

MONTCLAIR, NEW JERSEY

October 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 7:00 P.M.

STATEMENT OF SUNSHINE NOTICE  
ROLL CALL  
PLEDGE OF ALLEGIANCE

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

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PUBLIC COMMENT

Sandy Sorkin, 3Marquette Road, asked why there is a discrepancy between licensing fees for dogs and cats. He also asked if a criteria had been determined for analyzing parking meter programs. Mr. Sorkin also noted that there is a lack of instructions regarding parking meter use.

William Scott, 23 Cedar Avenue questioned developer's compliance with the Township's Inclusionary Zoning Ordinance.

PRESENTATIONS

Police Department: Receive Police Chief David Sabagh

- Staffing allocated: 109 - current : 106
- Local hiring (encourage Montclair residents to join the force; benefits: will bring knowledge of the community, neighborhood and residents
- Segway scooters (\$13,500) maybe included in the capital budget
- Cameras Tony Fan, IT Director, Pat Brechka, Director of Recreation and Cultural Affairs
  - Placement
  - Limitations
  - Use requires appropriate "resolution"
  -
- installation of cameras at several Township parks and pools (Edgemont/Nishuane)
- A proposal will be issued in six to eight weeks.

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Parking Utility: Receive Program Administrator Tina Iordamlis

- Parking Study
- Meter Stations
- Deck maintenance
- Deck upgrades
- Fullerton Deck: valet service; possible use by Bob Silver/Wellmont

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Health Department: Receive Director Sue Portuese

- Senior Space: St. Lukes  
Library  
Edgemont Park House
- Transportation for Pathmark customers:
  - Senior Bus
  - Essex County Special Transportation System
  - Montclair Shuttle

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Communications: Receive Director Katya Wowk

- Website - negotiating Contract
- Functionality
- Agenda setting
- Security

- Storage
- Budget

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Information Systems: Receive Director Tony Fan

- Capital request for cameras
- Property Pilot (collect data)
- Reverse 911

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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, on September 2, 2015 the Township of Montclair opened and read bids for the purchase, delivery and planting of 100 trees for the Township’s 2015 Fall Tree Planting program, as prescribed by law; and

WHEREAS, four companies submitted bids to provide trees in accordance with the bid specifications; and

WHEREAS, Louis Barbato Landscaping, Inc. submitted the lowest responsible bid in accordance with the bid specifications in the amount of \$24,330.00; 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 Louis Barbato Landscaping, Inc. for the purchase, delivery and planting of 100 trees for the Township’s 2015 Fall Tree Planting program in the amount of \$24,330.00 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 2010 Capital Budget, Account Numbers C-04-10-012-000-104 and C-04-10-070-000-104. Complete details of the contract are attached hereto and made a part hereof. (R-15-149)

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

WHEREAS, the Township Council of the Township of Montclair, in the County of Essex, State of New Jersey recognizes that the Snow Buddies project will provide vital assistance to seniors who cannot shovel/clear snow on their properties, and allow for Montclair’s younger residents to provide a community service to make a difference in the life of a senior who may otherwise become isolated during a snow storm; and

WHEREAS, the Township Council further recognizes that Partners for Health has invested in the “Lifelong Montclair – Aging in Place” initiative to help coordinate resources and services designed to help seniors age in place; and it is incumbent upon not only public officials but also upon the entire community to take action to create an environment where seniors can choose to age gracefully in our community; and,

WHEREAS, the Montclair Health Department, Senior Citizen Advisory Committee, Boy Scout Troop 8 and Aging Montclair are partnering to expand the project throughout Montclair by recruiting community organizations and seniors in need; and

WHEREAS, the Montclair Township Health Department has applied and been approved to receive funding from the Partners for Health Foundation on behalf of the Senior Citizen Advisory Committee for equipment to help make Snow Buddies a success; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, State of New Jersey hereby authorizes acceptance of a grant for the Snow Buddies Project for the fall/winter, in the calendar year 2015 in the amount of \$1,500.00; and

BE IT FURTHER RESOLVED that the Council acknowledges the terms and conditions for administering the Partners for Health grant, including administrative compliance and audit requirements. (R-15-150)

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

WHEREAS, the Township Council of the Township of Montclair, in the County of Essex, State of New Jersey recognizes that the Edgemont Community Center project will provide programs and activities for seniors in the

community for learning, recreation and socialization, including classes being offered through the Montclair Institute for Lifelong Learning; and,

WHEREAS, the Township Council further recognizes that Partners for Health has invested in the "Lifelong Montclair - Aging in Place" initiative to help coordinate resources and services designed to help seniors age in place; and it is incumbent upon not only public officials but also upon the entire community to take action to create an environment where seniors can choose to age gracefully in our community; and,

WHEREAS, the Montclair Health Department, Recreation Department and Lifelong Montclair have committed to providing programs and activities for senior citizens at Edgemont Park Shelter House; and,

WHEREAS, the Montclair Township Health Department has applied and been approved to receive funding from the Partners for Health Foundation to support programs for Senior Citizens which have been started at Edgemont Park Shelter House; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, State of New Jersey hereby authorizes acceptance of a grant for Programming and Supplies for the Edgemont Community Center for the fall/winter grant cycle, in the calendar year 2015, in the amount of \$5,000.00; and

BE IT FURTHER RESOLVED that the Council acknowledges the terms and conditions for administering the Partners for Health grant, including administrative compliance and audit requirements. **(R-15-151)**

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

WHEREAS, the Township Council of the Township of Montclair, in the County of Essex, State of New Jersey recognizes that obesity prevention is an important step in preventing many other chronic diseases; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but also upon the entire community to take action to prevent obesity and increase access to healthy foods; and

WHEREAS, the Montclair Health Department has been invited to make application to expand the Montclair Eat Better project for another two year cycle to support small corner stores through education, incentives and supplies, so that they can benefit by selling healthier food items; and

WHEREAS, the Township Health Department intends to apply for funding through the Partners for Health Foundation in conjunction with the Shaping NJ program to support programs which make the health choice, the easy choice; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, State of New Jersey that the Council does hereby authorize submission of an application for the "Montclair Shop Healthy" bodega project, for a two year grant cycle in the amount of \$15,000; and

BE IT FURTHER RESOLVED that the Township acknowledges the terms and conditions for administering the Partners for Health grant, including the administrative compliance and audit requirements. **(R-15-152)**

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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 Section 202-39 et seq.) and a Spending Plan in accordance with the New Jersey regulations; and

WHEREAS, on February 21, 2012 an Amended Spending Plan was adopted by the Township to permit Housing Trust Fund to be used for an Extension of Controls Program and on May 3, 2012 the Council on Affordable Housing approved the Amended Spending Plan; and

WHEREAS, on November 17, 2014, the Township of Montclair adopted an ordinance creating a Voluntary Extension of Affordability Controls Program which included a grant of \$10,000 to be paid to income-eligible owners of affordable housing units whose affordable controls have expired or will expire within two years; and

WHEREAS, Donna Mattee is the current owner of Unit H2 in Building 6 at 50 Pine Street, which is a low-income unit with a 20-year affordability control period and the control period for this unit expired on February 24, 2014 and Ms. Mattee meets the income requirements for a low-income household and has submitted an application to extend the affordability controls on this unit for 30 years; and

WHEREAS, Ms. Mattee proposes to use the \$10,000 grant to replace windows, install new kitchen cabinets and a new kitchen floor and replace the water heater; and

WHEREAS, a Deed restriction will be recorded to ensure that the property continues to be used as low income housing in accordance with State regulations for thirty years with an expiration date of February 24, 2044; and

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the

Council hereby authorizes the disbursement of \$10,000 from the Montclair Housing Trust Fund to be applied to the renovation of the property commonly known as 50 Pine Street, Building 6, Unit H2 and the Chief Financial Officer is hereby authorized to release said funds in accordance with an agreement to be approved by the Township Manager and the Township Attorney which shall provide, among other things, that all property taxes and condominium fees must be paid and that the funds disbursed pursuant to this Resolution shall be immediately repaid to the Township if the property ceases to be used as a low-income housing unit in accordance with State regulations (R-15-153)

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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 Section 202-39 et seq.) and a Spending Plan in accordance with the New Jersey regulations; and

WHEREAS, on February 21, 2012 an Amended Spending Plan was adopted by the Township to permit Housing Trust Fund to be used for an Extension of Controls Program and on May 3, 2012 the Council on Affordable Housing approved the Amended Spending Plan; and

WHEREAS, on November 17, 2014, the Township of Montclair adopted an ordinance creating a Voluntary Extension of Affordability Controls Program which included a grant of \$10,000 to be paid to income-eligible owners of affordable housing units whose affordable controls have expired or will expire within two years; and

WHEREAS, Marion Jackson purchased Unit J2 in Building 6 at 50 Pine Street on February 23, 1994 as a low-income unit with a 20-year affordability control period and the control period for this unit expired on February 23, 2014; and

WHEREAS, Marion Jackson is the owner of this unit and meets the income requirements for a low-income household and has submitted an application to extend the affordability controls on this unit for 30 years; and

WHEREAS, Ms. Jackson proposes to use the \$10,000 grant to install new tile flooring and new light fixtures in the kitchen, new tiles, toilet and cabinetry in the bathroom and to fix cracks in the ceiling in the dining room; and

WHEREAS, a Deed restriction will be recorded to ensure that the property continues to be used as low income housing in accordance with State regulations for thirty years with an expiration date of February 23, 2044; and

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Council hereby authorizes the disbursement of \$10,000 from the Montclair Housing Trust Fund to be applied to the renovation of the property commonly known as 50 Pine Street, Building 6, Unit J2 and the Chief Financial Officer is hereby authorized to release said funds in accordance with an agreement to be approved by the Township Manager and the Township Attorney which shall provide, among other things, that all property taxes and condominium fees must be paid and that the funds disbursed pursuant to this Resolution shall be immediately repaid to the Township if the property ceases to be used as a low-income housing unit in accordance with State regulations. (R-15-154)

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

WHEREAS, on May 6, 2014 Resolution R\_14\_070 was adopted by the Council of the Township of Montclair approving participation with the State of New Jersey in a Safe and Secure Communities Program; and

WHEREAS, in July of 2015 the Division of Criminal Justice notified the Montclair Police Department that Resolution R\_14\_070 must be amended to include the grant amount, which includes the matching total paid by the Township and the total cost of the project; now therefore

BE IT RESOLVED that Montclair Resolution R\_14\_070 be amended and restated as follows:

WHEREAS, the Township of Montclair wishes to apply for funding of approximately \$60,000.00 with a match of approximately \$141,116.00 for an approximate project total cost of \$201,116.00 for a project under the State of New Jersey Safe and Secure Communities Grant Program (Grant No. P-6092-14), and

WHEREAS, the Montclair Township Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Montclair for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Montclair Township Council that

1. As a matter of policy, the Township of Montclair wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the application of said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

**(R-15-155)**

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

WHEREAS, on February 3, 2015 Resolution R\_15\_038 was adopted by the Council of the Township of Montclair authorizing submission of grant for the Montclair Community Intervention Alliance; and

WHEREAS, because the Governor's Council on Alcoholism and Drug Abuse ("GCADA") switched over to a fiscal year, the resolution should read 2016, not 2015; now therefore

BE IT RESOLVED that Montclair Resolution R\_15\_038 be amended and restated as follows:

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Montclair, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, Township Council further recognizes that it is incumbent upon not only public officials but also upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex; now therefore

BE IT RESOLVED that the Township Council does hereby authorize the submission of a strategic plan for the Montclair Municipal Alliance grant for fiscal year 2016 in the amount of:

DEDR	\$ 49,000.00
Cash Match	\$ 15,000.00
In-Kind	\$ 37,500.00

**(R-15-156)**

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

WHEREAS, the Township Council has established the Traffic and Parking Advisory Committee (TPAC) as a volunteer committee to provide advice to the Council concerning parking and traffic-related issues; and

WHEREAS, the practice has been for meetings of TPAC to be held on the third Wednesday of each month at 9:00 a.m.; and

WHEREAS, TPAC's meeting time has resulted in limited participation from the residents who work on a daily schedule; and

RESOLVED, that TPAC is instructed to hold two or three public forums in the evening in addition to their regular meetings. **(R-15-157)**

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

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

WHEREAS, N.J.S.A. 40A:9-146 requires every municipality in the State of New Jersey to have a Tax Assessor, who in the Council-Manager Plan is to be appointed by the governing body; and

WHEREAS, the Tax Assessor, who was tenured in her position, retired and resigned as of September 1, 2015; and

WHEREAS, the Township Council has determined that George F. Librizzi, of North Caldwell, New Jersey, who is a Certified Tax Assessor in the State of New Jersey, has the qualifications and experience to hold the position and perform the duties of Tax Assessor; and

WHEREAS, Mr. Librizzi was appointed by Resolution 15-148 to a term ending on June 30, 2016; and

WHEREAS, the New Jersey State Division of Taxation has advised the Township that in the circumstances of this vacancy, the term of the new Assessor's appointment must be from the date of appointment until June 30, 2016 and from July 1 2016, until June 30, 2020; now, therefore, be it

RESOLVED, that Mr. Librizzi's appointment as Tax Assessor is reaffirmed, and shall commence as of September 29, 2015 and continue until June 30, 2016, at which point the Assessor's statutory 4-year term shall commence and continue until June 30, 2020; and be it further

RESOLVED, that the salary of the Tax Assessor, and additional terms and conditions of employment, shall be determined by the Manager, within the parameters established by the applicable salary ordinance. (R-15-158)

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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 **JESSICA STOLZBERG** be and she hereby is APPOINTED to serve as a FIRST ALTERNATE member 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 a full member of the Environmental Commission commencing immediately and terminating December 31, 2016.

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that **IMKE OSTER** be and she hereby is APPOINTED to serve as a full member of the Environmental Commission commencing immediately and terminating December 31, 2017. (R-15-159)

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#### TOWNSHIP MANAGER'S REPORT

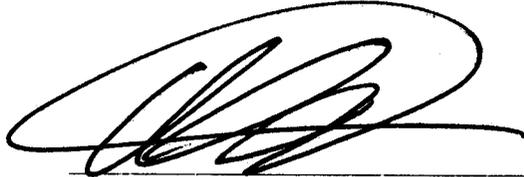
##### DISCUSSION/OCTOBER 13, 2015 AGENDA ITEMS

1. Resolution awarding contract for 2015 Fall Tree Planting (R\_15\_149)
2. Resolution authorizing acceptance of Partners for Health grant for Snow Buddies Project(R\_15\_150)
3. Resolution authorizing acceptance of Partners for Health grant for Senior Citizens Program support at Edgemont Park Shelter House (R\_15\_151)
4. Resolution authorizing submission of grant application to Partners for Health for the "Montclair Shop Healthy" bodega healthier food items project (R\_15\_152)
5. Resolution authorizing disbursement of funds from the Montclair Housing Trust Fund to provide a grant to the owner of Unit 6H2 at 50 Pine Street as part of the voluntary extension of Affordability Controls Program (R\_15\_153)
6. Resolution authorizing disbursement of funds from the Montclair Housing Trust Fund to provide a grant to the owner of Unit 6J2 at 50 Pine Street as part of the voluntary extension of Affordability Controls Program (R\_15\_154)
7. Amended and restated resolution approving participation with the State of New Jersey in a Safe and Secure Communities Program administered by the Division of Criminal Justice, Department of Law and Public Safety (R\_15\_155)
- 7a Amended and restated resolution authorizing submission of grant for the Montclair Community Intervention Alliance (R\_15\_156)
8. Resolution to change the meeting times for Traffic and Parking Advisory Committee ("TPAC") from morning to evening (R\_15\_157)
9. Amended Resolution adjusting the term of George F. Librizzi's appointment to the position of Tax Assessor (R\_15\_158)

9a. Resolution authorizing appointments to Environmental Advisory Committee (R\_15\_159)

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At 10:00 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