MONTCLAIR, NEW JERSEY

May 20, 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 a Regular meeting at 7:01 P.M.
Present: Mayor Jackson, Deputy Mayor Russo, Councilors Baskerville, Hurlock, McMahon, Schlager, and Spiller
Absent: None

STATEMENT OF SUNSHINE NOTICE
ROLL CALL

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On motion made by Mayor Jackson and duly seconded, the minutes of May 6 and May 13, 2014 were approved by unanimous vote.

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PROCLAMATION

Councilor McMahon presented this special recognition to the Tierney family for 80 years of business and community outreach.

Congratulating **Tierney's Tavern**
on its 80th Anniversary

WHEREAS The Tierney Family are the owners and operators of Tierney's Tavern, a Montclair landmark which has proudly served food and spirits and provided the community with a place to meet, eat, drink, talk, watch a game, listen to music and mark special occasions, particularly St. Patrick's Day; and

WHEREAS Edward R. Tierney and his 9 brothers and sisters began operating a restaurant more than 80 years ago in a location on Valley Road across the street from the present site at 136 Valley Road; and

WHEREAS Rumors persist that during prohibition the aforesaid location operated as a "speakeasy" behind a candy store; and

WHEREAS Prohibition ended in December 1933 and, shortly thereafter, Tierney's was issued a liquor license and opened legally in 1934; and

WHEREAS Edward's son Ned and his grandson Bill and the Tierney family are celebrating their 80th official year in business with the Tierney's Tavern Music Festival on Saturday, May 31st; and

WHEREAS The celebration, taking place between Noon and 1 A.M, will include beer and food trucks and feature free music with appearances by many of the performers who have graced the Tierney's stage over the years and will entertain on three stages, inside and out, rain or shine; and

WHEREAS In addition to being owner and operators, the Tierney family have been active and notable members of our community; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair, in the County of Essex, congratulate the Tierney Family on their 80th Anniversary, acknowledge the role they have played in the Montclair community and wish them the very best as they continue to provide the place "Where Friends Meet."

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Councilor Schlager presented the proclamation to local supporters of this initiative.

Make Music Montclair Day, 2014

WHEREAS, "Make Music" is an annual, one-day festival held on the first day of summer. Inspired by France's national musical holiday "Fete de la Musique" which began in 1982 and is now an international phenomenon that takes place on the Summer Solstice in more than 800 cities in 110 countries with music making in public spaces, all completely free for musicians and audiences alike celebrating the ability of everyone to make music; and

WHEREAS, Montclair will celebrate its first annual "Make Music" event on Saturday, June 21, 2014 as people of all ages, musical genres, and ability levels (from students and amateurs to professionals and marquee artists) gather throughout the day in locations such as Edgemont Park, the Farmer's Market at the Walnut Street Train Station, Watchung Plaza, the Montclair Public Library, on Church Street and in other locations to make music; and

WHEREAS, Montclair is part of a national group of "Make Music" cities that includes New York, Los Angeles, Chicago, Denver, and Philadelphia; and involves hundreds of musicians, bands, and ensembles from a diverse array of styles and genres, including everything from classical, jazz, and blues to folk, pop, rock, and world; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair, in the County of Essex, hereby proclaim June 21, 2014 to be

Make Music Montclair Day

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Presentation: Bike Walk Montclair:

Executive Director Noma Tassy and former Executive Director Laura Torchio, presented background on this community group. They announced that Montclair is one of only four municipalities nationally to win the silver-level "walkability" rating from the Pedestrian and Bicycle Information Center. They also noted that Montclair's Safe Routes to School program will be recognized with several New Jersey Department of Transportation gold awards.

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PUBLIC COMMENT

Sandy Sorkin, 3 Marquette Road, asked several questions regarding the bill list.

Jennifer Gelsi, 392 N. Fullerton Avenue, presented a petition (85 signatures) requesting the re-paving of N. Fullerton Avenue, between Watchung Avenue and Wildwood Avenue and the repair/replacement of curbs with Belgian block on the same stretch of road.

Maya Gelsi, Glenfield Middle School student, reiterated concerns regarding the condition of these thoroughfares. She stated that poor conditions contributed to unsafe roads for both students and autos to transverse.

Patrice Dial, stressed that this was a serious issue to residents in the area.

George Stafford, N.J. Highlands Coalition stated that the concept of the Highlands Act is to provide clean water to all. However, a proposed Master Plan may change that direction. He urged the Council to pass the following resolution:

RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

Whereas, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supply and other significant resources and

Whereas, the Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

Whereas, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

Whereas, (Montclair) is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that 9Montclair) relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED that the governing body of (Montclair) wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

Beverly Williamson, 77 Orange Road expressed concern regarding certain unhealthy conditions at her residence. She asked the Council for help with several problems.

Frank Rubacky, 398 Upper Mountain Avenue attended a recent meeting regarding the proposed Master Plan. He especially noted a number of permit parking spaces in the Upper Montclair Business District lots which he believes could best serve as short term parking for shoppers and visitors to the area.

Councilor McMahon invited Mr. Rubacky to attend the next meeting of the Traffic Parking Advisory Committee to share his concerns.

A resident believes the issue of a proposed well at Nishuane Park is misguided.

William Scott, 23 Cedar Avenue, asked if a consultant firm had formulated the questions and answers discussed at the Nishuane Well hearings. He also asked for the process going forward including answers to his questions regarding this matter.

DISCUSSION: Budget Amendment

Marc Dashield, Township Manager explained the summary of the proposed budget amendment.

The Resolution to amend 2014 Budget was adopted by unanimous vote:

WHEREAS, the Local Municipal Budget for the year 2014 was approved on the 18th day of March, 2014; 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 2014 be made for a total of:

	FROM	TO
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	$53,343,888.01	53,442,985.01

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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 regular meeting of the Township Council to be held on June 17, 2014:

"BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $445,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $445,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF" **(O-14-19)**

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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 regular meeting of the Township Council to be held on June 17, 2014:

"BOND ORDINANCE PROVIDING FOR VARIOUS WATER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $1,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,282,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. **(O-14-20)**

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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 regular meeting of the Township Council to be held on June 17, 2014:

"ORDINANCE AUTHORIZING THE CONVEYANCE OF RECORD TITLE TO PROPERTY LOCATED AT 20 MISSION STREET, MONTCLAIR, KNOWN AS BLOCK 4107 LOT 26" **(O-14-21)**

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NEW BUSINESS – RESOLUTIONS

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

WHEREAS, the Township of Montclair received a Certified Local Government grant from the New Jersey Department of Environmental Protection/State Historic Preservation Office (SHPO) in the amount of $23,500 to prepare historic preservation design guidelines; and

WHEREAS, the Township of Montclair wishes to engage a professional historic preservation firm to complete the project pursuant to the Scope of Work approved by SHPO; and

WHEREAS, N.J.S.A. 40A: 11-5 of the Local Public Contracts Law permits a municipality to enter into contracts for professional services without competitive bidding; and

WHEREAS, the Township issued a Request for Proposals (RFP) to provide the required professional historic preservation services and, in response to the RFP, the Township received four proposals; and

WHEREAS, the Township Department of Planning and Community Development, after review of the proposals and consultation with the State Historic Preservation Office, recommended the Township retain Thomason and Associates because the firm has the staff and experience necessary to complete the scope of services within the designated timeframe and budget; and

WHEREAS the cost proposal for the project provided by Thomason & Associates is not to exceed $22,976, which is within the established budget; and

WHEREAS, this contract is being awarded in accordance with the requirements of the New Jersey "Pay-to-Play" Law, N.J.S.A 19:44a-20.5 et seq.; and

WHEREAS, Thomason & Associates has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to any political or candidate committee in the Township

of Montclair in the previous one year period, and the subject contract will prohibit said corporation from making any reportable contributions during the term of this contract; now therefore,

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Mayor and Township Clerk be and are hereby authorized to execute and attest a contract with Thomason & Associates to provide historic preservation services in connection with the preparation of a historic preservation design guidelines for Montclair Township, as specified in the scope of services and the grant agreement with SHPO, at a cost not to exceed $22,976, and in a form approved by the Township Attorney; and

BE IT FURTHER RESOLVED that this Resolution is contingent on certification by the Chief Financial Officer of the availability of funds; and

BE IT FURTHER RESOLVED that the Township Clerk shall publish a notice in the Montclair Times stating the nature, duration, service and amount of the Contract and that copies of this resolution and the Contract are on file and available for inspection in the Office of the Township Clerk. **(R-14-074)**

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

WHEREAS, on October 8, 2002 the Township of Montclair adopted a Developer's Fee Ordinance (Montclair Code Section 202-39 et seq.) which was approved by the Council on Affordable Housing on December 11, 2002 and as amended on June 16, 2009; and

WHEREAS, Montclair Township adopted a Spending Plan on October 8, 2002 with amendments on August 6, 2004 and February 23, 2012, which was approved by the Council on Affordable Housing on May 3, 2012 in accordance with the New Jersey regulations; and

WHEREAS, pursuant to the Third Round Substantive Rules, N.J.A.C. 5:97-8.8, a municipality is required to use at least one-third of its housing trust funds collected under the developer fee ordinance to provide affordability assistance to low and moderate income households in affordable units included in the Township's Housing Element and Fair Share Plan; and

WHEREAS, COAH permits various methods of affordability assistance, including down payment assistance, closing cost and security deposit assistance, and assistance with homeowner association and condominium fees; and

WHEREAS, in 2012, the Township of Montclair purchased and renovated a two-bedroom dwelling unit (Unit 317) located at 50 Pine Street and offered the property for sale to a moderate-income household on the Township's waiting list; and

WHEREAS, 50 Pine Street, Unit 317 is included in the Township's 2009 Addendum to its 2008 Housing Element and Fair Share Plan; and

WHEREAS, Danielle Dunham, the contract-purchaser of the property, requests $2,500 of funding in order to purchase the property; and

WHEREAS, a Deed restriction will be recorded to ensure that the property continues to be used as moderate-income housing in accordance with State regulations;

WHEREAS,repayment of the subsidy will be required in full if the buyer sells the property within five years; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the council hereby authorizes the disbursement of $2,500 from the Montclair Housing Trust Fund to be applied to the purchase of the property commonly known as 50 Pine Street, Unit 317 and the Chief Financial Officer is hereby authorized to release said funds in accordance with an agreement to be approved by the Township Manager and the Township Attorney which shall provide, among other things, that the funds disbursed pursuant to this Resolution shall be immediately repaid to the Township upon the sale, transfer or other conveyance of the property or if the property ceases to be used as a low-income housing unit in accordance with State regulations. **(R-14-075)**

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

WHEREAS, on October 23, 2012, the Township purchased certain real property located at 50 Pine Street, Unit 3-17, in the Township of Montclair, County of Essex, State of New Jersey for the maximum restricted price set by NJ Housing and Mortgage Finance Agency regulations of $116,855.00; and

WHEREAS, the governing body found it was in the best interests of the citizens of Montclair to purchase said unit with the intention of placing permanent affordability controls on the unit and reselling it to an eligible family;

WHEREAS, Danielle Dunham is an eligible Buyer and entered into a Contract on May 9, 2014, to purchase the above unit for $118,421.00; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, that the Township Manager is hereby authorized to effectuate the sale of real property known as 50 Pine Street, Unit 3-17, located in the Township of Montclair, County of Essex, State of New Jersey to Danielle Dunham. **(R-14-076)**

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

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An amount not to exceed $15,000,000 Parking Utility Refunding Bonds of the Township of Montclair, in the County of Essex, New Jersey (the "Township"), consisting of (i) Parking Utility Refunding Bonds, Series A (the "Series A Refunding Bonds"), and (ii) Parking Utility Refunding Bonds, Series B (Federally Taxable) (the "Series B Refunding Bonds" and, together with the Series A Refunding Bonds, the "Bonds") (the specific par amounts of each series to be determined as provided herein) and as more fully described in a refunding bond ordinance, finally adopted by the Township pursuant to the Local Bond Law on May 28, 2013, and 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" shall be issued in one or more series as "Parking Utility Refunding Bonds" with further designation to reflect the series designation and tax status of such bonds.

Section 2. The Bonds are hereby authorized to be sold to Powell Capital Markets, Inc. (the "Underwriter") at a purchase price determined by the parameters set forth below and otherwise consistent with the parameters set by the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board") pursuant to N.J.A.C. 5:30-2.5 (the "LFB Refunding Parameters"):

(a) the aggregate principal amount of the Bonds does not exceed $15,000,000;

(b) the net present value savings is at least three percent for each of the Refunded Bonds (as defined herein);

(c) the debt service on the Bonds shall be structured such that no annual debt service payment is more than the annual debt service payment on the Refunded Bonds (as defined herein) in the same year;

(d) the final year of maturity of the Bonds does not exceed the final year of maturity of the Refunded Bonds;

the debt service savings are substantially level in each year across the life of the refunding;

(e) the True Interest Cost of the Bonds does not exceed an interest rate that would enable the Township to complete the refunding within the LFB Refunding Parameters;

(f) the Underwriter's discount does not exceed the amount referenced in Exhibit A attached hereto.

Section 3. The Chief Financial Officer is hereby authorized and directed, without further authorization, to enter into and execute a purchase contract (the "Purchase Contract") on behalf of the Township with the Underwriter in the form satisfactory to bond counsel to the Township and upon terms consistent with the above parameters. Upon execution of the Purchase Contract, the signature of the Mayor and/or the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Underwriter, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Township Council.

Section 4. (a) The Bonds shall be issued in the par amounts consistent with the parameters set forth in Section 2 hereof and determined by the Chief Financial Officer to be necessary to pay costs of issuance and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the principal and redemption premium, if any, of and interest on the following:

(i) all or a portion of the $12,145,000 outstanding principal amount of Parking Utility Bonds, Series A, dated May 15, 2006, originally issued in the aggregate principal amount of $14,555,000, which outstanding principal amount matures on January 1 in each of the years 2017 through 2037, inclusive (the "Parking Utility Refunded Bonds"); and

(ii) all or a portion of the $1,640,000 outstanding principal amount of Parking Utility Bonds, Series B (Federally Taxable), dated May 15, 2006, originally issued in the aggregate principal amount of $1,890,000, which outstanding principal amount matures on January 1 in each of the years 2017 through 2037, inclusive (the "Taxable Parking Utility Refunded Bonds" and, together with the Parking Utility Refunded Bonds, the "Refunded Bonds").

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Township as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2015 to 2037, inclusive, or such other years deemed consistent with the LFB Refunding Parameters and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds shall have redemption provisions as are set forth in the Purchase Contract.(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of each series of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & CO., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of $5,000 or any integral multiple thereof through book-entries made on the books and the records of the Securities Depository and its participants except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of $5,000 will be in the denominations of $1,000 or any integral multiple thereof.

(g) The principal of and the interest due on the Bonds will be paid to the Securities Depository by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of the 15th day next preceding each maturity date (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal of the Township (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk.

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds: **(R-14-077)**

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

WHEREAS, the Township of Montclair has received a proposed budget for the year 2014 from the Montclair Center Corporation, the district management corporation responsible for the management and operation of the Montclair Center Special Improvement District; and

WHEREAS, N.J.S.A. 40:56-84 and Montclair Code Section 293-3 provide that said budget be introduced and approved by the governing body and that the budget thereafter be advertised and a public hearing held with regard to same, prior to adoption; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the 2014 Budget received from the Montclair Center Corporation is hereby introduced and approved subject to final adoption in accordance with law upon the holding of a public hearing to take place at 7:00 P.M. on June 17, 2014; and

BE IT FURTHER RESOLVED that the Township Clerk shall publish a copy of the approved budget in the Montclair Times no later than May 29, 2014 and said publication shall include the date, time and place for the public hearing as set forth above. **(R-14-078)**

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

WHEREAS, the North Jersey District Water Supply Commission (the "*Commission*") is a public body corporate and politic of the State of New Jersey (the "*State*"), organized and existing under and by virtue of the laws of the State and, in particular, N.J.S.A. 58:5-1 *et seq.*, as amended and supplemented (the "*Act*"), for the purpose, among other things, of providing local government water supplies; and

WHEREAS, the Township of Montclair (the "*Local Unit*"), a municipal corporation of the State located in the County of Essex, and the Commission have previously entered into that certain "Contract" dated as of October 31, 1918, as amended by "Contracts" dated January 24, 1924; March 24, 1925; June 4, 1925; June 11, 1925; June 25, 1925; June 25, 1925; August 4, 1925; May 25, 1926; December 26, 1940; and December 8, 1950, by and among the City of Newark, the City of Passaic, the City of Paterson, the City of Clifton, the Township of Montclair, the Borough of Glen Ridge, the Township of Bloomfield, the Town of Kearny and the Passaic Valley Water Commission (including the Local Unit, each a "*Contracting Local Unit*"), as the same may be amended or supplemented in accordance with its terms (collectively, the "*Service Contract*"); and

WHEREAS, the Service Contract sets forth the terms and conditions of the relationship between the Local Unit, the other Contracting Local Units and the Commission in connection with the Commission's "Wanaque North Project" (as defined in the hereinafter defined General Bond Resolution, as amended); and

WHEREAS, pursuant to and in accordance with the provision of the Act and other applicable law, the Commission adopted that certain bond resolution entitled "General Bond Resolution of the North Jersey District Water Supply Commission Securing One or More Series of Wanaque North Project Revenue Bonds" on January 22, 1988 (the "*General Bond Resolution*") providing for, among other things, the issuance pursuant to one or more supplemental resolutions (each a "*Supplemental Resolution*") of one or more series of Bonded Indebtedness (as defined in the General Bond Resolution, as amended), including specifically Refunding Bonds and Additional Bonds (both terms as defined in the General Bond Resolution, as amended), which may be issued by the Commission in order to finance and refinance the Commission's share of the costs of the acquisition, construction and improvement of the Wanaque North Project; and

WHEREAS, payment of the principal of (including mandatory sinking fund installments, if any) and interest on such Bonded Indebtedness (including Additional Bonds and Refunding Bonds) is primarily secured by the Revenues (as defined in the General Bond Resolution) in accordance with the terms of the Act and the General Bond Resolution, as amended; and

WHEREAS, on February 18, 1988, pursuant to the provisions of the General Bond Resolution and a certain "First Supplemental Bond Resolution" adopted by the Commission on January 22, 1988 (the "*First Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bonds, Refunding Series 1988-A" in the original aggregate principal amount of $22,280,000 (the "*1988 Bonds*"); and

WHEREAS, the proceeds of the 1988 Bonds were used (i) to refund prior bonds issued by the Commission to finance the costs of acquisition, design and construction of the Commission's 100 million gallons per day water treatment and filtration plant situated at the Wanaque Reservoir, as such facility was originally configured, and (ii) to finance the costs incurred in connection with the authorization, issuance and delivery of the 1988 Bonds; and

WHEREAS, on August 8, 1989, pursuant to the provisions of the General Bond Resolution, as amended, and a certain "Second Supplemental Bond Resolution" adopted by the Commission on July 13, 1989 (the "*Second Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bonds, Series 1989-A" in the original aggregate principal amount of $16,054,348 (the "*1989-A Bonds*"); and

WHEREAS, the proceeds of the 1989-A Bonds were used (i) to finance a portion of the costs of the Wanaque North Project (the "*1989-A Project*"), including a ratable share of the costs of designing, acquiring and constructing facilities, machinery and equipment to be utilized in the disposal of sludge in connection with the Wanaque North Project, (ii) to pay the State certain drought-related expenses assessed against the Commission, (iii) to finance the costs incurred in connection with the authorization, issuance and delivery of the 1989-A Bonds, and (iv) to finance capitalized interest and reserves with respect to the 1989-A Bonds; and

WHEREAS, on December 18, 1991, pursuant to the provisions of the General Bond Resolution, as amended, and a certain "Third Supplemental Bond Resolution" adopted by the Commission on November 22, 1991 (the "*Third Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bonds, Series 1991-A" in the original aggregate principal amount of $6,275,000 (the "*1991-A Bonds*") and its "Wanaque North Project Revenue Refunding Bonds, Series 1991-B" in the original aggregate principal amount of $22,605,000 (the "*1991-B Bonds*", and together with the 1991-A Bonds, the "*1991 Bonds*"); and

WHEREAS, the proceeds of the 1991-A Bonds were used (i) to finance payment of the costs of additional improvements to the Wanaque North Project water supply facilities, (ii) for payment of an allocable share of the costs of the Commission's sludge processing facility (collectively, the "*1991-A Project*"), (iii) for payment of the costs incurred in connection with the authorization, issuance and delivery of the 1991-A Bonds, and (iv) for payment of capitalized interest and reserves with respect to the 1991-A Bonds; and

WHEREAS, the proceeds of the 1991-B Bonds were used to (i) advance refund a portion of the Commission's outstanding 1988 Bonds, and (ii) finance the costs incurred in connection with the authorization, issuance and delivery of the 1991-B Bonds; and

WHEREAS, on July 31, 1997, pursuant to the provisions of the General Bond Resolution, as amended, and a certain "Fourth Supplemental Bond Resolution" adopted by the Commission on January 17, 1997 (the "*Fourth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Refunding Bonds, Series 1997" in the original aggregate principal amount of $19,125,000 (the "*1997 Bonds*"); and

WHEREAS, the proceeds of the 1997 Bonds were used to (i) advance refund a portion of the Commission's outstanding 1989-A and 1991-A Bonds, and (ii) finance the costs incurred in connection with the authorization, issuance and delivery of the 1997 Bonds; and

WHEREAS, on November 4, 1999, pursuant to the provisions of the General Bond Resolution, as amended, a certain Fifth Supplemental Bond Resolution adopted on July 16, 1999 (the "*Fifth Supplemental Bond Resolution*"), a certain Sixth Supplemental Bond Resolution adopted on August 20, 1999 (the "*Sixth Supplemental Bond Resolution*"), and a certain Seventh Supplemental Bond Resolution adopted on August 20, 1999 (the "*Seventh Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bond, 1999 Series 1" in the original aggregate principal amount of $849,712.70 (the "*1999 Series-1 Bonds*") and its "Wanaque North Project Revenue Bond, 1999 Series 2" in the original aggregate principal amount of $841,153 (the "*1999 Series-2 Bonds*"; and together with the 1999 Series-1 Bonds, the "*1999 Bonds*"); and

WHEREAS, the proceeds of the 1999 Bonds were used to finance (i) a portion of the costs of improving, reconstructing and renovating certain existing water supply facilities of the Commission, and (ii) the costs incurred in connection with the authorization, issuance and delivery of the 1999 Bonds; and

WHEREAS, on November 9, 2000, pursuant to the provision of the General Bond Resolution, as amended, a certain Eighth Supplemental Bond Resolution adopted on August 18, 2000 (the "*Eighth Supplemental Bond Resolution*"), and a certain Ninth Supplemental Bond Resolution adopted on August 18, 2000 (the "*Ninth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bond, 2000 Series 1" in the original aggregate principal amount of $434,894 (the "*2000 Series-1 Bonds*") and its "Wanaque North Project Revenue Bond, 2000 Series 2" in the original aggregate principal amount of $437,500 (the "*2000 Series-2 Bonds*"; and together with the 2000 Series-1 Bonds, the "*2000 Bonds*"); and

WHEREAS, on April 3, 2003, pursuant to the provision of the General Bond Resolution, as amended, and a certain Tenth Supplemental Bond resolution, adopted on April 19, 2002 (the "*Tenth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Refunding Bonds, Series 2003" in the original aggregate principal amount of $18,615,000 (the "*2003 Bonds*");

WHEREAS, the proceeds of the 2003 Bonds were used (i) to refund all of the Commission's outstanding 1991-B Bonds, and (ii) for payment of the costs incurred in connection with the authorization, issuance and delivery of the 2003 Bonds; and

WHEREAS, on November 6, 2003, pursuant to the provision of the General Bond Resolution, as amended, a certain Eleventh Supplemental Bond Resolution adopted on July 18, 2003 (the "*Eleventh Supplemental Bond Resolution*"), a certain Twelfth Supplemental Bond Resolution adopted on July 18, 2003 (the "*Twelfth Supplemental Bond Resolution*") and a certain Thirteenth Supplemental Bond Resolution adopted on July 18, 2003 (the "*Thirteenth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bond, 2003 Series 1" (the "*2003 Series-1 Bonds*") and its "Wanaque North Project Revenue Bond, 2003 Series 2" (the "*2003 Series-2 Bonds*"; and together with the 2003 Series-1 Bonds, the "*2003 EIT Bonds*"); and

WHEREAS, on November 9, 2006, pursuant to the provision of the General Bond Resolution, as amended, the Thirteenth Supplemental Bond Resolution and a certain Fourteenth Supplemental Bond Resolution adopted on July 26, 2003 (the "*Fourteenth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Bond, 2006 Series 1" (the "*2006 Series-1 Bonds*") and its "Wanaque North Project Revenue Bond, 2006 Series 2" (the "*2006 Series-2 Bonds*"; and together with the 2006 Series-1 Bonds, the "*2006 EIT Bonds*"); and

WHEREAS, on July 23, 2009, pursuant to the provision of the General Bond Resolution, as amended, and a certain Fifteenth Supplemental Bond Resolution, adopted on December 19, 2007 (the "*Fifteenth Supplemental Bond Resolution*"), the Commission issued its "Wanaque North Project Revenue Refunding Bonds, Series 2009" in the original aggregate principal amount of $14,460,000 (the "*2009 Bonds*", and together with the 1988 Bonds, the 1989-A Bonds, the 1991 Bonds, the 1997 Bonds, the 1999 Bonds, the 2000 Bonds, the 2003 Bonds, the 2003 EIT Bonds and the 2006 EIT Bonds, the "*Prior Bonds*"); and

WHEREAS, the proceeds of the 2009 Bonds were used (i) to refund all of the Commission's outstanding 1997 Bonds, and (ii) for payment of the costs incurred in connection with the authorization, issuance and delivery of the 2009 Bonds; and

WHEREAS, under current market conditions, there may exist an opportunity for the Commission to currently refund all or a portion of the outstanding 2003 Bonds to be so designated in the hereinafter defined Defeasance Escrow Agreement (the "*Prior Bonds to be Refunded*") to achieve a net present value savings in excess of 2.0% of the Prior Bonds to be Refunded (the "*Refunding Project*") through the issuance of Refunding Bonds issued by the Commission and sold to the public (the "*Refunding Bonds*"); and

WHEREAS, the Commission has identified certain capital projects that need to be undertaken in connection with the Wanaque North Project that may be financed through a combination of (i) the issuance of one or more series of bonds by the Commission and sold to the public (collectively, the "*Commission New Money Bonds*") through either a competitive or negotiated sale as determined in the best interest of the Commission in consultation with its hereinafter defined Consultants and (ii) the issuance of bonds by the Commission (the "*Commission NJEIT Bonds*" and together with the Refunding Bonds and the Commission New Money Bonds, the "*Bonds*") and sold to the New Jersey Environmental Infrastructure Trust ("*NJEIT*") and the State through the NJEIT Financing Program, together with any other projects as authorized under documents authorizing the Commission New Money Bonds (collectively, the "*New Money Project*" and together with the Refunding Project, the "*Projects*");

WHEREAS, a portion of the Projects may be financed in an aggregate amount not to exceed, together with the Wanaque South Project, $95,000,000, through any combination of the Refunding Bonds, Commission New Money Bonds, and Commission NJEIT Bonds as determined by the Commission to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, the Refunding Bonds and the Commission New Money Bonds shall be collectively referred to as the "Public Bonds";

WHEREAS, pursuant to the provisions of the General Bond Resolution, as amended, and supplemental resolutions to be adopted in connection with each of the Refunding Bonds, the Commission New Money Bonds and the Commission EIT Bonds to be designated as (i) the "Sixteenth Supplemental Bond Resolution", (ii) "Seventeenth Supplemental Bond Resolution", (iii) "Eighteenth Supplemental Bond Resolution" and (iv) "Nineteenth Supplemental Resolution" each to be adopted by the Commission prior to the issuance of the respective series of Bonds (as the same are to be further amended upon issuance of each series of the Bonds by the Executive Director's Certificate pursuant to Section 2.6 thereof, each a "*Supplemental Bond Resolution*" and collectively, the "*Supplemental Bond Resolutions*", and together with the General Bond Resolution, the First Supplemental Bond Resolution, the Second Supplemental Bond Resolution, the Third Supplemental Bond Resolution, the Fourth Supplemental Bond Resolution, the Fifth Supplemental Bond Resolution, the Sixth Supplemental Bond Resolution, the Seventh Supplemental Bond Resolution, the Eighth Supplemental Bond Resolution, the Ninth Supplemental Bond Resolution, the Tenth Supplemental Bond Resolution, the Eleventh Supplemental Bond Resolution, the Twelfth Supplemental Bond Resolution, the Thirteenth Supplemental Bond Resolution, the Fourteenth Supplemental Bond Resolution and the Fifteenth Supplemental Bond Resolution as the same may be further amended and supplemented from time to time in accordance with its terms, the "*Bond Resolution*"), the Commission will issue, as Additional Bonds and Refunding Bonds pursuant to the provisions of Section 2.3 and 2.4 of the General Bond Resolution, as amended, as Bonds in the aggregate principal amount which shall not exceed, together with any bonds issued for the Wanaque South Project, $95,000,000;

WHEREAS, the Commission, in consultation with its Consultants, shall determine when each of the Refunding Bonds, the Commission New Money Bonds and the Commission EIT Bonds shall be issued, which Bonds may be issued simultaneously, separately or in any such order as the Commission and its Consultants determine to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, each series of the Bonds shall be secured by a pledge of the Revenues and such other collateral as is provided for in the Bond Resolution;

WHEREAS, each series of Bonds shall be issued in such amounts (provided, that the aggregate principal amount of Bonds does not exceed $95,000,000), subject to redemption (optional, mandatory, special, extraordinary or otherwise) and contain such other financial terms as the Commission, in consultation with the Consultants, determines to be in the best interests of the Commission and the Contracting Local Units;

WHEREAS, the proceeds of the respective series of Bonds will be used to either (i) (a) currently refund the Prior Bonds to be Refunded, or (b) fund certain capital projects that need to be undertaken in connection with the Wanaque North Project, (ii) finance the costs incurred in connection with the authorization, issuance and delivery of the respective series of the Bonds, including without limitation, a bond insurance premium (if any) relating to the Bonds and (iii) fund a debt service reserve fund, if necessary;

WHEREAS, the Commission intends to establish an escrow account (the "*Escrow Account*") in accordance with the terms of a "Defeasance Escrow Agreement, Wanaque North Project Revenue Bonds, Series ____" to be dated as of the first day of the month of issuance of the Refunding Bonds (as the same may be amended and supplemented from time to time in accordance with its terms, the "*Defeasance Escrow Agreement*") between the Commission and a to be designated trustee, as trustee (the "*Trustee*") and as escrow agent (the "*Escrow Agent*"), and the Refunding Project shall be completed by funding the Escrow Account, in whole or in part, with a portion of the proceeds of the Refunding Bonds in an amount, together with interest earned thereon, to be sufficient to pay the principal of, redemption premium and interest on the Prior Bonds to be Refunded through and including the redemption dates of such Prior Bonds to be Refunded;

WHEREAS, pursuant to and in accordance with the provisions of the Act, prior to the issuance of each series of the Bonds, the Commission shall cause to be filed with the Clerks of each Wanaque North Project Contracting Municipalities (as defined in the General Bond Resolution), including the Local Unit, copies of the General Bond Resolution and the respective Supplemental Bond Resolutions and notice of a public comment to be held by the Commission regarding the issuance of the respective series of Bonds;

WHEREAS, pursuant to the terms of the Supplemental Bond Resolutions, the Commission and the Trustee will enter into one or more disclosure agreements entitled, "Commission Continuing Disclosure Agreement, Wanaque North Project Revenue [Refunding] Bonds, Series ____" to be dated as of the first day of the month of issuance of the respective series of Bonds (each a "Commission Continuing Disclosure Agreement") in order to satisfy certain of the secondary market disclosure requirement of Rule 15c2-12 ("Rule 15c2-12") promulgated by the Securities and Exchange Commission (the "SEC") pursuant to the Securities Exchange Act of 1934, as amended (the "Securities Exchange Act");

WHEREAS, if it is determined that the Local Unit is a materially obligated person within the meaning and for the purposes of Rule 15c2-12 in connection with the issuance of any series of the Bonds, the Local Unit, the Commission and the Trustee must each enter into one or more "Local Unit Continuing Disclosure Agreement, Wanaque South Project Revenue [Refunding] Bonds, Series ____" each to be dated as of the first day of the month of issuance of the respective series of the Bonds (each a "Local Unit Continuing Disclosure Agreement" and together with the Commission Continuing Disclosure Agreement, the "Continuing Disclosure Agreements");

WHEREAS, in connection with the Commission EIT Bonds, the Commission shall enter into loan agreements with the EIT (the "Trust Loan Agreement") and the State (the "Fund Loan Agreement" and together with the Trust Loan Agreement, the "Loan Agreements") evidencing their rights and obligations under the Commission EIT Bonds;

WHEREAS, a portion of the Bonds may be sold pursuant to the terms of one or more bond purchase agreements (each a "Bond Purchase Agreement" and collectively, the "Bond Purchase Agreements") between the Commission and one or more underwriters to be selected by the Commission through a fair and open process (each an "Underwriter"), the financial terms of which shall be inserted by the authorized officer of the Commission pursuant to the authority delegated in the respective Supplemental Bond Resolutions;

WHEREAS, in order to market the Bonds, each Underwriter will require the Commission to execute and deliver a "Preliminary Official Statement" and a final "Official Statement" in connection with each series of Bonds, all in accordance with the requirements of the Bond Purchase Agreements and applicable state and federal securities law; and

WHEREAS, among the terms of the Bond Purchase Agreements is the requirement that the Commission execute a tax certificate (the Tax Certificate") prior to or contemporaneously with the issuance of each series of the Bonds to enable bond counsel to the Commission to render its opinion that the interest on the Bonds will be excludable from the gross income of the owners thereof for federal income tax purposes; now therefore

BE IT RESOLVED by the Local Unit as follows:

Section 1. In accordance with Section 13 of the Service Contract, the Local Unit hereby consents to the undertaking of the Projects and the issuance of the Bonds in an amount which, together with the bonds issued for the Wanaque South Project, shall not exceed $95,000,000, such number being in excess of the $20,350,000 aggregate amount of Bonded Indebtedness ceiling set forth in Section 13 of the Service Contract to finance certain capital projects and achieve the net savings to be generated by the Refunding.

Section 2. The Mayor, the Chief Financial Officer and the Clerk of the Local Unit (collectively, the "*Authorized Officer*") are hereby each severally authorized and directed to execute and deliver each Local Unit Continuing Disclosure Agreement in substantially the form attached as Exhibit A hereto, with such changes thereto as the Authorized Officer, after consultation with counsel to the Local Unit, bond counsel to the Commission, general counsel to the Commission and other professional advisors to the Commission (the "*Consultants*"), deems in his or her sole discretion to be necessary, convenient or desirable to consummate the transactions contemplated hereby, which execution thereof shall constitute conclusive evidence of the Authorized Officer's approval of the form thereof.

Section 3. The Clerk of the Local Unit (the "*Clerk*") is hereby authorized and directed, upon the execution of each Local Unit Continuing Disclosure Agreement in accordance with the terms of Section 2 hereof, to attest to the Authorized Officer's execution of such documents, and is hereby further authorized and directed to affix thereupon the corporate seal of the Local Unit.

Section 4. Upon the execution and attestation of and, if required, the placing of the seal upon each Local Unit Continuing Disclosure Agreement as contemplated by Sections 2 and 3 hereof, the Authorized Officer is hereby authorized and directed (a) to deliver the fully executed, attested and sealed document to the other parties thereto and (b) to perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The Local Unit hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the Local Unit (a) to be contained in each Preliminary Official Statement and final Official Statement to be issued by the Commission in connection with the marketing of the Bonds and/or (b) to be used by any rating agency ("*Rating Agency*") providing a rating on the Bonds or by any bond insurer ("*Bond Insurer*") insuring the Bonds. In furtherance of such authorization, the Local Unit hereby directs the Authorized Officer to take such action as the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with the preparation and distribution of such information (i) for inclusion in each Preliminary Official Statement and each final Official Statement and/or (ii) to any such Rating Agency or Bond Insurer.

Section 6. The Local Unit hereby authorizes the performance of any act and the execution or acknowledgement and delivery of any other document, instrument or closing certificate that the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient to undertake the Projects and achieve the net savings to be generated by the Refunding, and the Local Unit hereby directs the Authorized Officer to execute or acknowledge, and to cause the Clerk to attest and affix the seal, where required, upon, any such document, instrument or closing certificate or to execute any certificate, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the Local Unit in connection with the preparation and distribution of (i) the Preliminary Official Statement is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) the Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that each Local Unit Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the Local Unit or relating to the Local Unit, each Local Unit Continuing Disclosure Agreement or the transactions contemplated thereby in connection with the preparation and distribution of each Preliminary Official Statement and Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, (d) a determination that all legislative actions taken by the Local Unit in connection with the Refunding, including without limitation the authorization of the Service Contract, as of the date of issuance of the Bonds, have not been altered, amended, supplemented or repealed and as such, are in full force and effect, (e) a tax certificate in such form as prepared by Bond Counsel to the Commission to be relied upon by the Commission in providing its Tax Certificate and Bond Counsel in rendering its opinion regarding the tax exempt status of the Bonds, and (f) any representations, warranties or covenants required by any Bond Insurer and/or Rating Agency deemed necessary by counsel to the Commission for the issuance of the Bonds.

Section 7. The Bonds of each series shall be designated by the year of the issuance of such Bonds.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Clerk of the Local Unit shall forward certified copies of this resolution to the Authorized Officer, to _____, bond counsel to the Local Unit, to Todd R. Caliguire, Executive Director of the Commission and to Derek Orth, Esq., of Inglesino, Wyciskala & Taylor, LLP, general counsel to the Commission. **(R-14-079)**

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On motion made by Councilor Schlager and duly seconded, the following resolutions were 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: **$1,070,465.93**

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REPORTS

Councilor Spiller thanked all those who attended a meeting regarding the paving of Afterglow Way. He also recently attended a NEA retirement dinner and a Jazz House Kidd event.

Monday, June 2, 1-3 p.m. – Senior Mobility Workshop sponsored by the Department of Transportation
June 3rd and every Tuesday, 1-7 p.m. – Farmer's Market 2.0 on South Park Street

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Councilor Baskerville thanked all who participated in the South End Business District's Beautification project and all those who provided goods and services to assist the volunteers.

June 1, 1:00 pm., Beautification effort at Pine Street and Bay areas; also flower planting event at Crane Park
June 7, Annual African American Parade and Festival

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Councilor Hurlock invited everyone to attend the next First Ward meeting on Thursday, June 5th from 7:30 p.m. – 9:00 p.m. at the Bellevue Avenue Branch library.

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Councilor Schlager announced:

June 2, 2014 – 7:00 p.m . - Follow-up on the Watchung Business District at Scott Pollack's office in Watchung Plaza.

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Councilor McMahon announced:

May 26, 10:00 a.m. - Annual Memorial Day celebration
May 31st, 12:00 noon to 1:00 a.m. - Tierney's anniversary celebration

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Deputy Mayor Russo congratulated all newly elected Newark officials. He encouraged all to visit, shop and dine in Newark and Asbury Park. He also congratulated David Deutsch as the newly elected president of the Board of Education.

Once again he urged everyone to view "Brothers on the Line" a film recently featured at the Montclair Film Festival.

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Councilor Schlager and fellow Council members wished Councilor McMahon well in his upcoming role as "father of the bride."

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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
125 Midland Avenue
124 Midland Avenue
87 Lorraine Avenue
64 Grandview Place
18 Warfield Street

Letter dated 5/7/2014 from DOT – Montclair has been selected to receive funding from the NJDOT Fiscal year 2014 Municipal Aid Program for Park Street (Section 1) in the amount of $256,000.00

Letter from Board of Chosen Freeholders regarding Ordinance No: R-2014-0004 authority for Ordinance N.J.S.A. 40A:41A-38(G) – ORDINANCE NAMING THE BASKETBALL COURTS AT ESSEX COUNTY GLENFIELD PARK IN MONTCLAIR AS THE "ESSEX COUNTY ROBERT HURT BASKETBALL COURTS" IN HONOR OF THE BELOVED BASKETBALL COACH AND MONTCLAIR RESIDENT.

Contract dated May 8, 2014 between All Surface Asphalt Paving, Inc. and the Township of Montclair.
Contract dated April 16, 2014 between Cifelli & Son General Construction, Inc. and the Township of Montclair re: Glenridge Avenue Section 2.

Petitions received - May 20, 2014 council meeting re: Re-Pave North Fullerton Avenue between Watchung Ave and Wildwood Avenue. Repair the curbs with Belgium block on the same stretch road.

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At 9:14 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: Legal matters
3. We do not anticipate that the matters discussed will be made public.
4. This resolution shall take effect immediately.

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At 10:52 P.M. on motion made by Mayor Jackson and duly seconded, the meeting was adjourned by unanimous vote.

Linda S. Wanat

LINDA S. WANAT, MUNICIPAL CLERK

ATTEST:

ROBERT JACKSON MAYOR