

MONTCLAIR, NEW JERSEY

September 17, 2013

The Council of the Township of Montclair, in the County of Essex, met in the Council Chamber in the Municipal Building, 205 Claremont Avenue, for Conference/Regular meeting at 7:00 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, McMahon, Schlager, and Spiller
Absent: Councilors Hurlock

STATEMENT OF SUNSHINE NOTICE

I. DISCUSSION

- Window Display Ordinance

Township Manager Marc Dashield asked if the Council would like to move forward with the proposed ordinance which would regulate commercial properties' first floor windows. The Council will address this at the October 8, 2013 Regular Meeting.

- Housing Trust Fund

Janice Tally outlined a Homecorp request for \$225,000 to fund the purchase of 127 Valley Road. She reported that a public hearing will be held during the Planning Board's review of this project. Councilor Baskerville noted that neighbors of this property had expressed many concerns regarding this proposal. Councilor Schlager stated that she also had concerns and requested more information before adding her support to this effort. Mayor Jackson stated that he will postpone sending a letter of support until additional information is provided.

- Smoke Free Parks

Council Baskerville suggested that the Council adopt an ordinance mandating that all municipally owned parks be "smoke-free." Mayor Jackson reported that the Council is still awaiting a recommendation from the Services Subcommittee on this issue. Councilor Baskerville suggested that the Council reach out to the Parks and Recreation Committee for their comments.

- Resolution establishing a salary for Acting Prosecutor

Joe Angelo, Assistant Township Attorney reviewed the duties of the Prosecutor. He stated that he was willing to serve as Acting Prosecutor at the will of the Council. Mayor Jackson suggested that the Township Attorney recommend appropriate compensation for this position.

II. TOWNSHIP MANAGER'S REPORT

1. Resolution referring to the Planning Board the proposed nomination of "Montclair Heights Reformed Church" (71 Mt. Hebron Road) as a historic landmark in accordance with the Historic Preservation Ordinance.

Janice Talley, Director of Planning outlined the procedure for nomination. The Council will await the Planning Board's recommendation before taking action.

2. Resolution Supporting PSE&G's "Energy Strong" initiative.

At 7:36 P.M., on motion made by Mayor Jackson and duly seconded, the pre-meeting conference was adjourned by unanimous vote.

The Council of the Township of Montclair, in the County of Essex, met in the Council Chamber in the Municipal Building, 205 Claremont Avenue, for a Regular Meeting at 7:37 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, and Councilors Baskerville, McMahon, Schlager, and Spiller
Absent: Councilor Hurlock

STATEMENT OF SUNSHINE NOTICE

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Ethel Owens, 37 Cloverhill Place, representing New Jersey Peace Action, urged the Council to enforce the following "Move the Money" resolution adopted by the U.S. Conference of Mayors:

"We call upon Congress to reduce military spending; Transfer funds to convert to civilian production; Create jobs to rebuild our infrastructure; Meet pressing human needs."

Al Marder, Chair, New Haven Peace Commission, reported that this city had already adopted this resolution.

Henry Lowendorf, Chair, Greater New Haven Peace Council, provided background regarding the New Haven, Ct., referendum on this issue. He also shared information regarding the formation of a Futures Commission to provide job opportunities to assist with the creation with "a green infrastructure for the New Haven Community."

Madelyn Hoffman, 673 Bloomfield Avenue, Bloomfield, Director, New Jersey Peace Action, reiterated support for this initiative.

Timothy McGood, 39 Sommer Avenue, Glen Ridge, New Jersey, former MESH worker, supports investing monies in "human needs" rather than "military needs".

Ann Marie Milczarski, 11 Cloverhill Place, also offered support for the "Move the Money" initiative.

Deputy Mayor Russo suggested that this proposal might be added to the November 5th General Election as a non-binding referendum question.

Deputy Mayor Russo also offered the following changes to the resolution (underlined text):

We the Council of the Township of Montclair call upon Congress to reduce military spending and transfer funds to convert to civilian production; create jobs to rebuild our infrastructure; and adequately fund our public schools and meet other pressing human and community needs.

Seth Gollin, 5 Roosevelt Place, AFSME representative for Local 2296, is seeking the implementation of a contract for this unit. He noted that all other Township unions have settled on contract terms.

Richard Burrell, 44 S. Cherry Road, Lake Hopatcong, President AFSCME, Local 2296 complained that no action had yet been taken by the Township regarding employee safety with regard to the handling of trash receptacles. He asked the Township Council to provide a safe working environment for Community Service workers. He also raised issues regarding the pending AFSME contract and asked that the following language be included "all vacancies should be open and promotions be given based on qualifications."

Mayor Jackson called for the formation of a working group comprised of Steve Wood, Director of Community Services and union representatives to address the waste receptacle issue.

Katherine Santiago, 288 West Broadway, Paterson, student at Felician College asked the Council to participate in a survey for one of her courses.

Kingi Warren, 25 Chester Street, Newark, Township employee believes the Community Service employees "have been disrespected." He asked that the Council look into this issue.

George Scoriello, 131 Pershing Road, Clifton, spoke in support of Joe Cupoli, State Senate candidate for the N.J. 34th Legislative District.

James Harris, 9 Pleasant Avenue, President New Jersey NAACP, stated that "the last thing this country needs is to spend money on another war." He also expressed the NAACP's concern regarding which segment of the population would be responsible to pay for any improvements to the energy infrastructure. Finally, he stated that the Township should not violate the Township's ordinance regarding refuse receptacles.

Joe Cupoli, Clifton, candidate for New Jersey State Senate solicited support from Montclair residents for his candidacy.

NEW BUSINESS - RESOLUTIONS

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

WHEREAS, the Montclair Historic Preservation Commission conducted public hearings on the nomination of 71 Mt. Hebron Road ("Montclair Heights Reformed Church"), Block 2806, Lot 1 on February 28, 2013 and Mary 30, 2013 and adopted a resolution on August 22, 2013 recommending that the subject property be designated as a historic landmark; and

WHEREAS, this report must be referred to the Montclair Township Planning Board for review in accordance with Montclair Code Section 347-135B(8); 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 resolution, and any accompanying reports regarding the aforementioned properties, to the Planning Board for a report and recommendation 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-13-150)

On motion made by Mayor Jackson and duly seconded, the following amended (see underlined text) resolution was adopted by unanimous vote:

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, in the State of New Jersey, as follows:

WHEREAS, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Superstorm Sandy and an accompanying Nor'easter; and

WHEREAS, Montclair was impacted by said extreme weather events, including but not limited to: areas of the Township without power for up to ten days, roads closed, trees down, gasoline shortages; and

WHEREAS, Public Service Electric and Gas Company ("PSE&G") provides Montclair with electric and/or gas service; and

WHEREAS, said extreme weather events severely damaged PSE&G infrastructure, including but not limited to: flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water; and

WHEREAS, said damages to PSE&G infrastructure contributed to Montclair's said impacts; and

WHEREAS, the New Jersey Board of Public Utilities ("BPU") issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues"; and

WHEREAS, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong"; and

WHEREAS, "Energy Strong" proposes an investment of \$3.9B worth of infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations; and

WHEREAS, PSE&G has assured the Township of Montclair that the cost of this program would not fall inordinately upon lower income customers; and

WHEREAS, it will not result in a disinvestment in human capital and adequate levels of staffing will be maintained; and

WHEREAS, Montclair would benefit from the proposed investments in the "Energy Strong" filing; now therefore

BE IT RESOLVED, that the Council of the Township of Montclair, in the County of Essex, formally declares its support for PSE&G's "Energy Strong" program. (R-13-151)

Councilor Baskerville expressed concern regarding the funding for this program. She cited concerns that higher rates would be a burden on low income families.

Deputy Mayor Russo asked Township Manager to review PSE&G's proposal especially the use of "outside help" when the number of regular PSE&G employees have been reduced by attrition and never replaced. Mayor Jackson added an amendment

Mayor Jackson amended the language of this resolution

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 be drawn on the Treasurer to the order of such person for the amount respectively as hereinafter stated to wit: \$769,013.91

REPORTS AND COMMUNICATIONS

Councilor Spiller announced a meeting of the Education Sub-committee on Monday, September 23rd at the 2nd floor conference room, Municipal Building.

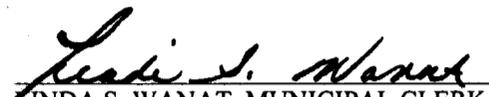
Councilor McMahon thanked all those who supported the recent Montclair Ambulance Unit golf outing.

Mayor Jackson and Councilor Hurlock recently observed 39 individuals sworn-in as new citizens at Montclair State University.

Township Attorney Ira Karasick announced the 226th anniversary of the adoption of the Constitution.

At 8:46 P.M. on motion made by Mayor Jackson and duly seconded, the meeting was adjourned to Executive Session by unanimous vote.

At 10:05 P.M. on motion made by Mayor Jackson and duly seconded, the meeting was adjourned by unanimous vote.


LINDA S. WANAT, MUNICIPAL CLERK

ATTEST:



ROBERT JACKSON MAYOR