

MONTCLAIR, NEW JERSEY

January 27, 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 7:02 P.M.

STATEMENT OF SUNSHINE NOTICE
ROLL CALL

Present: Mayor Jackson, Deputy Mayor Russo, Councilors Baskerville, Hurlock, McMahon, Schlager and Spiller
Absent: None

PUBLIC COMMENT

Receive Kate Lemmer, Connie Love and Ernest Smith, representing Oxford Street residents, who reiterated their earlier request to change from four hour parking to two hour parking on this thoroughfare. This scenario would be in conformance with parking on Cambridge Road. Mr. Smith also highlighted several overnight parking violations which have not been enforced. He also believes that Oxford Street is the "default" parking area for business employees and shoppers which affects both the safety and cleanliness of the neighborhood.

Following a discussion the Council will amend the proposed ordinance for two hour parking on Cambridge Road to include two hour parking on Oxford Street.

Carol Schlein, 168 Midland Avenue, expressed concern that she was never notified of a tax credit she was entitled to in 2013. She is seeking interest on the over payment amount. Ms. Schlein also suggested that the notification process be reviewed by the Tax Department.

NEW BUSINESS – RESOLUTIONS

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

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contracts commitments or payments are to be made prior to the adoption of the 2015 Budget, temporary appropriations effective January 1, 2015 should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2015, and

WHEREAS, the total of such total appropriations shall not exceed twenty-six and twenty-five per centum (26.25%) of the total 2014 Budget exclusive of any appropriations made for Debt Service, Capital Improvements and Public Assistance. The Appropriations shall not exceed the sum of \$16,179,125.27 in the Current Fund, \$1,369,252.50 in the Water Utility Operating Fund, \$1,230,672.19 in the Sewer Utility Operating Fund and \$581,427.04 in the Parking Utility Fund; and

WHEREAS, the Chief Financial Officer has determined that the following appropriations be included in the Temporary Budget; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, County of Essex, that the following 2015 temporary appropriations are hereby established and shall become effective as of January 1, 2015 and shall serve as the 2014 Temporary Budget until the 2015 Budget is introduced, which shall then serve as the Temporary Budget until such time as the year 2015 Official Budget is adopted:

GENERAL GOVERNMENT

Mayor and Council:

Salaries and Wages	11,255.00
Other Expenses	3,623.00

Election Expenses:

Salaries and Wages	932.00
Other Expenses	4,253.00

Township Attorney:

Salaries and Wages	71,595.00
Other Expenses	39,534.00

Municipal Court:

Salaries and Wages	169,878.00
Other Expenses	14,873.00

Postage:

Other Expenses	14,175.00
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FINANCE DEPARTMENT

Financial Administration:

Salaries and Wages	21,137.00
Other Expenses	22,562.00

Accounting and Treasury:

Salaries and Wages	63,686.00
Other Expenses	12,000.00

Tax Assessor:

Salaries and Wages	62,739.00
Other Expenses	16,564.00

Tax Collection:

Salaries and Wages	37,035.00
Other Expenses	13,000.00

Auditing:

Other Expenses	13,125.00
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PLANNING AND COMMUNITY DEVELOPMENT

Planning Administration:

Salaries and Wages	58,554.00
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Other Expenses	2,691.00
DEPARTMENT OF ADMIN & CODE ENFORCEMENT	
Salaries and Wages	60,619.00
Other Expenses	10,014.00
POLICE DEPARTMENT	
Salaries and Wages	3,475,534.00
Other Expenses	300,000.00
FIRE DEPARTMENT	
Salaries and Wages	2,391,169.00
Other Expenses	149,000.00
COMMUNITY SERVICES DEPARTMENT	
Community Services Administration:	
Salaries and Wages	145,088.00
Other Expenses	28,000.00
Engineering:	
Salaries and Wages	30,123.00
Other Expenses	984.00
Street Repair and Maintenance:	
Salaries and Wages	47,752.00
Other Expenses	8,702.00
Storm Sewers Repairs and Maintenance:	
Salaries and Wages	59,833.00
Other Expenses	3,885.00
Refuse Collection and Disposal:	
Salaries and Wages	229,819.00
Other Expenses	18,375.00
Storm Clearance:	
Salaries and Wages	55,000.00
Other Expenses	10,000.00

	Salaries and Wages	59,567.00
	Other Expenses	82,320.00
Building Maintenance:		
	Salaries and Wages	26,368.00
	Other Expenses	22,116.00
Parks Maintenance:		
	Salaries and Wages	89,655.00
	Other Expenses	47,000.00
Shade Trees:		
	Salaries and Wages	34,969.00
	Other Expenses	43,916.00
RECREATION AND CULTURAL AFFAIRS		
Recreation Programs:		
	Salaries and Wages	151,214.00
	Other Expenses	17,955.00
HEALTH AND HUMAN SERVICES		
Health Services:		
	Salaries and Wages	144,258.00
	Other Expenses	15,081.00
Nursing Services:		
	Salaries and Wages	35,328.00
Animal Control –Interlocal:		
	Salaries and Wages	15,357.00
Animal Control:		
	Salaries and Wages	49,329.00
	Other Expenses	22,326.00

MISCELLANEOUS AND OTHER

Montclair Early Childhood:		
	Other Expenses	74,938.00
Adult School		31,500.00
	Other Expenses	-
Homeless Shelter		12,500.00
	Other Expenses	-
Insurances:		
	Liability Insurance	650,000.00
	Employee Group Insurance	1,600,000.00
Inter-local –Health Services		
	Salaries and Wages	50,663.00
Defined Contribution Plan		1,313.00
SPECIAL PROGRAMS AND ACTIVITIES		
Parks, Recreation and Cultural Affairs:		
	Other Expenses	34,125.00
Uniform Construction Code-Appropriations		
Offset by Dedicated Revenues		
	Salaries and Wages	120,959.00
	Other Expenses	28,678.00
Utilities		
Gasoline		85,313.00
Fuel – Diesel		60,375.00
Electricity		144,638.00
Telephone		66,313.00

Public Employees' Retirement System	292,368.00
Social Security System	344,400.00
Police and Firemen's Retirement System of NJ	793,000.00
Pension Increase Fund Consolidated Police and Fire Pension	29,825.00
Excluded from "CAPS"	
Maintenance of Free Public Library	822,609.00
Capital Improvement Fund	100,000.00
TOTAL CURRENT FUND APPROPRIATIONS	15,546,122.00

WATER UTILITY OPERATING FUND APPROPRIATIONS

Operating:

Salaries and Wages	290,834.00
Other Expenses	810,668.00

Commercial:

Salaries and Wages	166,688.00
Other Expenses	14,438.00

Statutory Expenditures:

Social Security System	45,413.00
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TOTAL WATER OPERATING FUND APPROPRIATIONS	1,328,041.00
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SEWER UTILITY OPERATING FUND APPROPRIATIONS

Operating:

Salaries and Wages	135,188.00
Other Expenses	117,357.00
Passaic Valley Sewer Commission	950,749.00
Third River Sewer	1,200.00
Second River Sewer	11,813.00
TOTAL SEWER OPERATING FUND APPROPRIATIONS	1,216,307.00

PARKING UTILITY OPERATING FUND APPROPRIATIONS

Operating:

Salaries and Wages	133,746.00
Other Expenses	423,347.00
TOTAL PARKING OPERATING FUND APPROPRIATIONS	557,093.00

(R-15-029)

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

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair adopt the attached cash management plan, including the official depositories for the Township of Montclair for the calendar year 2015. **(R-15-030)**

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

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year; now therefore

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and all other municipal charges becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency;
2. Effective January 1, 2015, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order and a thirty (30) day grace period for all other municipal charges;
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution;
4. A certified copy of this resolution shall be provided by the Municipal Clerk to the Tax Collector, Township Attorney, and Municipal Auditor for the Township of Montclair.

(R-15-031)

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

WHEREAS, the Local School District Tax for the year July 1, 2014 to June 30, 2015 was raised in the 2014 Tax Levy in the sum of \$99,500,892.00; and

WHEREAS, the statutes permit the deferral of the cash liability of such School Tax up to 50% of the School Tax Levy equal to \$49,750,446.00; and

WHEREAS, there exists at December 31, 2014 a cash liability for school taxes payable in the sum of \$49,750,446.00; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Deferred School Tax for the Local School District be increased from the sum of \$48,754,849.00 which was deferred as of December 31, 2014 to the sum of \$49,750,446.00; and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of the Division of Local Government Services. **(R-15-032)**

On motion made by Councilor Schlager 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, pursuant to N.J.S.A. 40A:4-19, the following appropriations for Debt Service charges for the year 2015 be and the same hereby are made pending adoption of the 2013 Municipal Budget:

School Bond Principal	\$4,015,000.00
School Bond Interest	\$3,079,658.33
School Note Interest	\$ 36,3000.00

Water Utility Debt Service

Water Bond Principal	\$ 700,000.00
Water Bond Interest	\$ 323,070.94
Water Note Interest	\$ 53,517.30
Environmental Trust Fund Principal	\$ 356,540.65
Environmental Trust Fund Interest	\$ 71,715.00

Sewer Utility Debt Service

Sewer Note Interest	\$ 51,323.56
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Parking Utility Debt Service

Bond Principal	\$ 365,000.00
Bond Interest	\$ 311,816.26

BE IT FURTHER RESOLVED that the foregoing appropriations at a minimum shall be provided for in full in the 2015 Budget. (R-15-033)

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

WHEREAS, New Jersey Transit has submitted a request to the New Jersey Historic Preservation Office (NJHPO) to remove the Upper Montclair Railroad Station (the "Station") from New Jersey Register of Historic Places (the "NJ Register"); and

WHEREAS, New Jersey Transit has indicated that it is also submitting a request to the United States Department of the Interior, National Parks Service to remove the Station from the United States National Register of Historic Places the "National Register"; and WHEREAS, the New Jersey State Review Board for Historic Sites (the "Board") is scheduled to consider the request to remove the Station from the N.J. Register at a public meeting to be held on March 12, 2015; and

WHEREAS, the Station was originally built in 1892 and expanded in 1899, as one of a series of suburban stations in Montclair employing overhanging eaves and natural materials in the classic architecture of that period; and

WHEREAS, in 1984 the Station was designated a Historic Site and placed on the NJ Register and subsequently, on June 22, 1984, on the National Register of Historic Places; and

WHEREAS, in the 1981 historical survey undertaken by Heritage Studies, Inc. on behalf of the New Jersey Office of Cultural and Environmental Services, the architectural/historical significance of the Station was described as follows:

"The Upper Montclair Station is likely to have been the prototype for suburban stations built on the Erie line during the 1890's and early 1900's. This station is particularly distinctive because of its porte-cochere"

WHEREAS, the Township of Montclair Designated the Upper Montclair Historic District on October 10, 2006 ("Historic District") and the Station is included in the Historic District; and

WHEREAS, the Station was considered an integral part of the Historic District which includes the adjacent parking lot designed by the world-renowned Olmsted Brothers Firm ("Olmsted Brothers") and adjacent Anderson Park also designed by the Olmsted Brothers and the area is considered the "gateway" to the Upper Montclair District; and

WHEREAS, on February 5, 2006, the Station was seriously damaged by fire; and as a result of the fire, the porte-cochere remained of the original structure; and

WHEREAS, the Porte-Cochere survives today and several of the original building materials including, but not limited to the terra cotta roofing materials, as a remnant of the historic railroad station and a living reminder of the former elegance of rail transportation and the importance of railways in Montclair's history; and

WHEREAS, the removal of the Station from the NJ and National Registers would be completely contrary to the letter and spirit of the Board's 2007 decision to preserve and protect the Station's remaining historic features, and would eliminate any meaningful protection for the porte-cochere; and

WHEREAS, the governing body of the Township of Montclair asks the Board to act consistently with its past determinations regarding the Station by denying New Jersey Transit's request that the Board remove the Station from the NJ Register and deny the Station's removal from the National Register; now, therefore, be it

RESOLVED, by the Township Council of the Township of Montclair that the Township opposes the removal of the Station from the NJ Register and National Register of Historic Places, and urges the Board to deny New Jersey Transit's request to do so in its entirety; and be it further

RESOLVED, that a certified copy of this Resolution be delivered to [all county, state and federal elected officials serving the Township of Montclair]. (R-15-036)

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: **\$3,198,965.77**

REPORTS

Township Manager, Timothy Stafford referenced the work of the Township departments and the Montclair Ambulance Unit during the recent snow event. He commended all for their good efforts.

Mayor Jackson reported that a number of private snow removal firms were depositing snow from apartment complexes into streets after they had been plowed by the Township. He recommended stronger enforcement of this violation.

Councilor McMahon emphasized that the Traffic/Parking Advisory Committee is working diligently to address all parking concerns. Their findings will continue to be shared with the full Council.

Councilor Spiller suggested a moratorium on any parking changes until a parking consultant can conduct a Township wide parking study.

Councilor Baskerville, believes that the Traffic/Parking Advisory Committee is not welcoming and does not represent individuals who are most impacted by parking problems.

Councilor Hurlock is not in favor of any moratorium on parking changes and noted that the parking needs of many of his constituents are immediate.

Councilor Baskerville suggested that parking resolutions might be highlighted on Channel 34 so residents would be better aware of such municipal laws.

The Council asked the status of the draft RFP for a parking consultant. Mr. Stafford responded that it is currently being reviewed by the TPAC.

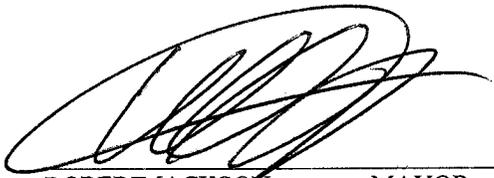
Councilor Baskerville also asked that the problem of snow being "dumped" on private property be addressed by the proper municipal department e.g.: police/code enforcement. Township Attorney, Ira Karasick stated that this type of action is considered to be a matter between private parties.

Township Attorney, Ira Karasick reported that a lawsuit has been filed against the owner of 327 Grove Street and the Township

At 8:49 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