

MONTCLAIR, NEW JERSEY

September 20, 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 7:03 P.M.

STATEMENT OF SUNSHINE NOTICE
ROLL CALL
PLEDGE OF ALLEGIANCE

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

On motion made by Mayor Jackson and duly seconded, the minutes of September 6, 2016 were approved by unanimous vote.

PROCLAMATION

Congratulating Salvation Army Citadel
on its
125th Anniversary

- WHEREAS The Salvation Army began its work in Montclair, on Glenridge Ave in 1891, continuing its mission to preach the Gospel of Jesus Christ and to meet human needs in His name without discrimination; and
- WHEREAS Through providing 5,400 nights of shelter annually to vulnerable adults and families at Cornerstone Shelter, The Salvation Army is renewing, restoring and rebuilding lives in Essex County; and
- WHEREAS Through providing 18,300 hot and healthy meals annually at ‘The Table’, its feeding program, The Salvation Army is contributing to the physical well-being of people in the Montclair area; and
- WHEREAS Through providing 6,359 days of Drop-In Center activities each year, which include offering a safe place to hold informational programs, recreational activities, job and finance coaching, hold medical screenings and recreational activities and provide shower services, The Salvation Army is rebuilding broken lives; and
- WHEREAS Through each year providing 294 days of summer camp, 2,814 days of after-school enrichment activities, weekly music, arts and life skill classes, The Salvation Army is preparing area children for productive service; and
- WHEREAS Through regular worship activities, participation in the faith-life of the community and special religious observances, The Salvation Army is helping to build spiritual health in individuals and families of the Montclair area; and
- WHEREAS The officers, soldiers and friends of The Salvation Army will celebrate 125 years of service to God and humankind during a special Anniversary Weekend to be held at 13 Trinity Place on October 7 to October 9; now therefore

BE IT RESOLVED that the Mayor and Council of the Township of Montclair, in the County of Essex, Congratulate the Salvation Army on its 125th anniversary and thank them for their years of service to this community and the people of Essex County.

PROCLAMATION
COMMENDING
James E. Johnson

- WHEREAS James Edward Johnson, Montclair native, has served the Township of Montclair, State of New Jersey and United States with dedication and distinction having worked as an attorney in private practice and held responsible positions in government, on many boards and organizations - serving as a powerful influence for good in the growth and progress of our nation; and
- WHEREAS Mr. Johnson is a cum laude undergraduate and law school graduate of Harvard University and former partner in the New York law firm Debevoise & Plimpton. In private practice Mr. Johnson was recognized as a leading lawyer in white collar criminal defense and is

commended in The Legal 500 US (2007) for his “clear sense of high ethics and morals”; and

WHEREAS James Johnson has the distinction of having held several senior positions in the United States Department of the Treasury, including Under Secretary of the Treasury for Enforcement and Assistant Secretary of the Treasury for Enforcement. He served as co-chair of the Attorney General’s Advisory Committee and was instrumental in formulating the nation’s first statewide body-worn camera policy, accompanied by \$4 million in Attorney General’s Office grants to equip the New Jersey State Police and over 5,000 municipal police officers with body-worn cameras. Mr. Johnson also played a leading role in drafting a revised Attorney General’s Directive governing how police-involved shootings are investigated throughout the state; and

WHEREAS Mr. Johnson has received numerous awards for his service and accomplishments in both private practice and public service. He is the recipient of the Alexander Hamilton Award, the Department of Treasury’s highest award given to officials for excellence in service and the Attorney General’s certificate for Excellence in Prosecution. He was honored in April, 2016 by BlueWaveNJ at its annual fundraising event for his significant contributions to progressive causes. He is a member of the Harvard College Board of Overseers, former Chair of the Board of the Brennan Center for Justice and also a trustee of the Montclair Art Museum; and

WHEREAS James Johnson has worked determinedly to facilitate the improvement of police standards and to bring law enforcement and community members together. He served as the facilitator of a community meeting with the Montclair Police Department held this past July, providing another valuable service to our community; now therefore

BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, recognizes the many accomplishments and contributions of James Edward Johnson and commends him for his continued commitment to the improvement of our communities.

DISCUSSION:

Chief Financial Officer, Padmaja Rao, presented the 2015 audit findings and Corrective Action Plan to the Council.

Resolution for Planning Board Consultant

The Council discussed a draft resolution authorizing the Planning Board to hire a consultant to assist with redevelopment projects. It is anticipated that this position would expedite the approval of same and also allow for the Planning Board to process more applications for minor projects within the Township.

Funding for a consultant’s position may possibly be provided from developer’s escrow accounts. Township Attorney, Ira Karasick will research funding possibilities and draft an RFP in consultation with the Planning Board’s attorney.

PUBLIC COMMENTS

Peggy McMillan, 4 Yale Terrace, asked the status of repairs to the Montclair Animal Shelter. She also inquired if it had been decided if Montclair would continue to operate an animal shelter. Acting Township Manager, Timothy Stafford stated that he was currently reviewing all options including outsourcing and privatizing and will report to the Council at the conclusion of his findings.

Greg Pason, 126 Chestnut Street, questioned the disposition of Terry’s Serendipity Café. He emphasized the need for a regular meeting space for this group.

Rory MacLead, 24 Valley Road, reported that since the renovation of the Edgemont Park Shelter House, this group has been located to an unsatisfactory space at the Clary Anderson arena.

A Montclair High School student expressed her support for the programs presented by Terry’s Serendipity Café and noted its positive impact on students in Montclair.

Another student highlighted the many contributions of this initiative which nourishes and supports young students and their bands.

Troy Bynum, 14 Cottage Place, brother of Terry Bynum-Copeland founder of the café, provided background on its inception and its years of providing a “safe place of their own” for young people in Montclair.

Ed Carine, advisor to the Terry’s Serendipity Café project explained the planning process for productions including selecting the best programs for the community. He urged the Council to find a “home” for this group.

Sandy Sorkin, 3 Marquette Road, proffered several questions regarding the bill list including the costs associated with appraisals for real properties, company car washes and “Archive Social.

William Scott, 23 Cedar Avenue, asked for a better definition of the role of the proposed consultant for the Planning Board.

A resident asked the process for the Request for Proposal for a consultant for the Planning Board.

ORDINANCES – SECOND READING/ADOPTION

The pending ordinance entitled: “ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 186, ARTICLE VII–HEALTH STANDARDS” (O-16-037) passed first reading August 23, 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 member of the public 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:

The pending ordinance entitled: “ORDINANCE AMENDING CHAPTER 230 PARKING LOTS CONCERNING C AND N PERMITS” (O-16-038) passed first reading August 23, 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.

Councilor McMahon suggested that penalty fees might begin at \$50 increasing to \$100.

Being no member of the public 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:

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 October 18, 2016:

“ORDINANCE AMENDING MONTCLAIR CODE CHAPTER 347 (ZONING), ARTICLE XXIII HISTORIC PRESERVATION” (O-16-039)

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 October 18, 2016:

“ORDINANCE TO AMEND THE TRAFFIC ORDINANCE – NORTH WILLOW STREET” (O-16-040)

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 October 18, 2016:

“BOND ORDINANCE AMENDING SECTION 3 AND 6(b) OF BOND ORDINANCE NUMBERED O-16-010 OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY FINALLY ADOPTED

MARCH 15, 2016, IN ORDER TO INCLUDE AN ADDITIONAL PROJECT AND TO AMEND THE AVERAGE USEFUL LIFE” (O-16-041)

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 **CONSENT** resolutions were adopted by unanimous vote:

WHEREAS, the following applicants have deposited Escrow amounts as required by the Planning and Zoning Department for various development projects; and

WHEREAS, the Planning and Zoning Department has determined that the applicants’ corresponding Projects, are substantially complete and therefore the balance of the Escrow can be released; and

WHEREAS, the Escrow Accounts identified in the enclosed schedule, ‘Schedule A’ identify balances remaining after application of all relevant fees that have been satisfied and there appears no further basis to retain the Escrow Deposits; now therefore

BE IT RESOLVED, by the Mayor and Council of the Township of Montclair that the Escrow balances referenced in the enclosed schedule ‘Schedule A’ be released; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Township of Montclair that the Chief Financial Officer is hereby directed to issue checks for the refunds identified in the enclosed schedule. **(R16-170)**

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Township may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the State Division of Purchase and Property in the Department of the Treasury has awarded a professional contract to the Lightower Fiber Networks, LLC (Lightower) (N.J. State Contract Number: A85945), 80 Central Street, Boxborough, MA 170119; and

WHEREAS, the Township of Montclair is in need of three (3) years Professional Data Communications Network Services contract for the internet access for the Township network separation project; 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.; now therefore

BE IT RESOLVED, by the Council of the Township, in the County of Essex, that the Township is authorized to use Operational Budget Account Number, 6-01-20-100-100-238 (PENDING), to fund the expenditure to purchase internet access professional services for the Township network separation project based upon the price quote of August 12, 2016 in an amount not to exceed \$126,000.00 pending Certification of Funds by the Chief Financial Officer. **(R-16-171) -TABLED**

WHEREAS, the Township of Montclair requires the replacement of one existing packer truck identified as DCS-114; and

WHEREAS, Beyer Bros. Corp. provided the low bid on Bid #16-17 to provide such a product; and

WHEREAS, the Township of Montclair desires to purchase one (1) new 2016 Isuzu NRR Truck Chassis with 6 Cubic Yard Rear Loading Packer Body for a price of \$104,510.00; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township enter into an agreement with Beyer Bros. Corp. for the purchase of one (1) new 2016 Isuzu NRR Truck Chassis with 6 Cubic Yard Rear Loading Packer Body in an amount not to exceed \$104,510.00 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 2016 Capital Budget, Account Number C-04-16-010-000-DCS. **(R-16-172)**

WHEREAS, the Township of Montclair requires the replacement of one existing packer truck; and

WHEREAS, Beyer Bros. Corp. provided the low bid on Bid #16-19 to provide such a product; and

WHEREAS, the Township of Montclair desires to purchase one (1) new 2017 Volvo VHD64B Truck Chassis with 29 Cubic Yard High Compaction Rear Loading Packer Body for a price of \$219,536.00; now therefore

BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township enter into an agreement with Beyer Bros. Corp. for the purchase of one (1) new 2017 Volvo VHD64B Truck Chassis with 29 Cubic Yard High Compaction Rear Loading Packer Body in an amount not to exceed \$219,536.00 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 2016 Capital Budget, Account Number C-04-16-010-000-DCS. **(R-16-173)**

WHEREAS, a Tax Court Stipulation of Settlement was entered on June 10, 2015, for the property commonly known as 23 Midland Avenue (Block 2210 Lot 1) reducing the total assessment of the property from \$962,300.00 to \$818,000.00 for tax years 2013, 2014 and 2015; and

WHEREAS, the reduced assessment was mistakenly applied to year 2013 only and not to years 2014 and 2015, resulting in an overpayment of taxes amounting to \$10,585.85, now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Finance Department and Tax Collector be and they are hereby authorized to issue a refund check in the amount of \$10,585.85 to the owner of the property commonly known as 23 Midland Avenue (Block 2210 Lot 1) representing a refund of taxes paid on the incorrect assessment for years 2014 and 2015; and

BE IT FURTHER RESOLVED, that the Finance Department and Tax Collector be and they are hereby authorized to cancel and refund taxes in the amount of \$10,585.85 for the year 2014 and 2015 taxes. **(R-16-174)**

WHEREAS, the owner of the property commonly known as 170 Pine Street, Unit C (Block 4205 Lot 22 Qualifier 0003) incurred an interest charge of \$254.10; and

WHEREAS, the third quarter and fourth quarter tax payments were mistakenly applied to the master lot and not to the specific unit (Qualifier C0003), resulting in an interest charge amounting to \$254.10; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Finance Department and Tax Collector be and they are hereby authorized to issue a refund check in the amount of \$254.10 to the owner of the property commonly known as 170 Pine Street, Unit C (Block 4205 Lot 22 Qualifier 0003) representing a refund of interest paid; and

BE IT FURTHER RESOLVED, that the Finance Department and Tax Collector be and are hereby authorized to cancel and refund an interest charge in the amount of \$254.10 for the third and fourth quarter of 2015. **(R-16-175)**

WHEREAS, a Tax Court Judgment was entered on June 17, 2016 reducing the assessment of 83 Bay Street, Unit 8 (Block 4211 Lot 11 Qualifier C0008) for years 2010, 2011, and 2012, resulting in an agreed refund of taxes and interest amounting to \$19,196.56; and

WHEREAS, the Tax Collector has processed a refund of taxes but not \$1,743.88 interest; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Finance Department and Tax Collector be and they are hereby authorized to issue a refund check in the amount of \$1,743.88 to Bay Street Commons, LLC or its attorney representing the balance of monies due. **(R-16-176)**

WHEREAS, the Township has traditionally established a program to provide bus services for senior citizens; and

WHEREAS, the Township Council desires to contract with an experienced provider of senior citizen transportation to operate and improve the current program; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1, the Township issued a Request for Proposals (RFP) to provide the required senior citizens shuttle bus services and, in response to the RFP, the Township received one (1) proposal from Meadowlands Transportation Brokerage Corporation (Meadowlink), a transportation provider; and

WHEREAS, after review of the proposal by Township staff, the Council finds that the proposal submitted by Meadowlink meets the criteria established in the RFP decided to award a contract to Meadowlands Transportation Brokerage Corporation (Meadowlink) to provide the required; and

WHEREAS, this contract is being awarded in accordance with requirements of the New Jersey "Pay-to-Play" Law, N.J.S.A. 19:44a-20.5 et seq.; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that Meadowlands Transportation Brokerage Corporation (Meadowlink) is hereby awarded a contract to provide senior citizens shuttle

bus services to the Township of Montclair for the period of three years, with annual options on the part of the Township to renew said contract for up to two additional years, up to a total of five years, pending certification of funds by the Chief Financial Officer; and be it further

BE IT FURTHER RESOLVED that the cost of said contract is not to exceed \$110,000 for Year 1, \$113,300 for Year 2, and \$116,700 for Year 3; and

BE IT FINALLY RESOLVED that notice shall be published in the Montclair Times stating the name of the vendor, the nature, duration, service and amount of the attached agreement and that copies of this Resolution and the agreement are on file and available for inspection in the office of the Township Clerk. **(R-16-177)**

RESOLUTIONS Continued

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

WHEREAS, the Council of the Township of Montclair, in the County of Essex, State of New Jersey remains committed to improving the lives of seniors living in Montclair; and

WHEREAS, the Township Council recognizes that the Township and Partner Organizations of Lifelong Montclair are expanding services and activities for seniors; and

WHEREAS, the Township Council further recognizes that a broad, concerted, multi-modal marketing effort is required to inform seniors of these services and activities; and

WHEREAS, Lifelong Montclair has been awarded funding by the Partners for Health Foundation for a marketing intern consultant to work under the direction of the Director of Senior Services/Lifelong Montclair and the Communications Director to assist with efforts to inform Montclair seniors of available services and activities; 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 receipt of funding from Partners for Health for the Lifelong Montclair Marketing Intern grant for August 23, 2016 to August 22, 2017 in the amount of \$5,000.00.
2. The Township acknowledges the terms and conditions for administering the Partners for Health grant, including the administrative compliance and audit requirements. **(R-16-165)**

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

WHEREAS, the Township of Montclair is the owner of property located at 399 Orange Road, identified on Township Tax Maps as Lot 57 in Block 3904; and

WHEREAS, Montclair Township has adopted an ordinance authorizing the declaration of a deed restriction for 300 Orange Road and will complete redevelopment of the subject property within three years of completion of the remediation; and

WHEREAS, the Township of Montclair has applied for and has been awarded a grant in the amount of up to \$38,790 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the remedial investigation along with report preparation of the Former South End Pyramid Service Station property; now therefore

BE IT RESOLVED by the governing body of the Township of Montclair that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Township of Montclair; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority. **(R-16-166)**

On motion made by Councilor Baskerville and duly seconded, the following resolution was 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 2016 in the sum of \$4,732, which is now available from 2016 Seniorama Grant in the amount of \$4,732; and

BE IT FURTHER RESOLVED, that the like sum of \$4,732 is hereby appropriated under the caption 2016 Seniorama Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from Seniorama Grant in the total amount of \$4,732 and also resolved that this grant does not require any additional funds towards local match. **(R-16-167)**.

On motion made by Councilor McMahon and duly seconded, the following resolution was 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 2016 in the sum of \$5,000, which is now available from 2016 Lifelong Montclair-Marketing Intern 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 2016 Lifelong Montclair-Marketing Intern Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from Lifelong Montclair-Marketing Intern Grant in the total amount of \$5,000 and also resolved that this grant does not require any additional funds towards local match. **(R-16-168)**

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2015 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor

and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Township Council* of the Township of Montclair, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance. **(R-16-169)**

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

A RESOLUTION to authorize participation in the State Health Benefits Program and/or School Employees' Health Benefits Program of the State of New Jersey.

BE IT RESOLVED:

22-6002094

1. The Township of Montclair STATE SOCIAL SECURITY I.D. NUMBER
CORPORATE NAME OF EMPLOYER
 hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
2. A. We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
 B. We will be maintaining _____ as our prescription drug plan.¹ This plan is comparable in design to the State Employee Prescription Drug Plan.
NAME OF PLAN
 C. We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided based on the medical plan chosen by the subscriber.
3. A. We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.
 B. We will be maintaining Delta Dental as our dental plan.¹
NAME OF PLAN
 C. We will not have a dental plan.
4. We elect 30² hours per week (average) as the minimum requirement for full time status in accordance with N.J.A.C. 17:9-4.6.
5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
6. We hereby appoint Timothy F. Stafford, Esq. /Acting Township Manager to act as Certifying Officer in the administration of this program.
NAME/TITLE
7. This resolution shall take effect immediately and coverage shall be effective as of 01/01/2017
DATE
 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).

NOTE: AN INDIVIDUAL IS PERMITTED COVERAGE AS AN EMPLOYEE, RETIREE, OR DEPENDENT. MULTIPLE COVERAGE UNDER THE SHBP OR SEHBP IS PROHIBITED.
¹ If not electing prescription drug coverage and/or dental plan participation through the State Health Benefits Program or School Employees' Health Benefits Program, attach copies of the current prescription drug and dental plan contracts.
² As of 6/1/2010, may not be less than 25 hours per week for employees, or 35 hours per week for elected or appointed officials.

(R-16-178)

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

A RESOLUTION to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a public employer may agree to pay for the State Health Benefits Program (SHBP) and/or School Employees' Health Benefits Program (SEHBP) coverage of certain retirees.

BE IT RESOLVED:

1. The Township of Montclair 22-6002094
CORPORATE NAME OF EMPLOYER - COUNTY SHBP/SEHBP ID NUMBER
 hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
2. This resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*. It is effective on the 1st day of January, 2017.
MONTH YEAR
3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.
4. We agree that this *Resolution* will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this *Resolution* is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this *Resolution*.

(R-16-179)

Mayor Jackson announced the appointment of Mr. Ilmar Vanderer to the Montclair Library Board as his designee. Mr. Vanderer, a staunch supporter of "all things library" pledged to continue his diligent efforts on its behalf.

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 by drawn on the Treasurer to the order of such person for the amount respectively as hereinafter stated to wit: **\$1,149,579.06.**

REPORTS

Councilor Baskerville provides an update on the loss of electricity on Lexington Avenue.

Councilor Spiller thanked Councilor Russo and all those who planned and participated in the 9/11 ceremony. He also congratulated the organizers of the renaming of Mt. Hebron School to the Buzz Aldrin Middle School.

- TPAC Meeting: September 21, 2016, 7:00 p.m., Second Floor Council Chamber.

Councilor Russo also highlighted the 9/11 Memorial Service event:

- Friends of Montclair Animal Shelter Benefit, September 30, 2016.

Councilor Schlager urged everyone to support their local newspaper.

- Fun Run: Sunday September 25, 11-2 p.m. Woodman Field.

Councilor McMahon, reiterated support for the Montclair Ambulance Unit who will be participating in the Fall Festival, October 15, Edgemont Park. He urged all to participate in the "Duck Derby" event sponsored by the Montclair Ambulance Unit.

Township Clerk, Linda Wanat wished Deputy Mayor Hurlock best wishes as he embarked on a visit to our Sister City, the London Borough of Barnet, U.K.

Deputy Mayor Hurlock stated that he was honored to represent Montclair as we celebrate the 35th year of our official “twinship” with that city.

COMMUNICATIONS

From: NJDEP – No Further Action Letter

37 Howe Avenue
323 Claremont Avenue
126 Gates Avenue
464 Park Street
67 Beverly Road
18 Plymouth Street

Letter dated September 15, 2016 from Viridian Environmental Consultants re: Remedial Action – 69 North Willow Street – Poor Richards Furniture Co.

Letter dated September 19, 2016 from Verona Township re: Ordinance #23-16 –The extended Town Center Redevelopment Plan.

Letter from Susanne Aptman on behalf of the Montclair Environmental Commission re: grant award in the amount of \$10,000 in support of Community Forestry Management Plan.

NJLM Annual Conference Ticketed Meal Functions dated November 16, 17, 2016 in Atlantic City, New Jersey.

At 8:30 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: Contract Negotiations
3. We do not anticipate that the matters discussed will be made public.
4. This resolution shall take effect immediately.

At 9:18 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

