTERN GATEWAY REDEVELOPMENT PLAN TO THE PLANNING BOARD" (0-13-24) passed first reading May 14, 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.

NEW BUSINESS RESOLUTION

On motion made by Councilor Baskerville and duly seconded, the following Resolution (R-13-107) was adopted by unanimous vote.

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that subject to compliance by the licensees with the provisions of R.S. 33:1-25, the Municipal Clerk be and she hereby is authorized to issue Plenary Retail Alcoholic Beverage Distribution License, terminating June 30, 2014 to the following:

NAME

LOCATION OF LICENSED PREMISES

Montclair Liquor Store LLC
0713-44-017-004

310 Orange Road

On motion made by Councilor Hurlock and duly seconded, the following Resolution (R-13-108) was adopted by unanimous vote.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the Township of Montclair to apply for a 2012 Recycling Tonnage Grant will memorialize the Township's commitment to recycling and to confirm the assent of the Township Council to the efforts undertaken by the Township and the requirements contained in the Recycling Act and recycling regulations; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Township of Montclair hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Steve Wood, P.E., Director of the Department of Community Services, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Councilor Baskerville commented on the resolution for Montclair Liquor Store, LLC and requested that the town impose conditions and requirements and that Montclair Liquor are in full compliance to remove signs in the window.

Ira Karasick stated that Code Enforcement should enforce the misuse of advertising.

COUNCIL SUBCOMMITTEE REPORTS

- ECONOMIC DEVELOPMENT:
- FINANCE
- MUNICIPAL SERVICES/COMMUNICATIONS:
- EDUCATION

TOWNSHIP MANAGER'S REPORT

DISCUSSION

1. Smoking in parks
2. Sustainability Plan Update
3. Parking Advisory Committee Recommendations:
 - Eliminate Bus Stop – Church Street at Valley Road and reestablish meter parking and add loading zone
 - Designate spaces in Fullerton and Upper Montclair parking lots for electric vehicle charging
4. Parking Permit System Software/Parking Meter Acquisition Update
5. Roadway Sectional Restoration Funding
6. Adding bus stop on Orange Road - (not ready for discussion)
7. Community Police vehicle funding
- 7a. Towing Ordinance

Preview July 16 meeting items

8. Hearing on Ordinance designating "The Israel Crane House" (110 Orange Road), "Nathaniel Crane House" (110 Orange Road), and "Evergreens" or Charles Shultz House (30 North Mountain Avenue) as Historic landmarks (O_13_028)
9. Hearing on Ordinance governing maintenance of vacant properties (property registration) in the Township of Montclair (R_13_029)
10. Hearing on Ordinance establishing Abandoned Properties List (O_13_030)
11. Hearing on Ordinance appropriating \$210,000 from capital surplus for the acquisition of various equipment and the miscellaneous refurbishment of refuse and recycling packers (O_13_031)
12. Hearing on Ordinance re Library smoking policy (O_13_032)

13. Hearing on Ordinance establishing Chronic Nuisance Properties Regulations (O_13_033)
14. Introduce ordinance amending Traffic Ordinance (Jerome Place) prohibiting parking at all times on certain sections (O_13_034)
15. Introduce ordinance amending Traffic Ordinance (Jerome Place) limiting parking during certain hours (O_13_035)
16. Introduce Ordinance to amend the CWA Employee Salary Ordinance (O_13_036)
17. Introduce Ordinance to amend the Management (non-union) Salary Ordinance (O_13_037)
18. Introduce Ordinance to amend the 2013 OPEIU Employee Salary Ordinance(O_13_038)
19. Introduce Ordinance eliminating bus stop on Church St at Valley Rd (from Traffic/Parking Advisory Committee) (O_13_039)
20. Introduce Ordinance establishing loading zone on Church Street (O_13_040)
21. Introduce Ordinance establishing meters on Church Street (O_13_041)
22. Introduce Ordinance designating electric vehicle charging at Fullerton Deck and Upper Montclair lot (O_13_042)
23. Introduce Ordinance establishing a new bus stop on Orange Road (O_13_043) - **(Withdrawn)**
24. Resolution authorizing an agreement for the transportation and composting of municipal leaves for a (5) five-year period from October 15, 2013 through May 15, 2018 with Nature's Choice Corp.
25. Resolution authorizing renewal of contract with M.B.T. Contracting, LLC. for plumbing services to be provided to the Township of Montclair
26. Resolution establishing a change fund
27. Resolution authorizing purchasing contract with Rio Supply Company through the Morris County Cooperative pursuant to NJSA 40A:11-6.1b
28. Resolution awarding contract for the purchase and delivery of 8" and 12" class 56 ductile iron pipe
29. Resolution awarding contract for the purchase and delivery of fire hydrants, fire hydrant extensions, break-away kits and megalug retainer glands for the Montclair Department of Utilities
30. Resolution awarding contract for Union Street (Section 1) Improvements (NJDOT-funded)
31. Resolution awarding contract for Sutherland Road Curb Improvements
32. Resolution canceling bond ordinances
33. Resolution creating Pedestrian Traffic Safety Committee
34. Ordinance authorizing DeCozen property condemnation

Councilor McMahon spoke against the restriction of smoking and commented on "not going out of the way to make smoking outside of town property illegal"

Councilor Baskerville reiterated her concern regarding the exposure to second hand smoke on town property.

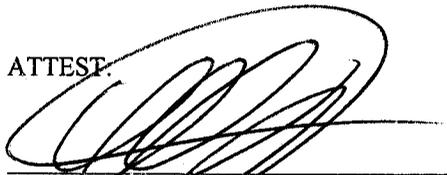
Councilor Schlager was concerned about the idling of school buses and commercial vehicles and questioned whether we have enforcement laws for idling.

At 9:20 P.M. on motion made by Mayor Jackson and duly seconded, the Conference Meeting was adjourned to Executive Session by unanimous vote.

At 9:55 P.M. on motion made by Mayor Jackson and duly seconded the Conference Meeting was adjourned by unanimous vote.


JULIET LEE, DEPUTY MUNICIPAL CLERK

ATTEST.


ROBERT JACKSON MAYOR