

MONTCLAIR, NEW JERSEY

March 3, 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, Councilors Baskerville, Hurlock, and Schlager
Absent: Deputy Mayor Russo and Councilors McMahan and Spiller

PROCLAMATION

ACKNOWLEDGING THE IMPORTANCE OF YOUTH ART MONTH
AND CONGRATULATING THE DERON SCHOOL FOR THEIR PARTICIPATION IN THIS IMPORTANT
ENDEAVOR

WHEREAS

Youth Art Month is an annual observance each March to emphasize the value of art education for all children and to encourage support for quality school art programs; and

WHEREAS

Art education develops self-esteem, appreciation of the work of others, self-expression, cooperation with others, and critical thinking skills – skills vital to the success of our future leaders – our children; and

WHEREAS

Art education contributes powerful educational benefits to all elementary, middle, and secondary students including the development of creative problem-solving and critical thinking abilities, understanding of multi-cultural values and beliefs; and development of a sensitivity to beauty, order and other expressive qualities; and

WHEREAS

The Deron School, by including arts experiences in all their students' curricula, recognizes that the arts are a valuable learning tool which reinforce the other disciplines, such as reading, writing, social studies and even math; and

WHEREAS

Montclair is a community which values and supports quality school art programs for children and youth; now therefore

BE IT RESOLVED that the Council of the Township of Montclair acknowledge the important work the Deron School undertakes every day and, particularly during Youth Art Month and congratulates the school for all their accomplishments not only in March but every day.

PUBLIC COMMENT

William Scott, 23 Cedar Avenue expressed concern that the Mr. Bunny Celebration was traditionally held at Edgemont Park but he believes it should be observed at sites throughout the Township. He stated that "the Township must continue on the road of integration" and that events should be scheduled throughout Montclair's four wards.

Wendy Young, 43 Virginia Avenue, reiterated Mr. Scott's concern regarding sharing sites for municipal events throughout the entire municipality. She highlighted that without the extra money raised by the Fourth Ward Collaborative there would be fewer events in that ward; she believes municipal tax dollars should be used to support events throughout the community.

Deputy Mayor Russo joined the meeting.

Supplemental Debt Statement

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

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 meeting of the Township Council to be held on March 17, 2015:

“BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,206,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” (O-15-009)

The motion was adopted by the following vote:

Ayes: Councilors Baskerville, Hurlock, Deputy Mayor Russo, Schlager and Mayor Jackson
Ab: Councilor McMahon and Councilor 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 April 14, 2015:

“ORDINANCE APPROVING GRANT OF EASEMENT TO 491 BLOOMFIELD LLC TO CONSTRUCT A PEDESTRIAN BRIDGE OVER TOWNSHIP PROPERTY TO THE FULLERTON PARKING DECK” (O-15-011)

The motion was adopted by the following vote:

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

NEW BUSINESS – RESOLUTIONS

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

WHEREAS, on July 12, 2012, the Township purchased certain real property located at 451 Upper Mountain Avenue, Block 1801, Lot 5, in the Township of Montclair, County of Essex, State of New Jersey; and

WHEREAS, from that date water and sewer charges should no longer be assessed on the now-Township-owned property; and

WHEREAS, the Tax Collector reports that water charges have been assessed on the subject property after the Township purchase, in the amount of \$362.95; and

WHEREAS, the Tax Collector reports that sewer charges have been assessed on the subject property after the Township purchase, in the amount of \$366.60; and

WHEREAS, a resolution of the governing body is required in order to remove the charges totaling \$729.55 from the water and sewer due account; now, therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Tax Collector shall remove water and sewer charges in the amount of \$729.55 from the property known as 451 Upper Mountain Avenue, Block 1801, Lot 5, located in the Township of Montclair, County of Essex, State of New Jersey. (R-15-049)

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

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

WHEREAS, the Township of Montclair requires the replacement of one truck chassis with material transport system identified as DCS-127; and

WHEREAS, Beyer Bros. Corp. provided the low bid on Bid #15-01 to provide such a product; and

WHEREAS, the Township of Montclair desires to purchase one (1) new 2016 Volvo VHD64F Truck Chassis with American Roll-Off Model ARU-75-22-XT Material Transport System and two (2) Heavy Duty 20 Cubic Yard Open Top Containers for a price of \$188,740.00; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township enter into an agreement with Beyer Bros. Corp. for the purchase of one (1) new 2016 Volvo VHD64F Truck Chassis with American Roll-Off Model ARU-75-22-XT Material Transport System and two (2) Heavy Duty 20 Cubic Yard Open Top Containers in an amount not to exceed \$188,740.00 pending Certification of Funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the funds for this purchase have been appropriated in the 2014 Capital Budget, Account Number C-04-14-025-000-200. . (R-15-050)

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

Ab: Councilor McMahon and Councilor Spiller

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

WHEREAS, the Township of Montclair desires to enter into an interlocal agreement with the Township of Verona pursuant to which Montclair will furnish health services of a technical and professional nature to the Township of Verona, pursuant to N.J.S.A. 26:3A-2-1 et seq.; and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the "Act") encourages municipalities and other local contracting units to enter into interlocal and other agreements for shared services in order to reduce property taxes through the reduction of local expenses; and

WHEREAS, the Act provides that municipalities may enter into agreements to provide or receive any service that each municipality is empowered to receive or provide within its own jurisdiction; and

WHEREAS, the Township Council has determined that it is in the best interests of the Township to provide health services to the Township of Verona in exchange for payments to be received by the Township; 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 they are hereby authorized to execute an agreement with the Township of Verona in the form attached hereto and made a part hereof. (R-15-051)

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

Ab: Councilor McMahon and Councilor Spiller

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

WHEREAS, the Township of Montclair desires to enter into an interlocal agreement with the Township of Cedar Grove pursuant to which Montclair will furnish health services of a technical and professional nature to the Township of Cedar Grove, pursuant to N.J.S.A. 26:3A-2-1 et seq.; and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the "Act") encourages municipalities and other local contracting units to enter into interlocal and other agreements for shared services in order to reduce property taxes through the reduction of local expenses; and

WHEREAS, the Act provides that municipalities may enter into agreements to provide or receive any service that each municipality is empowered to receive or provide within its own jurisdiction; and

WHEREAS, the Township Council has determined that it is in the best interests of the Township to provide health services to the Township of Cedar Grove in exchange for payments to be received by the Township; 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 they are hereby authorized to execute an agreement with the Township of Cedar Grove in the form attached hereto and made a part hereof: (R-15-052)

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

Ab: Councilor McMahon and Councilor Spiller

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

WHEREAS, the long-time Registrar of Vital Statistics has recently retired; and

WHEREAS, the Township of Montclair has a need to appoint a Municipal Registrar; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, that Arlene Karp be and she hereby is appointed to serve as the Registrar of Vital Statistics for the Township of Montclair effective February 13, 2015 in accordance with N.J.S.A. Title 26. (R-15-053)

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

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

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that HAROLD SIMON be and he hereby is REAPPOINTED to serve as a member of the HOUSING COMMISSION commencing immediately and terminating December 31, 2017. (R-15-054)

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

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

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that said bills be and they are hereby ordered paid and that warrants be drawn on the Treasurer to the order of such person for the amount respectively as hereinafter stated to wit: \$1,301,341.29

Ayes: Councilors Baskerville, Hurlock, McMahon, Spiller and Mayor Jackson
Ab: Councilor McMahon and Councilor Spiller

DISCUSSION /MARCH 10 AGENDA ITEMS

1. Montclair Center Preliminary Investigation of an Area in Need of Redevelopment – Janice Talley reviewed the Planning Board’s recommendation for redevelopment status. She noted that the final decision regarding properties within the area would be up to the Council. Nancy Lottenville, Gibbons, P.C., One Gateway, Newark, New Jersey, representing the A&P company, owner of a long term lease on the Pathmark Supermarket asked that this property be removed from any designation until the matter could be studied further. Mayor Jackson indicated that this was a first step and other discussions including a March 30 workshop on the matter would follow.

1a. HUMC/Mountainside Hospital Redevelopment

Ms. Talley reported that no resolution to include additional properties near the hospital was adopted. In response from a question from Councilor Baskerville regarding other inexpensive housing options in the area, she believes including them in the plan would help to maintain that status.

2. Resolution authorizing a Place-to-Place transfer of Alcoholic Beverage Distribution License
3. Resolution authorizing appointment to Capital Finance Advisory Committee
4. Resolution authorizing re-appointment to the Planning Board
5. Proclamation designating March 15 – 21 as National Poison Prevention Week
6. Proclamation celebrating Welcome Home Vietnam Veterans Day – March 30
7. Ordinance approving grant of easement to 491 Bloomfield LLC to construct a pedestrian bridge over Township property to the Fullerton Parking Deck – (moved by the Mayor)
8. Proclamation congratulating Grand Marshal of the 2015 Newark St. Patrick's Day Parade
9. Proclamation declaring Women’s Lung Health Week
10. Discussion regarding Mr. Bunny Spring Celebration

Councilor Baskerville emphasized that every ward should have an equal opportunity to enjoy all of the festivities of the Township. She believes that by moving the Mr. Bunny event to Glenfield Park and field house the perception of negativity which surrounds the area would be ameliorated.

Councilor Schlager stressed that the Mr. Bunny celebration was a long standing tradition at Edgemont Park and that it was important to perpetuate traditions.

Pat Brechka, Director, Recreation and Cultural Affairs, stated that there were several reasons that the Edgemont Park site was chosen to host this event including an accessible building to use in case of inclement weather, with an efficient “flow” to accommodate those in attendance, and on-site storage. Ms. Brechka also noted that utilizing Glenfield Park comes with an expensive rental fee.

Councilor McMahon joined the meeting.

Councilor Spiller joined the meeting.

It was the Council's consensus to continue to hold the Mr. Bunny event at Edgemont Park this year; however the Council will review this going forward. A Council Sub-committee consisting of Deputy Mayor Russo and Councilor's Baskerville and Schlager will assume that task.

11. Agreement with MAP re water service upgrades

Councilor Baskerville also asked if a report on the "No confidence" complaint regarding the Police Chief would be available shortly.

At 8:19 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