

MONTCLAIR, NEW JERSEY

November 16, 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 and Schlager
Absent: Councilor Spiller

On motion made by Mayor Jackson and duly seconded, the minutes of November 16, 2015 was approved by unanimous vote.

SWEARING-IN CEREMONY

Robert Duncan sworn in as Deputy Chief of Operations
Brian Wilde sworn in as Deputy Chief of Logistics
Joseph Bates sworn in as Captain
William Morrison sworn in as Lieutenant
Kevin Stoute sworn in as Lieutenant
David Hill sworn in as Lieutenant

PROCLAMATIONS

Larry Berra, accepting the proclamation on behalf of his dad, reflected that Yogi would have received this honor with his usual humility.

Family and friends also celebrated the news that Yogi Berra had just been designated by President Barack Obama to receive the prestigious Presidential Medal of Freedom. Yogi's adopted "hometown" Montclair could not have been more proud.

PROCLAMATION
IN MEMORIAM
Lawrence Peter "Yogi" Berra

WHEREAS All of Montclair joined recently with the rest of our country and the world in celebrating the life and mourning the death of Lawrence Peter "Yogi" Berra, one of the greatest major league baseball players of all time and a Montclair resident for over fifty years; and

WHEREAS A native of St. Louis, Missouri, Yogi signed with the Yankees in 1943 before serving in the United States Navy in World War II where he was a member of the invasion force on D-Day Yogi was one of a six-man crew on a Navy rocket boat, firing machine guns and launching rockets at the German defenses at Omaha Beach. He was fired upon but was not hit and later received several commendations for his bravery; and

WHEREAS Making his major-league debut in 1946, he was a mainstay in the Yankees' lineup during the team's championship years in the 1940s and 1950s. After playing 18 seasons with the Yankees, he retired following the 1963 season. He spent one season as their manager, then joined the New York Mets in 1965 as coach (and briefly a player again). Yogi remained with the Mets for the next decade, the latter four years of which were spent as their manager. He returned to the Yankees in 1976, coaching them for eight seasons and managing for two, before coaching the Houston Astro's. He was one of seven managers to lead both American and National League teams to the World Series. As a player, coach, or manager, Yogi appeared in 21 World Series and won 13 of them; and

WHEREAS Yogi personified his generations' values of personal responsibility, duty, honor, and faith. He and his wife Carmen were thoughtful and active members of the Montclair community – involved with the Montclair Salvation Army, St. Vincent's Nursing Home, Montclair Police Athletic League and many other local and national charities. Yogi often donated signed baseballs and other items as part of fund raising efforts for Montclair organizations. He was an active parishioner at Immaculate Conception Church where parents often pointed out his presence to their children as he entered the church; and

WHEREAS Included in the numerous awards and honors he received, Yogi was named the first recipient of the Bob Feller Act of Valor Award which was one of baseball's ways of paying homage to the military; he and Carmen were the Grand Marshals of Montclair's 4th of July Parade in 2005 and in 2012 the Township Council passed an ordinance designating the entire length of Edgewood Terrace as Yogi Berra Way; and

WHEREAS As one of the most quoted men who ever lived, Yogi said in his Hall of Fame acceptance speech, "I want to thank baseball. It has given me more than I could hope for. And I hope that when I'm through with this game, I will put something back." And that's exactly what he did; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, expresses the thanks of a grateful community for the many contributions of Lawrence Peter "Yogi" Berra to the Township of Montclair and fans of baseball everywhere and extends its sympathy to his sons Lawrence, Timothy and Dale; grandchildren, great-grandson and extended family and friends. As a member of the "Greatest Generation" he was one of those "ordinary people whose lives were laced with the markings of greatness."

The Council adopted the following Proclamations

In Memoriam
Daisy E. Booker Douglas

WHEREAS The Council of the Township of Montclair notes with sadness the passing of Daisy E. Booker Douglas. The longtime Montclair resident's life is being celebrated at a Memorial Service to be held on Friday, November 27, 2015; and

WHEREAS Mrs. Douglas was educated in the D.C. public school system and was a 1938 graduate of Howard University where in 1936 she was initiated as a member of Alpha Kappa Alpha Sorority Incorporated. She received a Master's Degree in Teaching from Kean University in 1958 and was a teacher in the Montclair school system from 1957 to 1983, teaching not only at Glenfield School but also at George Innes Junior High and Montclair High School, where she was in charge of the Home Economics Department from 1968 until 1983; and

WHEREAS Mrs. Douglas was not only a career educator but also a dedicated community activist serving many organizations including Jack & Jill of North Jersey and the New Jersey Performing Arts Center. She held life memberships with the League of Women Voters, the National Education Association, the NAACP, and was also a member of the Teachers Club of Montclair; and

WHEREAS Daisy Douglas has been recognized for her accomplishments throughout her career. She was honored in 2003 by the Glenfield Neighborhood Alumni Association in the Educator Category when her name was added to the "Wall of Fame" and she was also acknowledged for her over seventy-five years of service as a member of the Alpha Kappa Alpha sorority at a luncheon held in her honor in 2011; now therefore

BE IT RESOLVED that we, the Township Council of Montclair, express the thanks of a grateful community for the life and contributions of Daisy Booker Douglas and extend sympathy to all who will cherish her loving memory.

PROCLAMATION
CONGRATULATING
Eagle Scout Rory Cronogue

WHEREAS the Boy Scouts is an organization that builds skills which young people need to deal with the eventual realities of life, not only developing in them an appreciation for nature but also helping them to develop self-esteem and confidence that will lead to a sense of independence. Scouting offers young people responsible fun and adventure while training them in citizenship, service, and leadership; and

WHEREAS Rory Cronogue, a member of Troop 13 in Montclair, achieved the rank of Eagle Scout on June 16, 2015 and will be presented as such at the Eagle Scout Awards Presentation and Court of Honor on November 28th; and

WHEREAS Eagle Scout is the highest rank in Scouting, requiring 21 merit badges in fields such as First Aid, Citizenship in the Community, Communications, Camping, and Family Life. In addition, the candidate must complete a project that benefits school, church or community and entails planning and supervising volunteers. Rory's project was the repair and painting of the Montclair Red Cross meeting room used for blood drives, classes, meetings and emergency shelter; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair, in the County of Essex, recognize and salute the outstanding accomplishments of Rory Cronogue and congratulate him on attaining the highest rank of Scouting.

PUBLIC COMMENT

Sandy Sorkin, 3 Marquette Road referenced payments made by the Township to Smith Maran architects and asked for an explanation on for these expenses.

Caryn Bregman, physical therapist, 408 Bloomfield Avenue complained that a "vape bar" operating at this address is allowing smoking on the premises which she believes is against the law. She asked the Council to take immediate action.

John Green, Boy Scout leader introduced several scouts who were attending the Council meeting in pursuit of their scout badges.

NEW BUSINESS – ORDINANCES FIRST READING/INTRODUCTION

Mayor Jackson introduced the following amended 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 December 8, 2015:

“ORDINANCE REGULATING INVASIVE LIGHT” (O-15-036)

The motion was adopted by the following vote.

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

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 December 8, 2015:

“ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 347, ARTICLE XIV TO MAKE HEAD SHOPS A PROHIBITED USE IN N-C ZONES” (O-15-037)

The motion was adopted by unanimous vote.

NEW BUSINESS – RESOLUTIONS

On motion made by Mayor Jackson and duly seconded, the following CONSENT RESOLUTIONS were adopted by unanimous vote:

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$726.65, which is now available from 2013 Body Armor Replacement Fund Grant in the amount of \$726.65; and

BE IT FURTHER RESOLVED, that the like sum of \$726.65 is hereby appropriated under the caption 2013 Body Armor Replacement Fund Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2013 Body Armor Replacement Fund Grant in the amount of \$726.65. **(R-15-183)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000, which is now available from Drive Sober or Get Pulled Over Grant in the amount of \$5,000, and

BE IT FURTHER RESOLVED, that the like sum of \$5,000 is hereby appropriated under the caption 2014 Drive Sober or Get Pulled Over Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2014 Drive Sober or Get Pulled Over Grant in the amount of \$5,000. **(R-15-184)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$11,012.67, which is now available from 2014 Drunk Driving Enforcement Grant in the amount of \$11,012.67, and

BE IT FURTHER RESOLVED, that the like sum of \$11,012.67 is hereby appropriated under the caption 2014 Drunk Driving Enforcement Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2014 Drunk Driving Enforcement Grant in the amount of \$11,012.67. **(R-15-185)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$1,709.06, which is now available from Alcohol Education Rehabilitation Grant in the amount of \$1,709.06; and

BE IT FURTHER RESOLVED, that the like sum of \$1,709.06 is hereby appropriated under the caption 2015 Alcohol Education Rehabilitation Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Alcohol Education Rehabilitation Grant in the amount of \$1,709.06. **(R-15-186)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$9,592.97, which is now available from Body Armor Replacement Fund Grant in the amount of \$9,592.97, and

BE IT FURTHER RESOLVED, that the like sum of \$9,592.97 is hereby appropriated under the caption 2015 Body Armor Replacement Fund Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Body Armor Replacement Fund Grant in the amount of \$9,592.97. **(R-15-187)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$72,538.18, which is now available from 2015 Clean Communities Grant in the amount of \$72,538.18, and

BE IT FURTHER RESOLVED, that the like sum of \$72,538.18 is hereby appropriated under the caption 2015 Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Clean Communities Grant in the amount of \$72,538.18. **(R-15-188)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$4,000, which is now available from 2015 Click It Or Ticket Grant in the amount of \$4,000, and

BE IT FURTHER RESOLVED, that the like sum of \$4,000 is hereby appropriated under the caption 2015 Click It Or Ticket Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Click It Or Ticket Grant in the amount of \$4,000. **(R-15-189)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$7,280, which is now available from Division of Aging – Citizen Services Grant in the amount of \$7,280, and

BE IT FURTHER RESOLVED, that the like sum of \$7,280 is hereby appropriated under the caption 2015 Division of Aging – Citizen Services Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Division of Aging – Citizen Services Grant in the amount of \$7,280. **(R-15-190)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$7,500, which is now available from Drive Sober or Get Pulled Over Grant in the amount of \$7,500, and

BE IT FURTHER RESOLVED, that the like sum of \$7,500 is hereby appropriated under the caption 2015 Drive Sober or Get Pulled Over Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Drive Sober or Get Pulled Over Grant in the amount of \$7,500. **(R-15-191)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$160,486, which is now available from Montclair Board of Education – Nonpublic School Nursing Grant in the amount of \$160,486, and

BE IT FURTHER RESOLVED, that the like sum of \$160,486 is hereby appropriated under the caption 2015 Montclair Board of Education – Nonpublic School Nursing Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Montclair Board of Education – Nonpublic School Nursing Grant in the amount of \$160,486. **(R-15-192)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000, which is now available from 2015 Partners For Health Grant in the amount of \$5,000, and

BE IT FURTHER RESOLVED, that the like sum of \$5,000 is hereby appropriated under the caption 2015 Partners For Health Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Partners For Health Grant in the amount of \$5,000. **(R-15-193)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$60,000, which is now available from Safe and Secure Communities Grant in the amount of \$60,000, and

BE IT FURTHER RESOLVED, that the like sum of \$60,000 is hereby appropriated under the caption 2015 Safe and Secure Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Safe and Secure Communities Grant in the amount of \$60,000. **(R-15-194)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, now therefore

BE IT RESOLVED, that the Mayor and Council of the Township of Montclair in the County of Essex, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$10,000, which is now available from 2015 Partners For Health-Seniors in Transit Grant in the amount of \$10,000, and

BE IT FURTHER RESOLVED, that the like sum of \$10,000 is hereby appropriated under the caption 2015 Partners For Health-Seniors in Transit Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2015 Partners For Health-Seniors in Transit Grant in the amount of \$10,000. **(R-15-195)**

On motion made by Mayor Jackson and duly seconded, the following resolutions were **Voted on as Block** and 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, Harriet Carlos purchased Unit 319 at 50 Pine Street on May 22, 1989 as a moderate-income unit with a 20-year affordability control period and the control period for this unit expired on May 22, 2009; and

WHEREAS, Harriet Carlos 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. Carlos proposes to use the \$10,000 grant to install a new washer and dryer, electric range and to paint the entire unit; 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 May 22, 2039; 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, Unit 319 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-15-196)**

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, Terry Webber purchased Unit G1 in Building 6 at 50 Pine Street on February 24, 1994 as a low-income unit with a 20-year affordability control period and the control period for this unit expired on February 24, 2014; and

WHEREAS, Terry Webber 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. Webber proposes to use the \$10,000 grant to install new counters, laminate flooring, new water heater and replace a window will and purchase six new window screens; 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 G1 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-15-197)

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, Muhammad Shukriyyah purchased Unit A2 in Building 6 at 50 Pine Street on February 25, 1994 as a low-income unit with a 20-year affordability control period and the control period for this unit expired on February 25, 2014; and

WHEREAS, Muhammad Shukriyyah 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, Mr. Shukriyyah proposes to use the \$10,000 grant to install new windows, a new bathroom floor, new door and new refrigerator and stove; 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 25, 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 A2 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-15-198)

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, Gladysteen Parker purchased Unit 323 at 50 Pine Street on August 10, 1989 as a moderate-income unit with a 20-year affordability control period and the control period for this unit expired on August 10, 2009; and

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

WHEREAS, Ms. Parker proposes to use the \$10,000 grant to install a new kitchen range, new cabinets and countertops, new flooring and new windows; 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 August 10, 2039; 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, Unit 323 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-15-199).

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

WHEREAS, the Township of Montclair is a party to a cooperative purchasing agreement with the Morris County Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10 and

WHEREAS, the Local Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids: and

WHEREAS, the Township is in need of acquiring three (3) 2016 Ford Interceptor Utility Police Vehicles and one (1) 2016 Ford Expedition SSV Police Vehicle for the Montclair Police Department; and

WHEREAS, the Morris County Cooperative Pricing System has awarded a contract to Beyer Ford, 175 Route 10, East Hanover, New Jersey 07936, in conjunction with the Ford Motor Credit for the acquisition of Ford Interceptor Utility Police Vehicles and the Route 23 Auto Mall, 1301 NJ-23, Butler, NJ 0740 in conjunction with the Ford Motor Credit for the acquisition of Ford Expedition SSV Police Vehicles; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.5 et seq.; now therefore,

WHEREAS, funds for this purpose have been provided for the 2015 Operating Budget identified by Account Number 5-01-25-240-240-290 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 agreement with Beyer Ford, 175 Route 10, East Hanover, New Jersey 07936, for the acquisition of three (3) Ford Interceptor Utility Police vehicles and Route 23 Auto Mall, 1301 NJ-23, Butler, NJ 0740 for the acquisition of one (1) Ford Expedition SSV Police vehicle, in accordance with the aforementioned contract and the specifications attached hereto, in an amount not to exceed \$58,724.30 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. An additional and final payment of \$58,725.30 will be due in 2016. **(R-15-200)**

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

WHEREAS, the Township of Montclair is a party to a cooperative purchasing agreement with the Morris County Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10 and

WHEREAS, the Local Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids: and

WHEREAS, the Township was in need of acquiring four (4) Black Ford Interceptor Utility Police Vehicles for the Montclair Police Department and previously acquired and made the first payment for the same; and

WHEREAS, the Township must fulfill its obligation to make the second payment which is now due for the four (4) 2015 Black Ford Interceptor Utility Police Vehicles for the Montclair Police Department; and

WHEREAS, the Morris County Cooperative Pricing System awarded a contract to Beyer Fleet, 175 Route 10, East Hanover, New Jersey 07936, in conjunction with the Ford Motor Credit for the acquisition of Ford Interceptor Police Utility Vehicles; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20., 5 et seq.; now therefore,

WHEREAS, funds for this purpose have been provided for the 2015 Operating Budget identified by Account Number 5-01-25-240-240-290 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 approve the funds for the second payment on a lease agreement with Beyer Fleet, 175 Route 10, East Hanover, New Jersey 07936, for the acquisition of four (4) Black 2015 Ford Interceptor Police Utility Vehicles, in accordance with the aforementioned contract and the specifications attached hereto, in an amount not to exceed \$ \$54,705.96 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-15-201)**

On motion made by Mayor Jackson 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 New Brunswick Parking Authority, 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 a 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 November 16, 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 as follows:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Montclair.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Township Purchasing Agent is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey. **(R-15-202)**

Councilor Spiller joined the meeting.

COUNCIL REPORTS

Councilor Spiller reminded all of the Third Ward Community meeting on Monday, November 23, 2015 at 7:30 p.m. at the Montclair Public Library. Representatives of Nelson-Nygaard, parking consultants, will be present to discuss town-wide parking issues.

Councilor Baskerville will host a community meeting and visioning workshop November 30, 2015 at 7:00 p.m., 1 Pine Street, Montclair.

Councilor Hurlock thanked all those who attended the recent First Ward Community meeting.

Deputy Mayor Russo referenced a past meeting of all members of various boards, commissions and committees and encouraged the Council to consider scheduling such a meeting in the future.

COMMUNICATIONS

From: NJDEP – No Further Action Letter

10 Highland Avenue
10 Chester Road
7 Glenridge Parkway
42 Highland Avenue
24 Northview Avenue
143 Gates Avenue

Letter dated November 2, 2015 Veridian Environmental Consultants re: Response Action Outcome - 83 Walnut Street

Letter dated October 7, 2015 Arcadis Infrastructure Water – Environment re: Public Notification and Outreach – Auto works of Upper Montclair, 525 Valley Road.

Letter dated November 6, 2015 Passaic Valley Sewerage Commission re: Municipal Sewer Collection System Planning.

Letter dated October 26, 2015 from N.J. Chapter Community Associations Institute re: abandoned properties under foreclosure.

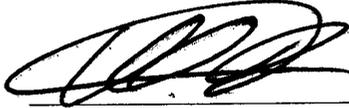
Letter dated September 28, 2015 PSE&G re: reinforcement of its existing policies regarding cost responsibility for traffic control necessary for utility work.

Letter dated October 16, 2015 from Mr. Hurrin to Mr. Schule re: Termination of landscaping contract with local resident

November 9, 2015 Notice of Hearing – Board of Adjustment re Calvin O. Trevenen, Esq.

Contract dated October 13, 2015 re: Warman Street Drainage Improvements – contractor Cifelli & Son General Contracting, Inc.

At 8:10 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