

MONTCLAIR, NEW JERSEY

January 6, 2015

The Council of the Township of Montclair, in the County of Essex, met in the Second Floor Conference Room in the Municipal Building, 205 Claremont Avenue, for a Conference meeting at 7:04 P.M.

STATEMENT OF SUNSHINE NOTICE  
ROLL CALL

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

PUBLIC COMMENT

Beverly Williamson, complained about chemical vapors emanating from an area below her former apartment which caused her to suffer from several medical conditions.

Sandy Sorkin, 3 Marquette Road, referenced the prospect of energy aggregation within the Township. He urged the Council to use caution when selecting a consultant to work with the Council on this policy.

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Councilor Schlager joined the meeting.

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Richard Quiroz, 69 Cambridge and Andy Frisvold, 59 Cambridge Road and several other Cambridge Road residents requested an update on street parking following new parking rules which took effect in November. They questioned a solution proffered by the Traffic Parking Advisory Committee which banned all parking on one side of Cambridge and limited parking to four hours on the other side. They reiterated their request for a reduction from four hours to two hour parking only.

The Council will review this matter and make a determination by the January 20, 2015 meeting.

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NEW BUSINESS – ORDINANCES FIRST READING/INTRODUCTION

Mayor Jackson introduced the following ordinance and made a motion which was duly seconded, that it pass first reading and be further considered for final passage at a regular meeting of the Township Council to be held on January 20, 2015.

“ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 249, ARTICLE I ENTITLED "REGISTRATION AND MAINTENANCE" (O-15-001)

The motion was adopted by unanimous vote.

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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 January 20, 2015.

“ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 202, ARTICLE II ENTITLED "ZONING BOARD OF ADJUSTMENT" (O-15-002)

The motion was adopted by unanimous vote.

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Deputy Mayor Russo moved to amend the ordinance salary range to \$55,000 – \$85,000. The amendment was defeated.

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

Councilor Baskerville moved to amend the range to \$50,000 to \$80,000.

This amendment was approved.

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

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NEW BUSINESS – RESOLUTIONS

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

WHEREAS the Council of the Township of Montclair in the County of Essex desires to further the public interest by obtaining a grant from the State of New Jersey Historic Preservation Office in the amount of approximately \$23,500 to fund the following project: Historic Preservation Plan.

WHEREAS the governing body resolves that Timothy Stafford, Esq., or the successor to the title of Township Manager is authorized:

- (a) to make application for such a grant;
- (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$15,000 and not more than \$25,000; and
- (c) to execute any amendments thereto which do not increase the Grantee’s obligations.

BE IT RESOLVED, the Council of the Township of Montclair authorizes the Township Manager to submit a CLG Grant Application for the preparation of a Historic Preservation Plan, to be adopted as part of the Montclair Township Master Plan, and hereby agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement. (R-15-001)

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

WHEREAS, the Township of Montclair continues to participate in the Essex County Community Development Block Grant (CDBG) Program, and a resolution of the Township Council ranking applications for such funding is a requirement of the 2014 CDBG Reprogramming Application; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the following 2014 Community Development Block Grant Reprogramming application be submitted by Montclair Township with the following designated priority and proposed funding allocation:

Priority	Organization	Project Summary	Proposed Allocation
1	Montclair Township	South End Business District Streetscape Improvements – Phase 2	\$155,550
2	Montclair Township	Walnut Street Area Streetscape Improvements	\$215,000
Subtotal			\$370,550

WHEREAS, the Township, in line with the policies of the State of New Jersey, encourages the processes of government to be open to public observation, participation and scrutiny; now, therefore, be it

RESOLVED, that the meetings of all advisory committees created by the Township Council shall be open to the public and the press; and be it further

RESOLVED, that advisory committees are encouraged, but not required, to provide the public with prior notice of the meeting; and be it further

RESOLVED, that in the event the Chairperson or a majority of the members of an advisory committee desire that the public be excluded from a particular meeting, the Chairperson shall communicate a written request for a closed meeting to the Township Attorney, stating the subject matter of the meeting and explaining the reason that the public must be excluded, which request the Township Attorney in his or her sole discretion may approve or deny, with such conditions as he or she may impose; and be it further

RESOLVED, that this resolution shall not be construed to subject the meetings of advisory committees to the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. **(R-15-003)**

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

WHEREAS, the Municipal Acting Chief Financial Officer has recommended certain transfer of funds from appropriations made in the budget to cover anticipated expenditures in accordance with the provisions of N.J.S.A. 40a:4-58; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body has determined that there is an excess in appropriations over and above the amount necessary to fulfill certain appropriations in attached schedule;

NOW THEREFORE, BE IT RESOLVED by the Council of the Township of Montclair (not less than two-thirds of the full membership voting affirmative), that transfers be made as of 12/31/14 between 2014 budget appropriations set forth opposite its designation: **(R-15-004)**

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Councilor Baskerville introduced Jonathan Moore, 19 Carlton Drive, who was interested in serving on the Township Planning or Zoning Boards.

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At 8:25 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.

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that JONATHAN MOORE, be and he hereby is APPOINTED to serve effective immediately as FIRST ALTERNATE of the Board of Adjustment (to fill the unexpired term of Thomas Reynolds – 2015) terminating December 31, 2015; and KAREN BRINKMAN be and he hereby is APPOINTED to serve effective immediately as SECOND ALTERNATE of the Board of Adjustment (to fill the unexpired term of Michael Kenney – 2015) terminating December 31, 2015. (R-15-005)

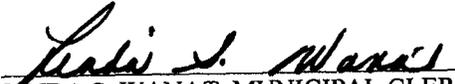
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On motion made by Mayor Jackson and duly seconded, the resolution was adopted by unanimous vote:

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that SUSAN BAGGS be and she hereby is APPOINTED to serve as MEMBER of the Board of Adjustment (to fill the unexpired term of Paul Edwards – 2015) effective immediately and terminating December 31, 2015. (R-15-006)

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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