

MONTCLAIR, NEW JERSEY

March 4, 2014

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 Regular meeting at 7:00 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, and Councilors Baskerville, Hurlock, McMahon, Schlager, and Spiller
Absent: None

STATEMENT OF SUNSHINE NOTICE

ROLL CALL

PLEDGE OF ALLEGIANCE

On motion made by Mayor Jackson and duly seconded, the minutes of February 4, and February 18, 2014 were approved by unanimous vote.

PROCLAMATION

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

WHEREAS Myisha Hines-Allen, Montclair High School's all-time female leading scorer with 1,523 points, is being recognized as an athlete who has displayed hard work, skill and teamwork on the basketball court and in the classroom and has been chosen as one of twenty-four female athletes to compete in the 2014 McDonald's All-American Games. She is the first McDonald's All-American from Montclair ; and

WHEREAS The McDonald's All-American Game refers to each of the all-star basketball games played each year for American and Canadian boys' and girls' high-school graduates. Consisting of the top players, each team plays a single exhibition game after the conclusion of the high-school basketball season, in an East vs. West format. The boys' game has been contested annually since 1978, and the girls' game has been played each year since it was added in 2002; and

WHEREAS Ms. Hines-Allen who will be attending the University of Louisville next year, will be honored on Wednesday, March 5th at the McDonald's located at 1339 Broad Street in Bloomfield. Local McDonald's Owner/Operator Ana Madan will host Ms. Hines-Allen, Coach Bianca Brown, Ms. Hines-Allen's Montclair High teammates and family and friends for dinner; and

WHEREAS The McDonald's All-American Games has had more than two hundred and eighty notable female players including Candace Parker, Ivory Latta, Sylvia Fowles, Tina Charles, Maya Moore, Nnemkadi Oqumike, Skylar Diggins and Elena Delle Donne; and

WHEREAS The proceeds of the McDonald's All-American Games benefit Ronald McDonald House Charities (RMHC) and, to date, have raised more than \$10 million for RMHC since its inception in 1978; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, congratulates Myisha Hines-Allen on her achievement and commitment to athleticism and sportsmanship as a finalist of the McDonald's All-American Games.

Lori Price Abrams, representing McDonald's accepted the proclamation on behalf of Myisha Hines-Allen who will be celebrated at a dinner reception on March 5, 2014 at the McDonald's located at 1339 Broad Street, Bloomfield.

DISCUSSION:

Montclair Ambulance Unit request for radio system.

Mr. Dashield proffered a request from this group to be included in the purchase of a new radio system for the police department. The unit asked for \$200,000 in funding to participate in this purchase.

Councilor Baskerville asked for financial data from the MAU before moving forward.

PUBLIC COMMENT

Rich Galioto, Landscaper, Bloomfield, New Jersey asked for a determination regarding the use of gas powered leaf blowers within the Township. Mayor Jackson stated that the Council will address this before the end of March, 2014.

Ray Parkes, 330 Bloomfield Avenue, asked if his request for on-street parking on Rockledge Road had been reviewed by the Traffic and Parking Committee.

Councilor McMahon indicated that this request will be on the committee's agenda of March 13, 2014

James Jackson, 29 Harrison Avenue, expressed concern that this property appeared on an "abandoned property" list without notification. He noted the many renovations had already taken place and challenged the municipality regarding its classification of this property as abandoned.

Margaret Saraco, 41 Gates Avenue, asked for an explanation of the Board of Education's budget and the Board of School Estimate's. The role in determining a school board budget in a Type I municipality. She also complained about the poor snow removal at local schools.

Margaret Whitsett, 50 Madison Avenue believes that the Board of Education does not listen to opinions of the teaching staff. She asked the Council to intercede with the Board of Education to help "us get our schools back."

Council Subcommittee Reports

- Council Finance Committee will meet on March 11, 2014.
- Education Committee is planning a Community Education Opportunity Day in the fall.
- Services Committee is exploring shared services including a relationship with Montclair State University for a shared Senior Shuttle operation. They are also working on a number of grant opportunities.
- Montclair State University Community Committee is exploring a number of issues.
- Meeting to collect data on students who may have been discriminated against: Fire Headquarters, March 20, 2014.

ORDINANCES – SECOND READING/ADOPTION

The pending ordinance entitled: "ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE, CHAPTER 247 MAINTENANCE OF EXTERIOR OF PREMISES TO REGULATING THE BOARDING OF COMMERCIAL STORE FRONTS" (O-14-001) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "ORDINANCE AMENDING MONTCLAIR CENTER GATEWAY REDEVELOPMENT PLAN – PHASE 1" (O-14-002) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

William Scott, 23 Cedar Avenue, asked the parameters of Phase I of this Redevelopment Plan.

The pending ordinance entitled: "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO UNION STREET AND PARK STREET IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX,

NEW JERSEY, APPROPRIATING \$1,114,197 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,058,487 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (O-14-003) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "BOND ORDINANCE PROVIDING FOR VARIOUS PARK PROJECTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$403,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (O-14-004) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$2,363,292 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,245,127 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (O-14-005) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$945,000 FOR THE ACQUISITION OF A NEW RADIO SYSTEM IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$897,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION" (O-14-006) passed first reading January 28, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

The pending ordinance entitled: "AN ORDINANCE AMENDING CHAPTER 347 OF THE TOWNSHIP CODE (THE "ZONING ORDINANCE") ADDRESSING GROUP HOMES" (O-14-007) passed first reading February 4, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

William Scott, 23 Cedar Avenue, expressed appreciation to the Council for beginning steps to address residents' concerns regarding housing for those with special needs and transitional needs.

Jordan Shelley, 33 Irving Street, cited that this ordinance does not extend restrictions to a multi-family district.

The pending ordinance entitled: "AN ORDINANCE TO AMEND THE TRAFFIC ORDINANCE – NORMAL AVENUE AT CARLISLE ROAD" (O-14-008) passed first reading February 4, 2014 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 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 and duly seconded, the ordinance was adopted by unanimous vote.

NEW BUSINESS - ORDINANCES FIRST READING/INTRODUCTION

Mayor Jackson 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 April 15, 2014:

"BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$467,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$443,850 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (O-14-09)

The motion was adopted by unanimous vote.

Mayor Jackson 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 April 15, 2014:

"ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 297, ARTICLE III ENTITLED "SNOW AND ICE REMOVAL" (O-14-10)

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:

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **WENDY SABIN** be and she hereby is **APPOINTED** to serve on the Senior Citizens Advisory Committee for a term commencing immediately and terminating December 31, 2016. (R-14-036)

WHEREAS, on December 11, 2013, the Township of Montclair opened and read bids for the *2014 Tree Removal* services required by the Township, as prescribed by law; and

WHEREAS, three companies submitted bids to provide tree and stump removal services in accordance with bid specifications; and

WHEREAS, Dujets Tree Experts submitted the lowest responsible bid in accordance with the bid specifications; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township enter into an agreement with Dujets Tree Experts for 2014 Tree Removal services in an amount not to exceed \$100,000.00 (based upon the unit prices bid as follows – 6”-12” DBH - \$60.00, 13”-24” DBH - \$485.00, 25”-36” DBH - \$835.00, Over 36” DBH - \$1,235.00) pending Certification of Funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the funds for this purchase will be appropriated in the 2014 Capital Budget at the March 4, 2014 Council Meeting. Complete details of the contract are attached hereto and made a part hereof. (R-14-038)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that AXEL HELLMAN be and he hereby is APPOINTED to serve as a member of the PUBLIC TRANSPORTATION ADVISORY COMMITTEE effective immediately and terminating December 31, 2016. (R-14-039)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that KENNETH SHAPIRO is hereby REAPPOINTED to serve a MEMBER of the CIVIL RIGHTS COMMISSION for a term commencing immediately and terminating December 31, 2016. (R-14-040)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that STEVE HOCKSTEIN and MICHAEL WOODS, be and they hereby are APPOINTED to serve as a MEMBERS of the Traffic/Parking Advisory Committee effective immediately and terminating December 31, 2016. (R-14-041)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that EDNA ESTIME is hereby APPOINTED to serve a MEMBER of the CIVIL RIGHTS COMMISSION for a term commencing immediately and terminating December 31, 2016. (R-14-042)

WHEREAS, on March 12, 2013, the Township of Montclair awarded contracts for the 2013 Parks Maintenance Services required by the Township, as prescribed by law; and

WHEREAS, D’Onofrio & Son Inc. and Custom Care Services, Inc. submitted the lowest responsible bids in accordance with the bid specifications and were each awarded a one-year contract with a one-year renewal option; and

WHEREAS, the Township desires to exercise its option to renew the contracts with D’Onofrio & Son Inc. and Custom Care Services, Inc. for an additional year; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township renew the agreement for Parks Maintenance Services with D’Onofrio & Son Inc. (Edgemont Memorial Park, Canterbury Park, Yantacaw Brook Park, Porter Park) and Custom Care Services, Inc. (Nishuane Park) for the year 2014 in an amount not to exceed \$335,000.00 pending Certification of Funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the funds for this purchase have been appropriated in the 2014 Operating Budget, Account Number 4-01-28-375-376-236. Complete details of the contract are attached hereto and made a part hereof. (R-14-046)

REGULAR AGENDA ITEMS

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

WHEREAS, the Township of Montclair maintains a dedicated by rider Trust fund for Accumulated Absence payments;

WHEREAS, 2012 budget reserves may be transferred to create financial stability as identified below, to an existing dedication by rider trust fund account in the name of Accumulated Absences;

Salary & Wages Adjustment	100,000.00
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total 100,000.00

WHEREAS, NJ Law permits the transferring of funds to build up reserves and to provide for future unanticipated expenditures; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that certain transfer of funds effective 12/31/13 as listed are hereby declared to be completed and shall be allocated to the Trust Fund as provided and allowed by law and determined by the Chief Financial Officer. (R-14-032)

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

WHEREAS, the Township of Montclair ("Montclair") administers an Affordable Housing Program, and is required to meet its fair share obligation of low and moderate income housing pursuant to the rules and regulations of the New Jersey Council on Affordable Housing ("COAH"); and,

WHEREAS, certain real property known as 50 Pine Street, Unit 3-15, in Montclair Mews, and designated as Lot 2, Block 4202, C 3015, on the Montclair Township Municipal Tax Map (the "Property"), was subject to the Montclair Township Affordable Housing Program and to affordable housing restrictions set forth in a deed to Sandra Pace from Touchstone Properties, Inc., dated March 13, 1989 and recorded April 6, 1989 in the Office of the Essex County Clerk in Deed Book 5072 at Page 209; and,

WHEREAS, the said deed vesting title to the Property in Sandra Pace provided that the Property would be subject to affordable housing restrictions for a period of twenty (20) years from the date of the conveyance, or as extended by law, and to provisions of the Master Deed and By-laws for Montclair Mews relating to affordable housing, and other applicable documents relating to affordable housing; and,

WHEREAS, Sandra Pace died testate on November 25, 2007, leaving a Last Will and Testament which was filed in the Office of the Essex Count Surrogate; and,

WHEREAS, the said Last Will and Testament devised the residuary Estate of Sandra Pace to Peter Pace, John Pace, James Pace and Anthony Pace; and,

WHEREAS, the Estate of Sandra Pace has maintained that the affordability controls on the Property contained in the deed to Sandra Pace expired on March 13, 2009; that the Property is no longer subject to the Montclair Township Affordable Housing Program and COAH rules and regulations, including but not limited to the 95/5 Rule which was enacted after the conveyance to Sandra Pace and is therefore inapplicable to the Property; and that the Property is not subject to the provisions of the Master Deed and By-laws of Montclair Mews relating to affordable housing, or to any other documents, rules, regulations or restrictions relating to affordable housing; and,

WHEREAS, the Estate of Sandra Pace filed a Complaint and Order to Show Cause, in the Superior Court of New Jersey, Chancery Division, Essex County, Probate Part, at Docket No. CP0350-2013 seeking to have Montclair acknowledge the foregoing and formally release any and all interests it has, had or may have had in, to and against the Property, and to formally release the Property from the Montclair Township Affordable Housing Program and affordable housing restrictions now or previously existing on the Property; and,

WHEREAS, the Estate of Sandra Pace and Montclair are in the process of settling the aforementioned pending litigation; and,

WHEREAS, Montclair agrees and acknowledges that the Property is no longer subject to affordable housing restrictions and to the Montclair Affordable Housing Program, and wishes to formally extinguish, remove, relinquish and release any interests it has, had or may have had in, to and against the Property, and any and all affordable housing restrictions previously or now existing on the Property,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Montclair as follows:

1. This Resolution hereby acknowledges and agrees that the affordability controls on the 50 Pine Street, Unit 3-15 (Lot 2, Block 4202, C 3015) contained in the deed to Sandra Pace expired on March 13, 2009; that the Property is no longer subject to the Montclair Affordable Housing Program and COAH rules and regulations, including but not limited to the 95/5 Rule; and that the Property is not subject to the provisions of the Master Deed and By-laws of Montclair Mews relating to affordable housing, or to any other documents, rules, regulations or restrictions relating to affordable housing.
2. This Resolution further acknowledges and agrees that Montclair formally releases any and all interests it has, had or may have had in, to and against the Property, and that any and all affordable housing restrictions previously or now existing on the Property, by virtue of any affordable housing rule or regulation of the Township of Montclair or COAH, including but not limited to the 95/5 Rule, or by virtue of the deed vesting title in the Property to Sandra Pace, provisions of the Master Deed or By-laws of Montclair Mews relating to affordable housing, or to any other documents, rules, regulations or restrictions relating to affordable housing are hereby extinguished, removed, relinquished, and released.
3. The Mayor, Clerk and Township Attorney are authorized and directed to cooperate with the Estate of Sandra Pace by promptly executing and delivering to the Estate of Sandra Pace any and all documents now or in the future

required by a title company, mortgage lender, or the attorney for the Estate of Sandra Pace, in order to effectuate the sale of the Property by the Estate to a market rate buyer free and clear of affordable housing restrictions. (R-14-033)

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

WHEREAS, Charles Meola owns the land and premises commonly known as 220 Watchung Avenue, Block 4504, Lot 12, on the tax maps of the Township of Montclair; and

WHEREAS, Charles Meola has been certified by the Veterans Administration as an honorably discharged veteran with a service-connected disability evaluated at 100%; and

WHEREAS, the subject property is a one-family residence that the said Charles Meola occupies entirely as his principal residence; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that pursuant to the provision of N.J.S.A. 54:4-3.30 et seq that the said Charles Meola be exempt from his 2013, 2014 taxes for the aforesaid property effective May 23, 2013 in the amount of \$12,029.95 and for as long as he owns and resides at said property and continues to have 100% disability; and

BE IT FURTHER RESOLVED that the Tax Collector of the Township of Montclair be and she is hereby authorized to cancel a total of \$12,029.95 taxes, and refund a total of \$12,029.95 2013, 2014 as identified above. (R-14-034)

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

WHEREAS, Jason Leisey owns the land and premises commonly known as 25 Stanford Pl., Block 4406, Lot 6, on the tax maps of the Township of Montclair; and

WHEREAS, Jason Leisey has been certified by the Veterans Administration as an honorably discharged veteran with a service-connected disability evaluated at 100%; and

WHEREAS, the subject property is a one-family residence that the said Jason Leisey occupies entirely as his principal residence; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that pursuant to the provision of N.J.S.A. 54:4-3.30 et seq that the said Jason Leisey be exempt from his 2014 taxes for the aforesaid property effective January 1, 2014 for as long as he owns and resides at said property and continues to have 100% disability; and

BE IT FURTHER RESOLVED that the Tax Collector of the Township of Montclair be and she is hereby authorized to cancel 2014 taxes, and refund the first quarter tax of \$5,287.38. (R-14-035)

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

WHEREAS, pursuant to N.J.S.A. 40A:12A-4(a), a municipal governing body has the power to cause a preliminary investigation to be made by the Planning Board pursuant to N.J.S.A. 40A-12A-5; and

WHEREAS, the Township Council desires to have a preliminary investigation made on certain lands and premises within the Township of Montclair to see if the area hereinafter set forth is in need of redevelopment; and

WHEREAS, the Township intends to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, on March 19, 2002, the Township Council of Montclair designated Block 3208, Lot 1, Block 3206, Lots 13, 14 & 15 and Block 3205, Lots 19.02, 21, 25, 26 and 27 on the tax maps of the Township of Montclair as an area in need of redevelopment; and

WHEREAS, a redevelopment plan for the properties so designated was never adopted by the Township and an investigation is required to determine if the properties previously designated as an area in need of redevelopment continue to meet the criteria; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, New Jersey does hereby, pursuant to N.J.S.A. 40A:12A-4, request and authorize the Planning Board of the Township of Montclair to undertake a preliminary investigation as to whether the following described properties can be classified as an area in need of redevelopment:

Block	Lot	Address
3105	1	370-372 Bloomfield Avenue
3105	2	Seymour Street
3105	9	396 Bloomfield Avenue
3106	10.01	5 Seymour Street
3106	13	5 Seymour Street
3106	17	5 Seymour Street
3208	1	161-167 Glenridge Avenue
3206	13	4 Lackawanna Plaza
3206	14	160 Glenridge Avenue
3206	15	North Willow Street
3205	19.02	8 North Willow Street
3205	21	8 North Willow Street
3205	25	182 Glenridge Avenue
3205	26	Glenridge Avenue
3205	27	202 Glenridge Avenue

BE IT FURTHER RESOLVED that the Planning Board of the Township of Montclair shall conduct the aforesaid investigation in accordance with the requirements of N.J.S.A. 40A:12A-6; and

BE IT FURTHER RESOLVED that the redevelopment area determination, if such a determination is made, shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain; and

BE IT FURTHER RESOLVED that in making its preliminary investigation, the Planning Board shall make its recommendations based upon a finding that the conditions as set forth in N.J.S.A. 40A:12A-5 are found to be present. (R-14-037)

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

WHEREAS, on February 12th, 2014, the Township opened and read bids for HVAC Replacement Municipal Building, as prescribed by law; and

WHEREAS, this contract is being awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, C. Dougherty & Co., Inc submitted the lowest, responsible bid according to the specifications, at a total price of \$285,000.00; and

WHEREAS, the monies for this project have been appropriated in the following Townships Capital Budget Account:

Account Description	Account Number	Amount
HVAC	C-04-03-041-000-352	\$4,850.02
HVAC	C-04-04-045-000-352	\$21,213.28
Public Buildings Improvements	C-04-08-044-000-101	\$123,516.30
Public Buildings Improvements	C-04-09-016-000-101	\$113,053.41

now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that C. Dougherty & Co., Inc of 7 Washington Ave, Paterson, New jersey, 07503 [Telephone: 973-742-8100] be and they are hereby awarded the above-stated contract, pending certification of funds by the Finance Director. Complete details of the contract are attached hereto and made a part hereof. (R-14-043)

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

WHEREAS, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2014 budget and no adequate provision has been made in the 2014 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the emergency temporary appropriations requested in the year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) will include the following:

Description	2014 temporary budget rescinded	requested	CURRENT FUND 2014 temporary budget adopted
Capital Improvement- Shade Tree	\$.00	\$100,000.00	\$ 100,000.00
Drive Sober or Get pulled over –super bowl	\$.00	\$4,000.00	\$ 4,000.00
Subtotal		\$104,000.00	\$104,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations are hereby increased in the amount of \$104,000.00 as per the schedule.
2. Said emergency temporary appropriations will be provided for in the 2014 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services. (R-14-044)

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

WHEREAS, on March 4, 2014 the Township Council adopted an ordinance appropriating monies for the acquisition of a new radio system for the Montclair Police Department, and

WHEREAS, N.J.S.A. 40:69A-181(b) provides that the governing body of a municipality may adopt a resolution declaring an emergency and providing for any duly-adopted ordinance to take effect less than twenty days after final passage; and

WHEREAS, the Township Council finds and declares that an emergency exists in light of the fact that immediate access of these funds will enable the Township to acquire the new radios which are necessary to insure uninterrupted communication among the members of the Police Department to increase public safety; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that pursuant to N.J.S.A. 40:69A-181(b), Ordinance 14_006 providing supplemental appropriation for the acquisition of a new radio system, adopted on March 4, 2014, shall take effect immediately upon adoption of this Resolution. (R-14-045)

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

WHEREAS, the Township of Montclair maintains a dedicated by rider Trust fund for Snow Removal payments;

WHEREAS, 2012 budget reserves may be transferred to create financial stability as identified below, to an existing dedication by rider trust fund account in the name of Snow Removal;

Salary & Wages Adjustment	222,000.00
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Total 222,000.00

WHEREAS, NJ Law permits the transferring of funds to build up reserves and to provide for future unanticipated expenditures; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that certain transfer of funds effective 12/31/13 as listed are hereby declared to be completed and shall be allocated to the Trust Fund as provided and allowed by law and determined by the Chief Financial Officer. (R-14-047)

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: \$1,671,374.80

REPORTS

Deputy Mayor Russo reported that he and Councilor Baskerville attended a recent meeting of the Essex County Municipal Exchange. Montclair will host the April 24 meeting with this group. He also participated in the "Read Across America" initiative. Deputy Mayor Russo offered congratulations to Brendan Gill as Grand Marshall of the Nutley St. Patrick's Parade.

Councilor Baskerville announced a Sister-to-Sister fundraiser at Montclair Public Library on March 16, 2014.

Councilor Hurlock thanked all who attended the sixth First Ward community meeting at the Bellevue Avenue Branch library. Several municipal staff members were on hand to answer questions. He announced the following:

Community Clean-up Day, April 12, 10:00 a.m – 2:00 p.m. Rain date –April 13, 2014

The Animal Advisory Committee will meet shortly.

Councilor Schlager extended good wishes to retiring Fire Chief Kevin Allen. She will announce a Second Ward Meeting shortly.

Councilor McMahon reported that between 5,000-6,000 people attended the WinterFest which proved most successful. He anticipates that this will become an annual event.

Councilor Baskerville announced that the Toni's Kitchen benefit has been rescheduled until March 31 at Halcyon Restaurant.

Mayor Jackson proudly announced that Montclair has two N.J.SI-AA State gold medal winners: Charlotte O'Leary (100 yard breast stroke) and Mark Sambolin (50 yard free style).

He also reported that the annual "Taste of Montclair" will be held on Monday, March 10. This event benefits several local non-profit organizations.

Councilor Baskerville announced a "Wear Red for Women's Heart" event at the United Way Building which will also take place on March 10, 2014.

Deputy Mayor Russo encouraged all to visit an exhibit on March 15, at Lackawanna Plaza featuring the work of Montclair "bone artist" Tia Jannah. He also wished a happy St. Patrick's Day to all.

Township Manager Marc Dashield reported the Township recently received 100 tons of salt. The municipality is also investigating other methods of addressing snow removal i.e. shared services.

He also stated that the Township has spent approximately \$500,000 on snow issues since December 13, 2013.

Mayor Jackson asked the Township Manager when credit card implementation would be put into effect at the Crescent Deck.

Township Attorney Ira Karasick reported that the federal court dismissed the law suit brought by the owner of an Undercliff Road property. He also noted that the property owner associated with the eminent domain case has filed opposition to that action. A report will be forthcoming on March 20, 2014.

There is no news regarding the disposition of the Social Security Building.

COMMUNICATIONS

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

From: NJDEP – No further Action Letter
115 Christopher Street
21 Brookfield Road
49 Clinton Avenue
148 Montclair Avenue
237 Upper Mountain Avenue
319 Claremont Avenue
369 Park Street
458 Valley Road
23 Park Terrace

Letter dated February 7, 2014 from Wolff & Samson re: Montclair Kensington Urban Renewal, LLC Redevelopment Agreement.

Letter dated February 5, 2014 from Kleinfelder re: Response Action Outcome for 572 Valley Road – Former Exxon Station #31062

At 9:48 P.M. on motion made by Mayor Jackson and duly seconded, the following resolution was adopted by unanimous vote:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, the public body is of the opinion that such circumstances presently exist,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matters to be discussed are as follows: **Police matters and Legal matters**
3. We do not anticipate that the matters discussed will be made public.
4. This resolution shall take effect immediately.

At 10:59 the Council reopened the Regular Meeting. They directed Township Attorney, Ira Karasick to write a letter to the owner of the Kensington property on the Council's decision to take no action at this time.

At 11:00 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