

MONTCLAIR, NEW JERSEY

February 16, 2016

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, and Spiller
Absent: Councilors McMahan and Schlager

On motion made by Mayor Jackson and duly seconded, the minutes of February 2, 2016 were approved by unanimous vote by the members present.

PUBLIC COMMENT

Rich Galioto, landscaper, Bloomfield challenged the Township’s position regarding the use of leaf blowers with the Township which he believes is unfair.

Joyce Goldman, Director of Constituents Services, Essex County, announced that Essex County will be honoring Montclair Mayor Robert Jackson with the 13th Annual Martin Luther King, Jr. Leadership Award on Wednesday, February 17, 2016.

Deputy Mayor Russo thanked the Essex County for their assistance with snow clearance.

Julie Samuels, 10 Roosevelt Place, complained that municipal parking spaces are not available despite the fact that she has a “N” parking permit. She urged the Township to enforce parking laws.

Michelle Alpern, 10 Roosevelt Place, reiterated the concerns of valid parking permit holders who are not able to utilize permits due to illegal parking.

Ken Weathersby, 10 Roosevelt Place, a Plymouth Parking lot permit holder, cannot find parking in this lot because Wellmont Theatre ticket holders are utilizing the spaces.

Nancy Katz, 371 Upper Mountain Avenue, noted the many improvements at the Montclair Animal Shelter including better physical facilities and higher adoption rates.

Steven Levitt, 10 Roosevelt Place, stated that the inability to park in a designated lot by bona fide permit holders is causing a lot of stress.

Sandy Sorkin, 3 Marquette Road, raised several bill list questions. He noted several deficiencies in Township parking meters during this unusually cold weather.

Kathleen Bennet, 19 Glenwood Road, member of the Historic Preservation Commission, addressed a possible designation of 44 Pleasant Avenue.

PROCLAMATION

IN MEMORIAM
Grant M. Gille

- WHEREAS** The Council of the Township of Montclair notes with sadness the passing of Grant M. Gille, Mayor of Montclair from 1976 to 1980. He was the last Mayor to serve the Township under the Commission form of government; and
- WHEREAS** Raised in Teaneck, New Jersey where he attended local schools, Mr. Gille graduated in 1960 from Yale University and, after serving in Okinawa with the Army Security Agency, attended Washington & Lee University School of Law. He was a partner in the Montclair law firm of Ferguson and Gille for many years; and
- WHEREAS** An active volunteer, Mr. Gille served as President of the United Way of Northwest Essex, President of New Jersey Easter Seals and Treasurer of National Easter Seals. He was a Board Member of the Community Foundation of New Jersey, Mountainside Hospital and Yale Divinity School; and

WHEREAS During his term as Mayor Mr. Gille was instrumental in the negotiations to purchase 205 Claremont Avenue which became the Montclair Municipal Building, uniting under one roof Township operations such as Nursing, Recreation, Tax and Water Billing with the Legal Department, Township Clerk and Building Department which had formerly been located in three separate locations; and

WHEREAS Grant Gille was the recipient of awards from many organizations acknowledging his leadership and service to Montclair including the N.A.A.C.P., Montclair Shared Housing, United Way and the Arts Council of the Essex area; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, expresses the thanks of a grateful community for the life and contributions of Grant M. Gille and extends our sympathy to his wife, Bobbie; children Grant, Jr., Eric, Todd and Ashley; grandchildren and many friends.

PROCLAMATION

IN SUPPORT OF READ ACROSS AMERICA DAY

WHEREAS the citizens of the Township of Montclair, New Jersey, stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS the Junior League of Montclair-Newark, Inc. has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's wellbeing and long-term quality of life; and

WHEREAS "NEA's (National Education Association) Read Across America," a national celebration of Dr. Seuss's 112th birthday on March 2, 2016, promotes reading and adult involvement in the education of our community's students; now therefore

BE IT RESOLVED that the Junior League of Montclair-Newark, Inc. calls on the citizens of the Township of Montclair to assure that every child is in a safe place reading together with a caring adult on March 2, 2016 and that the Mayor and Council of the Township of Montclair, in the County of Essex, endorses "NEA's Read Across America" and recommends our community to engage in programs and activities to make America's children the best readers in the world.

CONGRATULATING Eagle Scout Benjamin Beinish

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 Benjamin Beinish, a member of Troop 12 in Montclair, began his scouting career as a Cub Scout where he earned the Arrow of Light, the highest award earned by Webelos signifying that a scout has completed nearly all the requirements to earn the Scout badge in the troop and has begun his Boy Scout trail. Having now achieved the rank of Eagle Scout, he will be presented as such at the Eagle Scout Awards Presentation and Court of Honor being held on February 26, 2016 at 7:30 p.m. at St. James Church in Montclair; 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. Benjamin's project was to build and install benches, a compost bin, cold frames and birdhouses for the Watchung Elementary School. A junior at Montclair High School, he is a drummer in the marching band and a member of the school's fencing team. He enjoys teaching younger children and has used his teaching skills in fencing, scouting and at his synagogue; 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 Benjamin Beinish and congratulate him on attaining the highest rank of Scouting.

**CONGRATULATING
Eagle Scout Jack DeSantis**

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 Jack DeSantis, a member of Troop 12 in Montclair, began his scouting career as a Cub Scout where he earned the Arrow of Light, the highest award earned by Webelos signifying that a scout has completed nearly all the requirements to earn the Scout badge in the troop and has begun his Boy Scout trail. Having now achieved the rank of Eagle Scout, he will be presented as such at the Eagle Scout Awards Presentation and Court of Honor being held on February 26, 2016 at 7:30 p.m. at St. James Church in Montclair; 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. Jack's project was to build a compost area for the Rose Garden at Essex County's Brookdale Park. A senior at St. Peter's Preparatory School, he is involved and holds leadership positions in many school clubs including the Stock Market/Investment Club and his school's service organization, Pax Christi. He has volunteered with feeding the homeless, tutoring, and also assisting at the Van Dyk Nursing Home in Montclair; 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 Jack DeSantis and congratulate him on attaining the highest rank of Scouting.

**CONGRATULATING
Eagle Scout Caleb DeSmith**

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 Caleb DeSmith, a member of Troop 12 in Montclair, began his scouting career as a Cub Scout where he earned the Arrow of Light, the highest award earned by Webelos signifying that a scout has completed nearly all the requirements to earn the Scout badge in the troop and has begun his Boy Scout trail. Having now achieved the rank of Eagle Scout, he will be presented as such at the Eagle Scout Awards Presentation and Court of Honor being held on February 26, 2016 at 7:30 p.m. at St. James Church in Montclair; 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. Caleb's project was to build a ceremonial fire pit honoring Howard Van Vleck at the Van Vleck House and Gardens in Montclair; Mr. Van Vleck was a supporter of the Boy Scouts and Montclair's Troop 12 in the first half of the 20th century and hosted various scouting events. Caleb is a senior at Montclair High School and has been rowing for the high school crew team since his freshman year; 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 Caleb DeSmith and congratulate him on attaining the highest rank of Scouting.

**CONGRATULATING
Eagle Scout Christopher Kaloudis**

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 Christopher Kaloudis, a member of Troop 12 in Montclair, began his scouting career as a Cub Scout where he earned the Arrow of Light; he was also the winner multiple years in the Pinewood Derby and Raingutter Regata events requiring the Scout to construct and race cars and boats, respectively. Having now achieved the rank of Eagle Scout, he will be presented as such at the Eagle Scout Awards Presentation and Court of Honor being held on February 26, 2016 at 7:30 p.m. at St. James Church in Montclair; 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. Christopher’s community service activities include food drives, hunger walks and volunteering at a soup kitchen. Christopher is a very involved member of his church and built a memorial for the church’s World War One bell tower. He is a junior at Montclair High School and a rower with the school’s crew team; 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 Christopher Kaloudis and congratulate him on attaining the highest rank of Scouting.

**CONGRATULATING
Eagle Scout Max Koep**

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 Max Koep, a member of Troop 12 in Montclair, having now achieved the rank of Eagle Scout will be presented as such at the Eagle Scout Awards Presentation and Court of Honor being held on February 26, 2016 at 7:30 p.m. at St. James Church in Montclair; 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. For his project Max built a memorial to a teacher who had a great impact on his education. A junior at Montclair High School, Max is involved in multiple school sports and clubs including varsity cross country and varsity tennis. His volunteer service includes various projects at Hillside School in Montclair; 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 Max Koep and congratulate him on attaining the highest rank of Scouting.

ORDINANCES – SECOND READING/ADOPTION

The pending ordinance entitled: “ORDINANCE TO AMEND THE TRAFFIC ORDINANCE – ESTABLISHING BUS STOPS ON ORANGE ROAD AND ELM STREET” (O-16-001) passed first reading January 19, 2016 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson and duly seconded, the ordinance was adopted by unanimous vote by the members present.

The pending ordinance entitled: “ORDINANCE TO REGULATE CARE, MAINTENANCE, SECURITY, AND UPKEEP OF CERTAIN RESIDENTIAL PROPERTIES” (O-16-002) passed first reading January 19, 2016 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and

copies had been made available to the public as required by law and that an affidavit to that effect was in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson and duly seconded, the ordinance was adopted by unanimous vote by the members present.

The pending ordinance entitled: "ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 297 – CHAPTER 297: STREETS AND SIDEWALKS; ARTICLE III: SNOW AND ICE" (O-16-003) passed first reading January 19, 2016 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson and duly seconded, the ordinance was adopted by unanimous vote by the members present.

The pending ordinance entitled: "ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 297, ARTICLE II – EXCAVATIONS IN STREETS" (O-16-004) passed first reading January 19, 2016 and upon second reading the title thereof was read by the Clerk who then reported that it had been published and posted and copies had been made available to the public as required by law and that an affidavit to that effect was in the office of the Municipal Clerk.

Mayor Jackson asked whether anyone present wished to address the Councilors regarding the proposed ordinance.

Being no one wishing to be heard, Mayor Jackson closed the hearing.

On motion made by Mayor Jackson and duly seconded, the ordinance was adopted by unanimous vote by the members present

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 March 15, 2016:

"ORDINANCE DESIGNATING THE "MONTCLAIR WOMEN'S CLUB" (82 UNION STREET) AS A HISTORIC LANDMARK PURSUANT TO THE HISTORIC PRESERVATION ORDINANCE OF THE TOWNSHIP OF MONTCLAIR" (O-16-006)

The motion was adopted by unanimous vote of the members present.

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 March 15, 2016:

"ORDINANCE DESIGNATING THE "SOCIAL SERVICES BUILDING" (60 SOUTH FULLERTON AVENUE) AS A HISTORIC LANDMARK PURSUANT TO THE HISTORIC PRESERVATION ORDINANCE OF THE TOWNSHIP OF MONTCLAIR" (O-16-007)

The motion was adopted by unanimous vote of the members present.

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 March 15, 2016:

“2014 MANAGEMENT (NON-UNION) SALARY ORDINANCE - AN ORDINANCE AMENDING O-15-19 CREATING CERTAIN OFFICES, POSITIONS AND EMPLOYMENTS IN THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, AND FIXING THE SALARY RANGES THEREOF” **(O-16-008)**

The motion was adopted by unanimous vote of the members present.

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 March 15, 2016:

“ORDINANCE TO AMEND THE TRAFFIC ORDINANCE: ESTABLISHING A SCHOOL LOADING ZONE ON MAPLE AVENUE” **(O-16-009)**

The motion was adopted by unanimous vote of the members present.

NEW BUSINESS – RESOLUTIONS

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

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, in accordance with the LRHL, the Council of the Township of Montclair (the “Township Council”) has determined that the property known as Block 3106, Lot 10 with an address of 398-08 Bloomfield Avenue in the Township of Montclair, in the County of Essex (“the Property”) should be designated as an area in need of rehabilitation (the “Rehabilitation Area”); and

WHEREAS, the Township Director of Utilities has confirmed by Memorandum dated May 14, 2014 that the water and sanitary sewer lines serving the Property are at least 50 years old and are in need of substantial maintenance; and

WHEREAS, the potential designation of the Property as an area in need of rehabilitation may serve to prevent further deterioration and to promote the overall development of the Township in accordance with the requirements of N.J.S.A. 40A:12A-14; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, as follows:

1. Designation of the Area. The Township Council hereby designates that pursuant to NJSA 40A:12A-14, the area delineated on the attached map is as an area in need of rehabilitation;
2. Transmittal of Resolution to State Department of Community Affairs. The Township Council hereby directs the Township Clerk to transmit a copy of this resolution to the Commissioner of the Department of Community Affairs for review in accordance with the LRHL.
3. Effective Date. This resolution shall take effect immediately. **(R-16-035)**

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

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 amongst persons of all ages; and therefore has an established Municipal Alliance Committee; 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 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 Council of the Township of Montclair, County of Essex, State of New Jersey hereby recognize the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Montclair Community Intervention Alliance, Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	\$49,000.00
Cash Match	\$12,250.00
In-Kind	\$36,750.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements. **(R-16-036)**

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

WHEREAS, the Township Council of the Township of Montclair, 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 notified that application has been approved to expand the “Montclair Eat Better” project for another two year cycle, supported by funding through the Partners for Health Foundation, in conjunction with the New Jersey Healthy Communities Network; and

WHEREAS, the Township Health Department intends to expand the project, now called “Montclair Shop Healthy”, to support small corner stores through education, incentives and supplies, so that they can benefit by selling healthier food items; now therefore

BE IT RESOLVED by the Township of Montclair, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of an application for the “Montclair Shop Healthy” corner store project, for a two year grant cycle, in the amount of \$20,000.
2. The Township Council acknowledges the terms and conditions for administering the Partners for Health grant, including the administrative compliance and audit requirements. **(R-16-037)**

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

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 Public 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 of Montclair is in need of acquiring four (4) new 2016 Ford Escapes 2WD Sport Utility Vehicles for use by the Health Department; and

WHEREAS, the Morris County Cooperative Pricing System, Contract number 15-C, Item #1 has awarded a contract to Route 23 Auto Mall, 1301 Rt. 23 South, Butler, New Jersey 07405; 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,

BE IT RESOLVED, that the funds for this purchase have been appropriated in the 2015 Capital Budget, account number C-04-15-035-000-HEA; now therefore

BE IT FURTHER RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township of Montclair enter into an agreement with Route 23 Auto Mall, 1301 Rt. 23 South, Butler, New Jersey 07405 for four (4) New 2016 Ford Escapes 2WD Sport Utility Vehicles in the amount of \$74,652.00 to be charged to the accounts above or as otherwise determined to be correct by the Chief Financial Officer’s pending certification of funds **(R-16-038)**

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

WHEREAS, on February 16, 2016 the Township Council adopted Ordinance 16-002, Ordinance to regulate care, maintenance, security and upkeep of certain residential properties; and

WHEREAS, N.J.S.A. 40:69A-181(b) provides that the governing body of a municipality may adopt a resolution declaring an emergency and providing for any duly-adopted ordinance to take effect less than twenty days after final passage; and

WHEREAS, the Township Council finds and declares that an emergency exists; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that pursuant to N.J.S.A. 40:69A-181(b), Ordinance 16-002 adopted February 16, 2016 shall take effect immediately upon adoption of this Resolution. **(R-16-039)**

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

WHEREAS, on February 16, 2016 the Township Council adopted Ordinance 16-003, Ordinance amending Montclair Code Chapter 297 – Chapter 297: Streets and Sidewalks, Article III: Snow and Ice; and

WHEREAS, N.J.S.A. 40:69A-181(b) provides that the governing body of a municipality may adopt a resolution declaring an emergency and providing for any duly-adopted ordinance to take effect less than twenty days after final passage; and

WHEREAS, the Township Council finds and declares that an emergency exists; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that pursuant to N.J.S.A. 40:69A-181(b), Ordinance 16-003 adopted February 16, 2016 shall take effect immediately upon adoption of this Resolution. **(R-16-040)**

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

WHEREAS, the New Jersey Department of Environmental Protection determined that according to the revised NJDEP criteria, the Township water supply has a negative firm capacity; and

WHEREAS, this technical insufficiency restricts the Township's ability to issue new water main extension permits; and

WHEREAS, the Township Councils finds that it is in the best interests of the residents and taxpayers of the Township of Montclair to assure that the Township will have an adequate water supply in the future; and

WHEREAS, the Township presently is a member of and receives water from the Wanaque North Project, which is owned by the North Jersey District Water Supply Commission (the "Commission"); and

WHEREAS, the Commission has water available from the Wanaque South Project, to which Montclair is not a member; and

WHEREAS, the Township and the Commission have negotiated a temporary water purchase agreement (the "Agreement"), the form of which is attached hereto; and

WHEREAS, the Agreement provides that the Commission will sell one million gallons per day of potable water to the Township, for a period of 10 years with three options to renew for additional five-year terms; now, therefore, be it

RESOLVED, by the Township Council of the Township of Montclair, that the Agreement between the Township and the North Jersey District Water Supply Commission is approved in substantially the form and according to the terms attached hereto; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Agreement, attested by the Township Clerk, in substantially the form attached hereto. **(R-16-041)**

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

WHEREAS, Resolution R-15-220 established the Temporary Budget for the Year 2016; and

WHEREAS, it is necessary to amend and supplement the 2016 Temporary Budget to meet its current Salary and Wages and operating obligations until the FY 2016 budget is finally adopted; and

WHEREAS N.J.S.A. 40A:4-20 provides that the Governing Body may, by resolution adopted by a 2/3 vote of the full membership thereof, make temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the official budget for said year: and

WHEREAS, the Chief Financial Officer for the Township of Montclair has prepared a list of amended temporary budget appropriations for the year 2016, attached hereto and made part hereof as Schedule "A";

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Montclair, County of Essex, State of New Jersey do hereby adopt Schedule "A" attached hereto and made part hereof as amendments to the Temporary Budget of the Township of Montclair for 2016. **(R-16-042)**

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

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that said bills be and they are hereby ordered paid and that warrants be drawn on the Treasurer to the order of such person for the amount respectively as hereinafter stated to wit: **\$1,504,638.08**.

REPORTS AND COMMUNICATIONS

COUNCIL REPORTS

Acting Manager, Timothy Stafford announced that Spring Program sign-ups are now available at the Recreation Department. Also, the following screenings are available on:

- March 9, 2016 – 9:00 – 11:00 Colorectal Screenings
- April 8, 2016 – 9:00 – 11:00 Cholesterol and Glucose Screenings – Pre-registration is required.
- April 30, 2016 – Department of Public Works – Shredfest

For further details, please visit our website: www.montclairnjusa.org

Councilor Baskerville suggested that students be encouraged to participate in a public art project within the Township. Mayor Jackson stated that the Public Art Committee might weigh in on this proposal.

Councilor Hurlock thanked all who attended his recent community meeting. He reported that the First Ward Beautification Day event will take place on April 2, 2016 between 10:00 a.m. and 2:00 p.m.

A resident of 83 High Street provided background on renowned Montclair Architect Dudley Van Antwerp who designed the property now known as 44 Pleasant Avenue. She asked the Council to consider historic designation for this property.

Martin Schwartz, 83 South Fullerton, believes the Planning Board may have acted erroneously in their decision not to nominate 44 Pleasant Avenue for historic designation. He stated that the current home owner's needs should not influence a decision.

COMMUNICATIONS

From: NJDEP – No Further Action Letter

24 Cleveland Road
32 Aubrey Road
130 Gates Avenue
26 James Street
234 Valley Road

Letter dated February 1, 2016 from RLG Environmental, Inc. re: Site Remediation – 40 Warren Place

Proof of Delivery re: Certified copy of Supplement Bond Resolutions received from Passaic Valley Sewerage Commission

Lease agreement between Reliance Communications, LLC and Township of Montclair (Civiclive) dated February 3, 2016.

Recorded Deed Restriction for the property located at 399 Orange Road dated February 22, 2016 and Declaration of Deed Restriction.

Recorded Deed Restriction for the property located at 50 Pine Street, Unit 6H2 dated February 22, 2016 and Extension of Declaration of Covenants, Conditions and Restrictions.

Lease agreement with Homes of Montclair Ecumenical Corp., Lease Agreement in connection with the property located at 17 Talbot Street.

At 8:31 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: Legal matters
3. We do not anticipate that the matters discussed will be made public.
4. This resolution shall take effect immediately.

At 8:57 P.M. the Regular meeting resumed.

At 9:01 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