

MONTCLAIR, NEW JERSEY

August 4, 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 7:00 P.M.

STATEMENT OF SUNSHINE NOTICE  
ROLL CALL  
PLEDGE OF ALLEGIANCE

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

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On motion made by Mayor Jackson and duly seconded, the minutes of July 21, 2015 was approved by following vote.

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

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PUBLIC COMMENT

Sanford Sorkin, 3 Marquette Road, asked if the "work product" required to move forward with RFP for a parking study was available. He suggested that the Township might seek similar information from other municipalities in order to achieve some cost savings.

A resident requested an update on parking regulations on Tremont Place.

Dr. Nancy Katz, Vice Chair, Animal Advisory Committee reported on an upcoming "Clear the Shelters Event" on Saturday, August 15 in conjunction with several media outlets to promote the adoption of as many pets as possible. She also explained a "virtual" adoption program which pairs businesses willing to display photos of animals waiting for adoption with potential adopters.

Dr. Katz also asked if the shelter has a working budget because supplies usually paid through donations are running low. She thanked the Council for their continued support of the Montclair Animal Shelter.

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Deputy Mayor Russo joined the meeting.

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DISCUSSION

Graz Sister City 65<sup>th</sup> Anniversary celebration, September 18, 2015, Mayfair Farms.

Overseas Neighbors Chair, Julianna Belcsak presented a historical review of this organization's activities and invited all to attend this special event commemorating 65 years of friendship. She introduced Mona Kiel, Vice President who helped distribute gifts of Austrian wine and chocolates to the Council in recognition of the long term relationship between the Township and Graz, Austria.

Parking Regulation/restrictions at 83 Walnut Street

Township Attorney, Ira Karasick suggested that parking hours for spaces utilized by the NW Essex Community Healthcare Network could be added to the pending handicapped-parking ordinance as an amendment at the public hearing on the ordinance at the August 25 Council meeting.

HUMC/Mountainside Hospital Redevelopment Plan

Acting Township Manager, Timothy Stafford presented a draft Request For Proposal to retain a consultant to prepare a redevelopment plan for this project. The cost for the plan will be divided between Montclair and Glen Ridge (the two communities served by the hospital).

Senior Center – Withdrawn

Head Shops as Permitted Use in Commercial District

Township Attorney, Ira Karasick responded to concerns regarding the placement of head shops within the municipality. He suggested that ordinances changes could contain language which would restrict head shops to an all commercial C-1 district and make them non-permitted uses in neighborhood/commercial districts. It was the Council's consensus to move forward with these changes.

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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 August 25, 2015:

“BOND ORDINANCE APPROPRIATING \$2,637,440 FOR VARIOUS IMPROVEMENTS TO SCHOOL BUILDINGS AND GROUNDS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,637,440 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF” (O-15-024)

The motion was adopted by unanimous vote.

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NEW BUSINESS – RESOLUTIONS

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

WHEREAS, the Township of Montclair wishes to engage a firm to provide professional parking consulting services to the Township in connection with the preparation of a comprehensive parking study for the entire Township; and

WHEREAS, the preparation of a comprehensive parking study was a key recommendation in the Unified Land Use and Circulation Element of the Master Plan adopted by the Montclair Township Planning Board on May 4, 2015; and

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

WHEREAS, the Township issued a Request for Proposals (RFP) to provide the required consulting services and, in response to the RFP, the Township received six proposals from parking consultants; and

WHEREAS, after review of the proposals by a review committee comprised of Township staff and the Council liaison to the Traffic and Parking Advisory Committee, the Council has decided to award a contract to Nelson/Nygaard Consulting Associates to provide the required professional services at a cost not to exceed \$89,396; 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.; 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 an agreement with Nelson/Nygaard Consulting Associates to provide professional parking consulting services to the Township in connection with the proposed parking study at a cost not to exceed \$89,396, and in a form approved by the Township Attorney; 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 this Resolution and the agreement are on file and available for inspection in the office of the Township Clerk. (R-15-120)

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On motion made by Mayor Jackson 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 the Mayor and Township Clerk be and they hereby are authorized to execute and attest an Application for continued grant funding from the Essex County Department of Citizen Services – Division of Senior Services to provide visiting nurse services to targeted older adult population living in the designated service area of this project. Special emphasis will be placed on providing visiting nurses to the frail, impoverished, minority and vulnerable. The Application provides funding in the amount of \$14,560 by the Essex County Department of Citizen Services, Division of Senior Services. (R-15-121)

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On motion made by Mayor Jackson 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 the Mayor and Township Clerk be and they are hereby authorized to execute and attest an Agreement between the Township and Partners for

Health Foundation, pursuant to which the Township wishes to enable income eligible senior citizen residents to purchase pre-paid taxi vouchers at a discount to provide an option for door to door transportation.

The Agreement provides for the Township to receive funding in the amount of \$10,000, to implement the "Seniors in Transit (SIT) Program, which will allow reimbursement to participating cab companies for service, provide advertising about project, and print taxi vouchers to be used in the program. The Department of Health and Human Services will be working closely with the Montclair Senior Citizen Advisory Committee and senior volunteers to implement the program. A copy of the grant agreement setting forth the funding is attached hereto and made a part hereof. (R-15-122)

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

WHEREAS, on October 8, 2002 the Township of Montclair adopted a Developer's Fee Ordinance (Montclair Code §202-39 et seq.) in accordance with the New Jersey Council on Affordable Housing (COAH) regulations; and

WHEREAS, an amended Spending Plan was approved by COAH on May 12, 2012 and the Township's Spending Plan states that Developer's Fees deposited into the Montclair Housing Trust Fund may be used for new construction programs associated with the construction of affordable housing units; and

WHEREAS, 127 Valley Road, LLC, a local non-profit affordable housing developer, has requested \$225,000 from the Township's Housing Trust Fund to assist in financing the construction of six affordable units located at 29 Talbot Street, 31 Talbot Street, and 33 Talbot Street; and

WHEREAS, 127 Valley Road, LLC has agreed to create and maintain six moderate-income units and two low-income units pursuant to COAH regulations;

WHEREAS, the construction of six affordable dwelling units at 29 Talbot Street, 31 Talbot Street, and 33 Talbot Street will help the Township meet its affordable housing obligation under COAH's "third round" rules

NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby authorizes the release of funds from the Montclair Housing Trust Fund for 127 Valley Road, LLC's construction of six affordable units at 29 Talbot Street, 31 Talbot Street, and 33 Talbot Street and the Chief Financial Officer is hereby authorized to release said funds to 127 Valley Road, LLC 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 in the event the property is sold to a "for profit" developer or if at any time in the future the property ceases to be used to provide six affordable housing units in accordance with COAH regulations. (R-15-123)

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

WHEREAS, the Council of the Township of Montclair (the "Council"), pursuant to N.J.S.A. 40:A:12A-4, authorized the Montclair Planning Board (the "Board"), by Council Resolutions dated March 10, 2015 (R-15-056) and dated July 22, 2014 (R-14-107), to conduct a preliminary investigation to determine whether certain properties in the vicinity of Hackensack University Medical Center -- Mountainside should be designated as an area in need of redevelopment or rehabilitation; and

WHEREAS, the Board held a joint hearing with the Glen Ridge Planning Board on May 18, 2015, and also addressed additional properties located within the Borough of Glen Ridge to be included in the redevelopment area; and

WHEREAS, on July 21, 2015, the Township Council designated the following parcels of land known and described on the Tax Maps of the Township of Montclair to be an area in need of redevelopment:

- Block 4207 Lot 1
- Block 4207 Lot 2
- Block 4207 Lot 30
- Block 4213 Lot 1
- Block 4213 Lot 2
- Block 4213 Lot 3
- Block 4213 Lot 4
- Block 4213 Lot 5
- Block 4213 Lot 6
- Block 4213 Lot 7
- Block 4213 Lot 8
- Block 4213 Lot 9
- Block 4213 Lot 10
- Block 4213 Lot 11
- Block 4213 Lot 23
- Block 4215 Lot 1 ;

and further designated the following parcels of land known and described on the Tax Maps of the Township of Montclair to be an area in need of rehabilitation:

- Block 4207 Lot 31
- Block 4213 Lot 12
- Block 4213 Lot 22

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 with respect to the properties above-designated as an area in need of redevelopment; and

WHEREAS, the Township intends to cooperate and collaborate with Borough of Glen Ridge to engage the professional services of a design/planning firm to prepare joint redevelopment plans pursuant to N.J.S.A. 40A:12A-7 encompassing the above-designated area and adjacent property situated in Glen Ridge;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5, authorizes municipalities to enter into contracts for professional service without public bidding; now therefore, be it RESOLVED, that the Township Council, authorizes and directs the Manager, cooperatively with the Borough of Glen Ridge, to issue a "Request for Proposals" to engage the professional services of a design/planning firm to prepare complementary redevelopment plans pursuant to N.J.S.A. 40A:12A-7 encompassing the above-designated area and the adjacent property in Glen Ridge. **(R-15-124)**

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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: **\$3,042,815.99.**

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TOWNSHIP MANAGER'S REPORT: Council Agenda August 25, 2015

- A. Introduction of Ordinance amending and supplementing Chapters 202 and 347 from the Code of the Township of Montclair entitled "Land Use Procedures" and "Zoning"(O\_15\_025)

Mr. Stafford introduced and welcomed Tony Fan, the Township's new Director of Information Systems.

TOWNSHIP ATTORNEY

Mr. Karasick is awaiting a cost analysis from Craig Brandon, Recycling Coordinator to implement the new regulations required by Essex County Utilities Authority.

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At 8:00 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

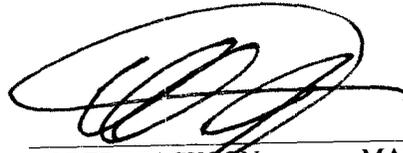
WHEREAS, the public body is of the opinion that such circumstances presently exist,

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: Personnel 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 8:16 P.M. on motion made by Mayor Jackson and duly seconded, the meeting was adjourned by unanimous vote.



ROBERT JACKSON                      MAYOR

ATTEST:

  
LINDA S. WANAT, MUNICIPAL CLERK