

MONTCLAIR, NEW JERSEY

October 13, 2015

The Council of the Township of Montclair, in the County of Essex, met in the First Floor Council Chamber in the Municipal Building, 205 Claremont Avenue, for a Regular 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

On motion made by Mayor Jackson and duly seconded, the minutes of September 29, 2015 and October 6, 2015 were approved by unanimous vote.

PROCLAMATION

*DECLARING OCTOBER, 2015
BREAST CANCER AWARENESS MONTH*

- WHEREAS Breast cancer is the most frequently diagnosed cancer among women in the United States, other than skin cancer. Affecting approximately 230,000 women as well as 2,300 men each year, breast cancer is responsible for more than 40,000 deaths annually in the United States; and
- WHEREAS Through research and advocacy, significant advances have been made in the fight against breast cancer, including an increase in five-year survival rates from 74 to 98 percent for localized breast cancer; and
- WHEREAS The efforts of various organizations have made a major contribution to spreading awareness to both women and men in all communities through outreach, education and screening programs; and
- WHEREAS The Susan G. Komen Foundation, established in 1982, has raised billions of dollars to support research, community outreach, education, advocacy and global work; and
- WHEREAS Regular screening and quality care are vital to improving outcomes for millions of people; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair declare their support for Breast Cancer Awareness campaigns and proclaim

OCTOBER AS BREAST CANCER AWARENESS MONTH

urging women and men in Montclair to get the facts about breast cancer.

PROCLAMATION

OF THANKS AND APPRECIATION FOR
Stephen Webb

- WHEREAS Reverend Stephen Webb, Montclair resident and pastor of the New Life Christian Church (Disciples of Christ) in Bloomfield, New Jersey, is being honored in recognition of his fifteen years as pastor at a dinner to be held at 5:00 p.m. on Sunday, October 18, 2015 at Bella Italia Restaurant in Orange, New Jersey; and
- WHEREAS Reverend Webb is a graduate of Montclair State University with a Bachelor of Arts Degree in Sociology. He attended New York Seminary where he earned his Masters of Divinity Degree. He also received his Masters of Education degree from St. Peters College in Jersey City and is currently a Doctoral Candidate at New York Theological Seminary. He has shared his dedication to spiritual growth and social change with his congregation since the first worship service in January of 2000; and
- WHEREAS Reverend Webb, with his wife, Sandra, opened his home to his congregation as the initial place of worship until January of 2003 when the first service was held in a renovated warehouse

which has since expanded to include a 100 seat chapel, a meeting/dining hall, a licensed day care center, a medical center, and a mental health center; and

WHEREAS Reverend Webb has dedicated his life to serving others. In addition to his role as Pastor he also supervises a staff of 29 at Fresh State Academy Middle School in East Orange. The school provides an alternative education program for at-risk, disaffected students with a program designed to redirect students and give them a second chance to complete their education; now therefore

BE IT RESOLVED that the Township Council of Montclair recognizes the many contributions

REVEREND STEPHEN WEBB

has made to his congregation and students and joins with his family, friends and fellow Montclair residents in wishing him well.

PUBLIC COMMENT

Joyce Goldman, Director, Essex County Constituent Services, wished all "Buenos Nochas in honor of Hispanic Heritage month.

She noted the following: Unveiling of statute of Dr. Martin Luther King, Jr.
Electronic recycling on October 17
Pet Halloween parade: Brookdale Park
Children's Halloween Parade - Essex County/Arena Turtle Back Zoo

Rich Galioto, King and I Landscaping thanked the Mayor for reopening the issue of the leaf blower ordinance. He asked the Council to check court records to ascertain if a single individual was issuing complaints against landscapers.

NEW BUSINESS - RESOLUTIONS

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

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods or services; and

WHEREAS, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on October 13, 2015 the governing body of the Township of Montclair, County of Essex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; now therefore

BE IT RESOLVED that this resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Montclair and pursuant to the provisions of NJSA 40A:11-11(5), the Township Purchasing Agent is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency; and

FURTHER RESOLVED that this resolution shall take effect immediately upon passage and a certified copy of this resolution shall be provided to each of the County of Bergen Department of Administration and Finance and to the Montclair Township Purchasing Agent, Edward Cho, QPA. (R-15-160)

On motion made by Councilor McMahon 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 providing opportunities for elementary school children to read to animals in animal shelters allows the students to maintain their reading levels and give animals attention; increasing reading readiness abilities in the developing child, decreasing stress for the shelter animals to enhance their adoptability, educating the community about the shelter and providing advocacy and service opportunities through volunteer activities; and

WHEREAS, in furtherance of this activity the Montclair Health Department is submitting a grant application to the Albert Terhune Payson Foundation in order to build a reading library and reading nooks where children from Montclair elementary schools can come and read to the shelter's cats and dogs; and

WHEREAS, partners in this project include Montclair Public Schools, scout troops, community volunteers and the MTAS; 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 to the Albert Terhune Payson Foundation in the amount of \$3,000; and

BE IT FURTHER RESOLVED that the Township acknowledges the terms and conditions for administering the grant, including the administrative compliance and audit requirements. **(R-15-161)**

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

WHEREAS, on January 20, 2015, the Township of Montclair renewed the contract for the *2014 Annual Tree Removal Contract* services required by the Township with Dujets Tree Experts, Inc. , for one year, as prescribed by law; and

WHEREAS, the capital budget account number to which this activity would be charged has insufficient funds, the following existing Shade Tree capital budget account numbers are approved to fund these activities; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township authorize the use of the following existing Capital Budget Account Numbers to fund the Shade Tree related work activities for the year 2015 in an amount not to exceed \$125,000.00 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, C-04-10-070-000-104, 2011 Capital Budget - C-04-11-018-000-104, 2014 Capital Budget - C-04-14-026-000-200, 2015 Capital Budget - C-04-15-009-000-104. Complete details of the contract are attached hereto and made a part hereof. **(R-15-162)**

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

WHEREAS, on September 30, 2015 the Township of Montclair opened and read bids for Warman Street Drainage Improvements, as prescribed by law; and

WHEREAS, this contract has been awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Cifelli and Son General Construction of 81 Franklin Avenue, , Nutley, NJ submitted the lowest responsible bid, according to the specifications, in the amount of \$83,785.00; and

WHEREAS, funds for this purpose have been provided for in the 2008 Capital budget identified by Account Number C-04-08-010-000-102 in the accounting records of the Township; and

WHEREAS, there is a need for protection and maintenance of traffic during the course of construction, which shall be provided by off-duty officers of the Montclair Police Department; and

WHEREAS, funds for this purpose have been provided for in the 2008 Capital budget identified by Account Number C-04-08-010-000-102 in the accounting records of the Township; 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 Cifelli and Son for Warman Street Drainage Improvements in the amount of \$83,785.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds; and

BE IT FURTHER RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that an agreement with Montclair Police for traffic control in the amount of \$7,350.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. **(R-15-163)**

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

WHEREAS, Local Finance Notice 2015-17 requires that the municipality shall submit by October 16, 2015 to the Director of the Division of Local Government Services a report describing the municipality's compliance with the "Best Practices Inventory" established by the Director of the Division of Local Government Services, and

WHEREAS, the report is required to be certified by the Chief Financial Officer, Chief Administrative Officer and Municipal Clerk; and

WHEREAS, the members of the governing body have reviewed the Best Practices Inventory questions and the answers being submitted; and

WHEREAS, the Township of Montclair has achieved a score of 82%, which would qualify the Township of Montclair to 100% of the State Aid to which it is entitled; now therefore

BE IT RESOLVED by the Council of the Township of Montclair that the Local Government Best Practices Checklist, as completed by the Chief Financial Officer and Chief Administrative Officer, is hereby approved for submission to the Director of Local Government Services. (R-15-164)

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 JIM PRICE, BRUCE TYLER, IAN FINNELL and SARA BRADY be and they hereby are APPOINTED to serve as MEMBERS of the ARTS ADVISORY COMMITTEE effective immediately and terminating December 31, 2017. (R-15-165)

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: **\$2,118,068.89**.

REPORTS

TOWNSHIP ATTORNEY

Township Attorney, Ira Karasick recently drafted an ordinance for Council consideration. This ordinance would be an addition to the current municipal "nuisance" ordinance and would address the issue of lighting on a homeowner's property which may to disturb neighborhood residents. Mr. Karasick will seek input from Code Enforcement, the Environmental Commission and other interested parties before going forward.

TOWNSHIP CLERK

Municipal Clerk, Linda Wanat notified audience members that the deadline to register to vote was 9:00 p.m. October 13, 2015.

TOWNSHIP MANAGER

- Police Department Drug Dropbox: October 16, and October 22
- Coffee with a cop
- Breast Cancer Screening Seminar – For information call: 973-429-6964

COUNCIL REPORTS

Councilor Spiller

- Parking Study Meeting
- Environmental Commission, October 14, at 7:00 p.m.
- Zip Car launch (Crescent Deck)
- Upcoming development meetings of interest to all residents

Councilor Baskerville

- Lackawanna Redevelopment Project, October 21, 2015
- Fourth Annual Halloween Celebrations, October 31, at 11 Pine Street, and the Wally Choice Center
- First Annual South End Harvest Festival, noon, October 17, 2015

Councilor Schlager

- Second Ward Meeting, 7-8:30 p.m., Edgemont Park Shelter House, October 15
- 10th Anniversary of Amanti Vino
- Grand reopening of the Montclair Women's Club, October 24, 2015

She congratulated the chairs and committee of a most successful Joe Walsh fundraiser for MFEE.

Councilor Hurlock

- Upper Montclair Fall Festival, October 25
- First Ward Community Meeting November 5, 7:30 – 9:00 p.m., Bellevue Avenue Branch library.

Councilor McMahon

- On-line parking survey

Councilor McMahon announced that he and Fire Chief Herrmann will be part of a delegation visiting Graz, Austria in recognition of the 65th anniversary of Montclair's Sister City relationship with that city.

COMMUNICATIONS

From: NJDEP – No Further Action Letter

99 Valley Road
 118 Watchung Avenue
 3 Prospect Avenue
 201 Inwood Avenue
 82 Myrtle Avenue
 14 Berkeley Place

TAX COLLECTOR'S MONTHLY REPORT – August, 2015 - \$40,392,506.05
 September, 2015 \$ 1,711,067.85

TPAC – Parking and Traffic issue initiation form – Luis E. Carillo, 47 Tuxedo Road, Montclair.

Notice of Public Hearing to property owners re: Eastern Gateway Redevelopment Area, Block 4202, Lot 2.01.

Contract dated September 14, 2015 re: Afterglow Way Brick Road Restoration – TC Landscape Construction Group, Inc.

Contract dated August 11, 2015 re: Walnut Street Pedestrian Safety Improvements – J.C. Contracting, Inc.

At 7:51 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