

MONTCLAIR, NEW JERSEY

July 22, 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 7:06 P.M.

STATEMENT OF SUNSHINE NOTICE
ROLL CALL

Present: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Absent: Deputy Mayor Russo, Councilors Baskerville and Spiller

On motion made by Mayor Jackson and duly seconded, the minutes of June 17 and July 8, 2014 were approved as amended by unanimous vote.

Municipal Clerk, Linda Wanat reported the filing of Supplemental Debt Statement.

ORDINANCES – SECOND READING/ADOPTION

The pending ordinance entitled: "ORDINANCE RE-APPROPRIATING \$150,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR ELEVATOR IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY"(O-14-022) passed first reading on June 10, 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 the following vote.

Ayes: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Ab: Deputy Mayor Russo, Councilors Baskerville and Spiller

The pending ordinance entitled: "ORDINANCE APPROPRIATING \$147,500 FROM THE CAPITAL SURPLUS FUND FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY"(O-14-023) passed first reading on June 17, 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 the following vote.

Ayes: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Ab: Deputy Mayor Russo, Councilors Baskerville and Spiller

NEW BUSINESS – ORDINANCE/FIRST READING - INTRODUCTION

Mayor Jackson introduced the following ordinance and made a motion which was duly seconded by the following votes, that it pass first reading and be further considered for final passage at a regular meeting of the Township Council to be held on August 12, 2014:

"ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 327 (VEHICLES AND TRAFFIC), ARTICLE III (PARKING, STANDING AND STOPPING)" (O-14-24)

Ayes: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Ab: Deputy Mayor Russo, Councilors Baskerville and Spiller

Mayor Jackson introduced the following ordinance and made a motion which was duly seconded by the following votes, that it pass first reading and be further considered for final passage at a regular meeting of the Township Council to be held on August 12, 2014:

“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF TRUCKS AND EQUIPMENT IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,240,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,178,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (O-14-25)

Ayes: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Ab: Deputy Mayor Russo, Councilors Baskerville and Spiller

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 August 12, 2014:

“BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$458,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$435,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (O-14-26)

Ayes: Mayor Jackson, Councilors Hurlock, McMahon and Schlager
Ab: Deputy Mayor Russo, Councilors Baskerville and Spiller

Deputy Mayor Russo and Council members Baskerville and Spiller joined the meeting.

Councilor Schlager introduced the following resolution renaming the Nishuane Tennis Courts as the James Firebrace, Jr. Tennis Courts. James Firebrace, III gratefully acknowledged this honor on behalf of his father.

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

WHEREAS, James A. Firebrace, Jr., is a lifelong Montclair resident who worked as a park attendant and tennis professional in Nishuane Park from 1967 to 2006; and

WHEREAS, a teacher and tennis coach in the East Orange Public School system, Mr. Firebrace also worked from April to November of every year as both a volunteer and employee of the Township, preparing and maintaining the clay courts at Nishuane Park. He shared his interest in and knowledge of tennis with the park’s visitors and initiated a program of signing out recovered tennis balls and rackets to those interested in playing tennis who may not otherwise have had the opportunity to play; and

WHEREAS, in addition to his expertise as a caretaker and tennis coach/lover, Mr. Firebrace also served as a mentor to the children who grew up in the park, taking an interest in all the young people he encountered and serving as a father figure to generations of Montclair children; and

WHEREAS, Mr. Firebrace who, with Catherine, his wife of 62 years, raised and educated his three children in Montclair, continues in his retirement to be tireless supporter of Montclair youth and athletics, particularly tennis. As an expression of a grateful community, and from all people who enjoy the tennis courts in Nishuane Park, the Council wishes to provide an enduring monument to Mr. Firebrace’s many contributions to Montclair; now therefore

BE IT RESOLVED by the Mayor and Council of the Township of Montclair, in the County of Essex, that the tennis court located in Nishuane Park, be and it hereby is named the James A. Firebrace, Jr. Tennis Courts. (R-14-110)

PUBLIC COMMENT

Sandy Sorkin, 3 Marquette Road referenced the bond ordinance for the acquisition of truck and equipment. He asked if the Township had investigated outsourcing there services or participating in a shared service agreement. He also submitted questions regarding several agenda items including purchase of “Property Pilot”, increases in tax bills and various bill list items.

Rich Galioto, resident of Bloomfield, believes landscapers operating within the Township are discriminated against because the ban on gas powered leaf blowers does not appear to be imposed on municipal employees utilizing such equipment.

Stephanie Wood, 62 Orange Road, supports the proposal to fund a salary for a Volunteer Coordinator for the Animal Shelter. She also asked for better police training in handling dogs left in hot cars.

William Scott, 23 Cedar Avenue, offered his support for the renaming of the Nishuane Tennis Courts. He alerted the Council of the need for repairs of the retaining wall at Nishuane Park. Mr. Scott also addressed the noise issue associated with events at Township parks.

Audrey Hawley, 17 Granada Place, referenced the following agenda items:

- inclusion at the position of "Volunteer Coordinator" in the OPEIU ordinance.
- License number for ProPark System
- Nursing services with Nutley, New Jersey
- \$400 bill for answering services at the animal shelter

She questioned if the parameters of the sidewalk café requirements were being met.

B. Valerie Price, 6 Jefferson Place, requested that the Council consider adopting an ordinance which addressed abandoned cars on private property, the Town Attorney indicated that the municipality is moving forward with this concern.

Michael Norman, 8 S. Brookwood Drive, reiterated his concern regarding the excessive noise and parking problems associated with certain events taking place at Nishuane Park. He asked if temporary measures could be implemented while a Township wide plan is developed to address this problem.

Anita O. Mack, 165 Harrison Avenue, stated that she does not have a problem with events that take place in Township parks once a year or every other year. She also had no complaints with attendees abusing parking in the area.

John Mince, 16 Forest Street, Unit 201, member of the "All Class Reunion Committee" strongly supports this Montclair High School event.

Toi Blunt, member of the All Class Reunion Committee proffered her support for this biannual event which she reflects positively on the municipality. She asked to be included in any discussions regarding events in public parks.

Mark Parrino, 10 South Brookwood Drive, believes community events in the park enrich the area. However, he asked that when the municipality issues permits for park events the number of attendees be taken into consideration.

Ilmar Vanderber, 177 Edgemont Road stated that he would "never characterize an event by its demographic." He asked for an explanation of the capital budget process as it applies to the Bellvue Avenue Branch library.

DISCUSSION:

Jazz House Kids receive Melissa Walker, Present and Founder of Montclair Jazz Festival. She introduced a lively video of last year's Jazz Festival.

Christian McBride, Artistic Director previewed this year's line-up of performers including Jazz house Kids faculty and students. Ms. Walker outlined a number of initiatives which will be implemented to ensure a safe, secure and community centered festival including "self-monitoring" of the amplification system. Ms. Walker suggested that the Township designate a representative who could receive and address complaints during the festival.

She also noted that an adult beer garden will be featured.

RESOLUTION: Agenda items 6 and 18

On motion made by Councilor Schlager 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

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 property owned by Mountainside Hospital and located between Walnut Crescent, Roswell Terrace and Bay Street and identified as Block 4215, Lot 1 on the Township Tax Map can be classified as an area in need of redevelopment; and

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-14-107)

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

WHEREAS, the Township of Montclair is the owner since 1906 of Edgemont Park, an area of approximately 15.5 acres situated along Valley Road, Parkway and Edgemont Road which includes, among other amenities grass fields, shade trees, baseball diamonds, an accessible playground, a pond and shelter house, and a memorial towering originally honoring Montclair residents fallen in World War I, and now also honoring those fallen in subsequent wars; and

WHEREAS, a group of friends of Carl Maurits Hudig, who grew up in Montclair and loved Edgemont Park, but sadly passed away at age 37, has offered to donate a seating area to the park in Carl's memory; and

WHEREAS, the group of Carl's friends have provided the Township with plans and renderings of the proposed seating area that would accommodate six adults comfortably and is designed to blend into the existing contours of the park, together with proposed landscaping including trees that match trees that currently exist on both sides of Toney's Brook; and

WHEREAS, the group has committed to pay the entire cost of the design, materials and construction of the seating area; and

WHEREAS, the proposed seating area has received letters of support and approval from the Township of Montclair's Department of Community Service, the Park's and Recreation Advisory Committee for the Town of Montclair, and the Friends of Edgemont Park, and has received the enthusiastic support of Carl's family; and

WHEREAS, the Township Council has reviewed the design plan and the terms of the gift, and has found that the acceptance of the gift and the installation of the proposed seating area would be a benefit to the Township and will improve the public's opportunity to enjoy Edgemont Park, will be compatible with the existing features of Edgemont Park, will not take away but rather will enhance the use of existing parkland, and is in the public interest; now, therefore, be it

RESOLVED, by the Township Council of the Township of Montclair, the gift of the design and construction of a seating area is accepted and approved, to be in accordance with the plans and terms submitted in the proposal presented to the Council by Carl Hudig's friends; and be it further

RESOLVED, that prior to commencement of construction of the seating area, the Township Attorney or Manager shall give written approval of the financial arrangements so as to assure that adequate funds are available to complete the installation; and be it further

RESOLVED, that the Township Council on behalf of the people of Montclair gratefully thanks the donors for this generous gift. (R-14-119)

Return to **DISCUSSION**

Receive: Gray Russell, Environmental Coordinator

Presents the following "Waterwise Montclair" initiative.

Policy Options for Water Conservation Program

- a. **Construction codes** encouraging or requiring water-efficient plumbing:
 - i. WaterSense® efficient shower-heads, faucets and low-flow toilets;
 - ii. Require that all automatic irrigation systems are equipped with operational rain or soil moisture sensors.

- b. **Outdoor Water Conservation Ordinance**
 - i. An ordinance is intended to help curtail unnecessary water waste associated with seasonal outdoor water usage, leading to an unnecessary reduction in reservoir storage and ground water levels. In addition, over-watering actually inhibits the health and drought-tolerance of turf. The ordinance seeks to extend available supplies through short-term droughts, and avoid recurrent drought warnings/water emergencies caused by summer drought.
 - ii. This ordinance recommends a two day per week watering schedule. Odd/ even watering schedules are not recommended as water use often increases due to the perception by owners that it is necessary to water every other day. Municipalities should consider enforceability when determining how to establish

the most appropriate watering schedule for their communities; *an example of an effective structure would be to allow watering on the same days as garbage collection.* In addition, this ordinance recommends morning and late afternoon/early evening irrigation periods to capitalize on low evapotranspiration (ET) rates and recommends a watering duration limit of 30 minutes per acre to reduce over-watering.

- iii. Regardless of the type of schedule structure implemented, it should be pointed out that irrigation in New Jersey is intended to be supplemental to natural rainfall and that during periods of rain lawns may not need any additional watering at all.

c. Increase Water Rates and also Billing Frequency & Information

- i. Water is currently so cheap we have no economic incentive to reduce waste
 - 1. USA water fees are lower than most of the rest of the world; NJ water fees are lower than most regions in USA; Montclair fees lower than most in NJ.
- ii. Increase billing frequency from quarterly to Monthly Home Water Reports: 1) more precise tracking and better understanding of home water use; 2) a personalized Water Score comparing that home's use to their neighbor's, to motivate resident to save water; and 3) improve outreach: updates/info/tips.

Montclair Township Council

How Much Water Do We Use in Montclair?

Although we appear to have plenty of rain in NJ, and Montclair, water resources are always under pressure. *We use 127% more water today than we did in 1950.*

Quite simply, we are consuming too much. If our demand for water continues to increase yearly, no matter what our water system resources are, eventually we will not be able to keep up.

Water also requires huge amounts of energy, both to treat it and pump it to our houses, so our thirst for water is damaging our planet in more ways than one.

How much water do we use?

Are we letting our money flow down the drain? Here's a list of how much water we use:

Bath	40 gallons
5-minute shower w/low-flow head	10 gallons
5-minute shower w/old shower head	20 gallons
Brushing teeth with tap running	2 gallons/min
Brushing teeth with tap off	.25 gallon
One toilet flush	3 gallons
Low-Flow toilet flush	1-1.5 gallons
Other water use (drinking, cooking, etc.)	7 gallons
Regular (top-loading) washing machine	40 gallons
Efficient (front-loading) washing machine	15-20 gallons
Dishwasher	10-20 gallons
Dishwashing by hand	4 gallons/minute
Washing car with bucket	3 gallons
Hose/sprinkler	140 gallons/hour

Return to: NEW BUSINESS- ORDINANCE/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 August 12, 2014:

“BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,370,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,301,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (O-14-27)

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 August 12, 2014:

“ORDINANCE TO AMEND THE 2012 through 2014 OPEIU SALARY ORDINANCE” (O-14-28)

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 August 12, 2014:

“ORDINANCE TO AMEND CHAPTER 136 OF THE CODE OF THE TOWNSHIP OF MONTCLAIR” (O-14-29)

Township Attorney Ira Karasick asked for Council consideration of an amended street closings ordinance.

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 August 12, 2014:

“MONTCLAIR CODE, CHAPTER 297” (O-14-30)

NEW BUSINESS – RESOLUTIONS

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Mayor and Council of the Township of Montclair will receive funding and wishes to accept funding from the following and wish to amend its 2014 budget in the sum of \$13,772.40 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:	
Public & Private Revenues	
Offset with Appropriations:	
Alcohol Education Rehab Enforcement	\$1,772.40
Pedestrian Safety Grant	\$12,000.00
Comcast Cable Grant	\$5,000.00

Pursuant to provisions of Statute; now, therefore

BE IT RESOLVED by the Mayor and Council of the Township of Montclair that a total sum of \$13,772.40 be and it is hereby appropriated and accepted under the caption of

General Appropriations	
(a) Operations Excluded from Caps	
Public & Private Programs	
Offset by Revenues:	
Alcohol Education Rehab Enforcement	\$1,772.40
Pedestrian Safety Grant	\$12,000.00
Comcast Cable Grant	\$5,000.00

BE IT FURTHER RESOLVED that the Township Clerk forwards two copies of this resolution to the Director of Local Government Services (R-14-108)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **JOHN CARLETON** be and he hereby is **APPOINTED** to serve as **At-Large Member** on the **MONTCLAIR TOWNSHIP COUNCIL EDUCATION COMMITTEE ADVISORY BOARD** for a term commencing immediately and terminating December 31, 2017. (R-14-109)

WHEREAS, the Township of Montclair is a party to a cooperative purchasing agreement with the Morris County Cooperative Pricing Council a cooperative purchasing program organized pursuant to N.J.S.A. 40a:11-10 and N.J.A.C. 5:34-7.11; and

WHEREAS, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Township of Montclair has a need to purchase, on a timely basis, goods or services utilizing Morris County Cooperative Pricing Council contracts during 2014; and

WHEREAS, the Township of Montclair plans to utilize the services of approved Morris County Cooperative Pricing Council Contract Vendors, such transaction shall be subject to all conditions applicable to the current Morris County Cooperative Pricing Council contracts; now, therefore,

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township Purchasing Agent is hereby authorized to purchase goods or services in 2014 from an approved Morris County Cooperative Pricing Council Contract Vendor, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED that, pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document. (R-14-111)

WHEREAS, Section F-3103.3 of the New Jersey State Fire Prevention Code provides that a municipal governing body must authorize the display of fireworks within its boundaries as a pre-condition to such display in accordance with the above fire code regulation; and

WHEREAS, St. Sebastian Society has submitted an application to the Montclair Fire Department to conduct a fireworks display on August 23 and 24, 2014; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Council hereby authorizes a fireworks display by St. Sebastian Society on the aforesaid dates upon the approved contractor's satisfaction of all requirements with regard to same to be verified by the Montclair Fire Department. (R-14-112)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that LILLIE B. WHITE be and she hereby is APPOINTED to serve as a MEMBER of the LANDLORD TENANT HOUSING ADVISORY COMMITTEE effective immediately and terminating December 31, 2016. (R-14-113)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that STEPHEN ROONEY be and he hereby is RE-APPOINTED to serve as a CLASS IV MEMBER of the PLANNING BOARD effective immediately and terminating December 31, 2016. (R-14-114)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Mayor and Council of the Township of Montclair will receive funding and wishes to accept funding from the following the New Jersey Department of Transportation in the amount of \$263,820.00 and wish to amend its 2014 budget in the sum of \$263,820.00 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:
Public & Private Revenues
Offset with Appropriations:

New Jersey Department of Transportation Grant
Improvements to Union and Park Street

Pursuant to provisions of Statute; now, therefore

BE IT RESOLVED by the Mayor and Council of the Township of Montclair that a total sum of \$263,820.00 be and it is hereby appropriated and accepted under the caption of

General Appropriations
(a) Operations Excluded from Caps
Public & Private Programs
Offset by Revenues:

New Jersey Department of Transportation Grant
Improvements to Union and Park Street

;and

BE IT FURTHER RESOLVED that the Township Clerk forwards two copies of this resolution to the Director of Local Government Services. (R-14-115)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **CORLISS SPRUNG** be and she hereby is RE-APPOINTED to serve as a full member of the Environmental Commission commencing immediately and terminating December 31, 2014.

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **KEITH BRODOCK** be and he hereby is RE-APPOINTED to serve as **FIRST ALTERNATE** of the Environmental Commission commencing immediately and terminating December 31, 2015.

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **SIOBHAN McCARTHY** be and she hereby is APPOINTED to serve as **SECOND ALTERNATE** of the Environmental Commission commencing immediately and terminating December 31, 2015. (R-14-120)

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **Kiina J. Dordoni** be and he hereby is APPOINTED to serve on the Montclair Early Childhood Corporation for a term commencing immediately and terminating July 1, 2016. (R-14-121)

Regular Agenda Items

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

WHEREAS, the Board of School Estimate of the Township of Montclair has fixed and determined the sum of \$101,492,086 as the amount necessary to be appropriated for the use of the public schools of the Township of Montclair for the ensuing school year; and

WHEREAS, the Board of School Estimate has delivered to the Council of the Township of Montclair a certificate of such amount duly executed by at least three members of said Board, and

WHEREAS, the amount so certified is in excess of one and one-half percent (1 ½ %) of the valuation of the assessable ratables of the Township of Montclair as determined by Essex County Board of Taxation; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that in accordance with N.J.S.A. 18A:22-17, the Council does hereby concur in and consent to the appropriation of the amount so certified by the Board of School Estimate. (R-14-102)

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

WHEREAS, on July 16, 2013, the Township Council adopted a resolution awarding a contract to HD Supply Waterworks, Ltd for the Purchase and Delivery of 8" and 12" Class 56 Ductile Iron Pipe; and

WHEREAS, the contract was awarded for a period of one (1) year with an option for the Township to renew the contract for an additional one (1) year term; and

WHEREAS, the quantities listed on the Bid Proposal are estimated and these quantities may be increased or reduced as needed by the Montclair Department of Utilities during the contract period; and

WHEREAS, the Township of Montclair wishes to exercise its right to renew the aforementioned contract for an additional one-year period of July 16, 2014 through July 16, 2015 with HD Supply Waterworks, Ltd. upon the same terms and conditions; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the aforementioned contract renewal is hereby approved, and the Mayor and Township Clerk be and they are hereby authorized to execute and

attest an agreement for an additional one year for the period of July 16, 2014 through July 16, 2015 with HD Supply Waterworks Ltd. for the purchase and delivery of 8" and 12" Class 56 Ductile Iron Pipe, in a form approved by the Township Attorney; and

BE IT FURTHER RESOLVED that, pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document. Complete details of the contract are attached hereto and made a part hereof. (R-14-103)

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

WHEREAS, on June 18, 2014 the Township of Montclair opened and read bids for Christopher Street roadway improvements, as prescribed by law; and

WHEREAS, this contract has been awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Cifelli and Son of 81 Franklin Avenue, Nutley, NJ submitted the lowest responsible bid, according to the specifications, in the amount of \$252,805.50; and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital budget identified by Account Number C-04-14-005-000-100 in the accounting records of the Township; and

WHEREAS, there is a need for protection and maintenance of traffic during the course of construction, which shall be provided by off-duty officers of the Montclair Police Department; and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital budget identified by Account Number C-04-14-005-000-100 in the accounting records of the Township; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township of Montclair enter into an agreement with Cifelli and Son for Christopher Street roadway improvements in the amount of \$252,805.50 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds; and

BE IT FURTHER RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that an agreement with Montclair Police for traffic control in the amount of \$19,600.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. (R-14-104)

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

WHEREAS, on June 18, 2014 the Township of Montclair opened and read bids for Gates Avenue and Prospect Terrace roadway improvements, as prescribed by law; and

WHEREAS, this contract has been awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Cifelli and Son of 81 Franklin Avenue, Nutley, NJ submitted the lowest responsible bid, according to the specifications, in the amount of \$545,349.50; and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital budget identified by Account Number C-04-14-005-000-100 in the accounting records of the Township; and

WHEREAS, there is a need for protection and maintenance of traffic during the course of construction, which shall be provided by off-duty officers of the Montclair Police Department; and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital budget identified by Account Number C-04-14-005-000-100 in the accounting records of the Township; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township of Montclair enter into an agreement with Cifelli and Son for Gates Avenue and Prospect Terrace roadway improvements in the amount of \$545,349.50 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds; and

BE IT FURTHER RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that an agreement with Montclair Police for traffic control in the amount of \$24,500.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. (R-14-105)

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

WHEREAS, on June 25, 2014 the Township of Montclair, opened and read bid proposals for plumbing services to be provide to the Township; and

WHEREAS, two (2) companies submitted bids for the plumbing service in accordance with the bid specifications; and

WHEREAS, Magic Touch Construction Co. of Keyport, New Jersey submitted the lower responsible bid for the required services, in accordance with the bid specifications as follows:

Item	Per Hour
Journeyman/Plumber Mon-Fri 8:30-4:30	\$ 80.35
Journeyman/Plumber Saturday	\$ 120.53
Journeyman/Plumber Sunday	\$ 160.70
Apprentice/Helper Mon-Fri 8:30-4:30	\$ 43.75
Apprentice/Helper Saturday	\$ 65.63
Apprentice/Helper Sunday	\$ 87.50
Parts (Percentage Markup)	10%

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that Magic Touch Construction Co. be and is hereby awarded a contract to provide plumbing services to the Township of Montclair for the period from August 21, 2014 through August 20, 2015, with annual options on the part of the Township to renew said contract for two additional years, pending certification of funds by the Chief Financial Officer. Details of the contract are attached hereto and made a part hereof. (R-14-106)

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

WHEREAS, there exists a continued need for specialized services in connection with parking management of the Bay Street and Fullerton Decks in the Township of Montclair, in the County of Essex, State of New Jersey, and

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

WHEREAS, this contract is being awarded in accordance with the requirements of N.J.S.A. 19:44A-20.5 et seq. applicable to non-fair and open contracts; and

WHEREAS, Propark America 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 individuals from making any reportable contributions during the term of this contract; and

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Mayor and the Township Clerk be and they are hereby authorized to execute and attest an agreement with Propark America to provide specialized services in connection with parking management, for a one year period; and

BE IT FURTHER RESOLVED that notice shall be published in the Montclair Times stating the nature, duration, service and amount of the attached agreement and that copies of the Resolution and agreement are on file and available for inspection in the office of the Township Clerk.(R-14-116)

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

WHEREAS, there exists a need for specialized services in connection with automating departmental workflow for integrating multidepartment tasks and GIS applications in the Township of Montclair, in the County of Essex, State of New Jersey, and

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

WHEREAS, this contract is being awarded in accordance with the requirements of N.J.S.A. 19:44A-20.5 et seq. applicable to non-fair and open contracts; and

WHEREAS, PropertyPilot 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 individuals from making any reportable contributions during the term of this contract; and

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Mayor and the Township Clerk be and they are hereby authorized to execute and attest an agreement with PropertyPilot to provide specialized services in connection with automatizing workflow for integrating multidepartment tasks and GIS applications, for a two year period; and

BE IT FURTHER RESOLVED that notice shall be published in the Montclair Times stating the nature, duration, service and amount of the attached agreement and that copies of the Resolution and agreement are on file and available for inspection in the office of the Township Clerk. (R-14-117)

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

WHEREAS, on July 8, 2014 the Township of Montclair approved a resolution to purchase a Hino 268A 2-Wheel Drive Snow Plow with Salt Spreader from H.K. Truck Services, Inc., 2624-A Hamilton Boulevard, South Plainfield, New Jersey through the State of New Jersey Department of Treasury, Division of Purchasing and Property Cooperative Purchasing Contract for Trucks, Maximum 26,000 GVWR (Contract #T2080) for a price not to exceed \$110,499.

WHEREAS, the Township of Montclair is in need of purchasing a Hino 268A 2-Wheel Drive Snow Plow with Salt Spreader which was approved by resolution on July 8, 2014; and

WHEREAS, the Township of Montclair is in need of upgrading this purchase to include a Hooklift SL-185 with 18,000 lb lift and dump capacity making this vehicle a multi-purpose vehicle able to be utilized for year round activities in addition to snow removal activities for an additional cost of \$15,891.00; and

WHEREAS, the additional monies required for this purpose are included in the original ordinance authorizing the purchase of snow removal equipment and no additional funding will be required; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair of Montclair, in the County of Essex, that the Township of Montclair enter into an agreement with H.K. Truck Services, Inc. for the additional monies required to purchase a Hino 268A 2-Wheel Drive Snow Plow with Salt Spreader and Hooklift SL-185 in accordance with the aforementioned Contract attached hereto, in the additional amount not to exceed \$ 15,891.00; and

BE IT FURTHER RESOLVED, that funds for this purchase have been appropriated in the 2014 Capital Budget, Account Number C-04-14-009-000-100 pending Certification of Funds by the Chief Financial Officer. Complete details of the contract are attached hereto and made a part hereof. (R-14-118)

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

WHEREAS, on April 14, 2014, the Montclair Water Department sent a bill to 206 Upper Mountain Ave for the amount of \$5,448.88; and

WHEREAS, the homeowners meter was tested to be accurate but a plumbing issue occurred which lead to a exorbitant amount of water to be consumed but not used; and

WHEREAS, the Montclair Water Bureau is changing its billing rate to tier one on all water consumed; and

WHEREAS, the Township of Montclair wishes to reduce said bill to \$4,863.90.20; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the aforementioned water bill is reduced \$482.68 and all interest and penalties is forgiven so long as payment is made in two weeks of said resolution. And is hereby approved, and the Mayor and Township Clerk be and they are hereby authorized to execute and attest an billing adjustment in a form approved by the Township Attorney. (R-14-122)

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

WHEREAS, on July 22, 2014 the Township of Montclair opened and read bids for construction of a new traffic signal at the intersection of Bloomfield Avenue and Lloyd Road, as prescribed by law; and

WHEREAS, this contract has been awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Zuccaro Inc. of 248 Alberta Drive, Saddle Brook, New Jersey submitted the lowest responsible bid, according to the specifications, in the amount of \$308,059.70; and

WHEREAS, funds for this purpose have been provided for in the 2006, 2007 and 2012 Capital Fund budget accounts identified by Account Number C-04-12-036-000-100; C-04-06-037-000-600; C-04-06-037-000-700; C-04-07-034-000-100 and C-04-07-041-000-900 in the accounting records of the Township; and

WHEREAS, there is a need for protection and maintenance of traffic during the course of construction, which shall be provided by off-duty officers of the Montclair Police Department; and

WHEREAS, funds for this purpose have been provided for 2012 Capital Fund budget account identified by Account Number C-04-12-036-000-100 in the accounting records of the Township; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township of Montclair enter into an agreement with Zuccaro Inc. for construction of a new traffic signal at the intersection of Bloomfield Avenue and Lloyd Road in the amount of \$308,059.70 to be charged to the accounts above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds; and

BE IT FURTHER RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that an agreement with Montclair Police for traffic control in the amount of \$4,900.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. (R-14-123)

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: **Bill Resolution dated July 8, 2014 - \$4,186,366.55** and **Bill Resolution dated July 22, 2014 - \$935,279.78**

Earlier this evening Deputy Mayor Russo and Councilor Baskerville and Spiller were among many citizens and community leaders participating in a protest of a performance by Ted Nugent at the Wellmont theatre.

REPORTS

Councilor Spiller announced a Third Ward Meeting on Wednesday, July 23 at the Montclair Public Library at 7:30 p.m. He urged all to attend "Explorations" a Jack Spear Photo Exhibit currently at the main library.

Deputy Mayor Russo recently attended a conference in Los Angeles where he met with Governor Jerry Brown and Mayor Eric Garcetti.

He reported that the Wellmont Theatre officials will not be featuring any performers who utilize offensive comments.

Councilor Baskerville announced a meeting of the Fourth Ward collaborative on Tuesday, July 29, 7:00 p.m. at the Montclair Fire Headquarters. Discussion items include:

- A presentation of the proposed development on Pleasant Avenue.
- Discussion of recommendations for the 4th Ward by the Township's Unified Land Use & Circulation Element.
- Public Safety.
- Nishuane Water Well; a follow-up and water conservation discussion.
- Street paving & mulling.

Councilor McMahon offered an early reminder of the annual Montclair Ambulance Unit Golf outing on September 15, 2014.

Councilor Schlager thanked the "Montclair Celebrates" organization for a wonderful Fourth of July Parade and fireworks display. She attended a press conference with Senator Booker who opposes the recent "Hobby Lobby" legislation.

Ira Karasick, Township Attorney asked any residents regarding concerns with New Jersey Transit to contact him.

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
1 South Brookwood Drive
120 Beverly Road
181 Alexander Avenue
46 Llewelyn Road
335 Upper Mountain Avenue

Letter dated June 23, 2014 from DEP, Site Remediation re: Angelo Miele & Sons (Former BP Service Station X0004)

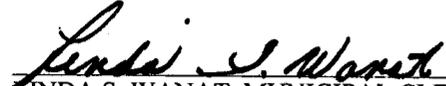
Letter dated June 4, 2014 from Viridian Environmental Field Services re: Northwest Essex Community Health Network, Inc., 83 Walnut Street

Letter dated June 2014 from Williams Transco Pipeline re: Transco pipeline overview.
Notice of Public Hearing from North Jersey District Water Supply Commission dated July 9, 2014.

Tax Collector's Monthly Reports:

1/1/2014 - \$14,050,591.52
2/1/2014 - \$31,557,811.49
3/1/2014 - \$ 3,514,113.68
4/1/2014 - \$13,123,087.31
5/1/2014 - \$31,219,527.55

At 10:39 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