



Township of Montclair - 205 Claremont Avenue Montclair, New Jersey 07042
Telephone: 973-744-1400 - Website: www.montclairnjusa.org

TOWNSHIP COUNCIL CONFERENCE MEETING January 17, 2023

7:00 PM

COUNCIL CHAMBERS

Announcement: *This is a conference meeting of the Council of the Township of Montclair*

Sunshine Statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting was included in the annual notice of the meeting schedule as set forth in Resolution R-22-245 adopted by the Township Council at its Regular Meeting of December 20, 2022; advertised in the official newspaper on December 29, 2022 and January 5, 2023, posted on the bulletin boards outside of the Municipal Building, and has remained continuously posted. In addition, a copy of the annual notice is and has been available to the public and is on file in the Office of the Township Clerk.

OPEN SESSION

Pledge of Allegiance

Roll Call

DEPARTMENTAL BUDGET PRESENTATION(S)

PUBLIC COMMENT

All speakers must complete the sign-in sheet next to the podium before addressing the Council. Please limit your comment to three minutes.

APPROVAL OF MINUTES

There have been presented to us the meeting minutes of November 14, 2022 and executive session minutes for July 26, 2022 and August 16, 2022. Are there any corrections or additions? MOTION TO ADOPT.

NEW BUSINESS ORDINANCE(S)

- A. **Ordinance O-23-01:** Bond Ordinance providing for the relining of culvert walls in and by the Township of Montclair, in the county of Essex, New Jersey, appropriating \$1,315,000.00 therefor and authorizing the issuance of \$1,249,250.00 bonds or notes of the Township to finance part of the costs thereof
- B. **Ordinance O-23-02:** Bond Ordinance providing for various capital improvements in and by the Township of Montclair, in the County of Essex, New Jersey, appropriating \$3,700,00 therefor and authorizing the issuance of \$3,515,000 bonds or notes of the Township to finance part of the cost thereof
- C. **Ordinance O-23-03:** Bond Ordinance amending Section 3 of Bond Ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2020, in order to amend the project description
- D. **Ordinance O-22-23:** Ordinance to amend Section 347 Zoning of the Code of the Township of

Montclair, New Jersey

- E. **Ordinance O-23-05:** Ordinance to amend Chapter 327 of the Code of the Township of Montclair to prohibit parking at all times on the south side of the parkway
- F. **Ordinance O-23-06:** Ordinance to amend Section 347 Zoning Of the Code of the Township of Montclair, New Jersey
- G. **Ordinance O-23-07:** Ordinance to amend Section 327 (Vehicles and Traffic) of the Code of the Township of Montclair, New Jersey

NEW BUSINESS RESOLUTION(S)

- H. **Resolution R-22-295:** Resolution amending Resolution R-22-295 authorizing the execution of a professional services agreement with Bright View Engineering to prepare a traffic study for Lackawanna Plaza Redevelopment Plan (RFP 22-19)
- I. **Resolution R-23-001:** Resolution authorizing adoption of 2023 Temporary Budget
- J. **Resolution R-23-002:** Resolution to return application fee to Virdis MFG LLC for failure to submit a complete application for a Cannabis License pursuant to Chapter 110 of the Montclair Code
- K. **Resolution R-23-003:** Resolution appointing an alternate member to the Planning Board
- L. **Resolution R-23-004:** Resolution appointing a member to the Zoning Board of Adjustment
- M. **Resolution R-23-005:** Bills List Resolution
- N. **Resolution R-23-007:** Resolution authorizing an agreement between the Township of Montclair and the Montclair Emergency Services for Hope to partially underwrite emergency overnight shelter services to the homeless

DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS

- 1. Resolution establishing a cash management plan and naming official depositories for the Township of Montclair for the calendar year 2023
- 2. Resolution authorizing the Township to accept and qualify responses to the Request for Qualifications (RFP 22-30) for the Township Grant Writing Services Provider for CY 2023
- 3. Resolution authorizing the execution of a fair and open professional services agreement with CGP&H to serve as the Township's affordable housing administrative agent and to administer the Montclair Township Housing Rehabilitation Program (RFP 22-17)
- 4. Resolution awarding fair and open contract to Neglia Engineering Associates for CY 2023 Municipal Engineering Services (RFP 22-07)
- 5. Resolution amending the non-fair and open contract to CME Associates to fair and open for Professional Engineering Services pursuant to RFP 22-03
- 6. Resolution renewing contract for 2023 Annual Tree Removal Contract
- 7. Resolution authorizing grant application submission Local Recreation Improvement Grant (LRIG) FY2023
- 8. Resolution authorizing refund of escrow account balances
- 9. Resolution awarding a contract to Big Belly Solar, LLC for support service and maintenance of proprietary solar powered side walk waste receptacles
- 10. Resolution authorizing the pre-qualification and award of a fair and open professional services contract to Benecke Economics to serve as Township Financial Consultant for CY 2023 (RFP 22-22)

EXECUTIVE SESSION

Resolution R-23-006: Resolution authorizing executive session without the public being permitted to attend in accordance with N.J.S.A. 10:4-12(b) (Subject(s): Potential Litigation, Independent Employment Practices Investigation)

ADJOURNMENT



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-01:** Bond Ordinance providing for the relining of culvert walls in and by the Township of Montclair, in the county of Essex, New Jersey, appropriating \$1,315,000.00 therefor and authorizing the issuance of \$1,249,250.00 bonds or notes of the Township to finance part of the costs thereof

ATTACHMENTS:

[Item 0A Bond Ordinance for Culvert.pdf](#)

[Item 0A Montclair; \\$1315000-\\$1249250 Bond Ordinance \(Oct. 2022\) 4856-3256-4280 v.1\(\(Unsaved-10_14_2022 8_00_06 AM\)\).pdf](#)

TOWNSHIP OF MONTCLAIR

O-23-01

BOND ORDINANCE PROVIDING FOR THE RELINING OF CULVERT WALLS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,315,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,249,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Montclair, in the County of Essex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,315,000, including the sum of \$65,750 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,249,250 pursuant to the Local Bond Law. In anticipation of the issuance

of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the relining of the existing culvert walls between Bloomfield Avenue and Church Street and, if necessary, the reconstruction of the sidewalk, the repointing of the stone culvert walls and the milling and resurfacing of South Park Street between Bloomfield Avenue and Church Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer

is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,249,250, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$130,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DEBT STATEMENT CERTIFICATE

I, Angelese Bermúdez Nieve, Clerk of the Township of Montclair, in the County of Essex, New Jersey (herein called the "Township"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Township that was prepared as of _____, 2022 by Padmaja Rao, who was then chief financial officer of the Township and filed in my office on _____, 2022, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on _____, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Township this _____ day of _____, 2022.

Angelese Bermúdez Nieve, Clerk

(SEAL)

October 14, 2022

Padmaja Rao
Chief Financial Officer
Township of Montclair
205 Claremont Avenue
Montclair, New Jersey 07042

Re: \$1,315,000/\$1,249,250 Bond Ordinance

Dear Maja:

In accordance with your request, I have prepared and enclose herewith a form of bond ordinance providing for the relining of culvert walls. The bond ordinance should be adopted in accordance with the usual procedure set forth below for your convenience.

The electronic Supplemental Debt Statement should be prepared on the date of introduction of the bond ordinance and sent to the Clerk on that same date. The Supplemental Debt Statement should also be filed electronically with the Division of Local Government Services prior to final adoption of the bond ordinance. Please retain a copy of the electronic receipt sent to you by the Division of Local Government Services, as we will need a copy for our records. In order to comply with the capital budget regulations, the bond ordinance contains a provision amending the capital budget to the extent of any inconsistency with the bond ordinance and it should be sent to Trenton and filed along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The bond ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. After introduction, the Notice of Pending Bond Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the bond ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Bond Ordinance and Summary, and copies of the bond ordinance should be made available to anyone who requests them of the Clerk after introduction.

The bond ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the publication of the Notice of Pending Bond Ordinance and Summary. If the bond ordinance has been posted and copies made available as indicated above, the bond ordinance can be read at the second hearing by title only. If the bond ordinance posting procedure has not been followed, the bond ordinance must be read in full at the second hearing. After the bond ordinance is read for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the bond ordinance. After the public hearing, the bond ordinance can be finally adopted by the affirmative vote of not less than two-thirds of the full membership of the governing body. After final adoption, the Bond

Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use. Note that if the approval of an officer is required to make the bond ordinance effective, the bond ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

After the bond ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting the proper adoption of the bond ordinance. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy of this letter, I am sending the Clerk a copy of the checklist along with a copy of the bond ordinance. With the exception of the Affidavits of Publication, I am also sending the Clerk the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation. It should be noted that the Clerk's Certificate must be executed no sooner than 21 days following the final publication in order to attest that there has been no protest within the statutory twenty-day protest period.

If you or the Clerk have any questions about the form of the bond ordinance, the adoption procedure or the form of the certificates, please call me.

Thank you for this opportunity to have been of assistance.

Very truly yours,

Matthew D. Jessup

Matthew D. Jessup

Enclosures

cc: Angelese Bermúdez Nieve, Clerk, w/encl.
Paul J. Burr, Esq., w/encl.
David Gannon, C.P.A., w/encl.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-02:** Bond Ordinance providing for various capital improvements in and by the Township of Montclair, in the County of Essex, New Jersey, appropriating \$3,700,00 therefor and authorizing the issuance of \$3,515,000 bonds or notes of the Township to finance part of the cost thereof

ATTACHMENTS:

[Item 0B \\$3700000-\\$3515000 MULTI PURPOSE BOND ORDINANCE 4893-4518-3304 v.1.pdf](#)

January 11, 2023

Padmaja Rao
Chief Financial Officer
Township of Montclair
205 Claremont Avenue
Montclair, New Jersey 07042

Re: \$3,700,000/\$3,515,000 Bond Ordinance

Dear Maja:

In accordance with your request, I have prepared and enclose herewith a **revised** form of bond ordinance providing for various capital improvements. The bond ordinance should be adopted in accordance with the usual procedure set forth below for your convenience.

The electronic Supplemental Debt Statement should be prepared on the date of introduction of the bond ordinance and sent to the Clerk on that same date. The Supplemental Debt Statement should also be filed electronically with the Division of Local Government Services prior to final adoption of the bond ordinance. Please retain a copy of the electronic receipt sent to you by the Division of Local Government Services, as we will need a copy for our records. In order to comply with the capital budget regulations, the bond ordinance contains a provision amending the capital budget to the extent of any inconsistency with the bond ordinance and it should be sent to Trenton and filed along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The bond ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. After introduction, the Notice of Pending Bond Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the bond ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Bond Ordinance and Summary, and copies of the bond ordinance should be made available to anyone who requests them of the Clerk after introduction.

The bond ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the publication of the Notice of Pending Bond Ordinance and Summary. If the bond ordinance has been posted and copies made available as indicated above, the bond ordinance can be read at the second hearing by title only. If the bond ordinance posting procedure has not been followed, the bond ordinance must be read in full at the second hearing. After the bond ordinance is read

for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the bond ordinance. After the public hearing, the bond ordinance can be finally adopted by the affirmative vote of not less than two-thirds of the full membership of the governing body. After final adoption, the Bond Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use. Note that if the approval of an officer is required to make the bond ordinance effective, the bond ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

After the bond ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting the proper adoption of the bond ordinance. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy of this letter, I am sending the Clerk a copy of the checklist along with a copy of the bond ordinance. With the exception of the Affidavits of Publication, I am also sending the Clerk the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation. It should be noted that the Clerk's Certificate must be executed no sooner than 21 days following the final publication in order to attest that there has been no protest within the statutory twenty-day protest period.

If you or the Clerk have any questions about the form of the bond ordinance, the adoption procedure or the form of the certificates, please call me.

Thank you for this opportunity to have been of assistance.

Very truly yours,

Matthew D. Jessup

Matthew D. Jessup

Enclosures

cc: Angelese Bermudez Nieves, Clerk, w/encl.
Paul J. Burr, Esq., w/encl.
David Gannon, C.P.A., w/encl.

O-23-02

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,515,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Montclair, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,700,000, and further including the aggregate sum of \$185,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby

authorized to be issued in the principal amount of \$3,515,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Paving and curbing of various roads, all as set forth on a list on file in the Department of Community Services, as determined by the engineer as needed, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$3,000,000	\$2,850,000	10 years
b) Improvements to Essex Pool and Nishuane Pool, all as set forth on a list on file in the Department of Community Services, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary			

therefor and incidental thereto.	<u>\$700,000</u>	<u>\$665,000</u>	15 years
Total	<u>\$3,700,000</u>	<u>\$3,515,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the

description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.94 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance

by \$3,515,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$185,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in

connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DEBT STATEMENT CERTIFICATE

I, Angelese Bermudez Nieves, Clerk of the Township of Montclair, in the County of Essex, New Jersey (herein called the "Township"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the Township that was prepared as of _____, 2023 by Padmaja Rao, who was then chief financial officer of the Township and filed in my office on _____, 2023, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on _____, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Township this _____ day of _____, 2023.

Angelese Bermudez Nieves, Clerk

(SEAL)

CERTIFICATE OF DOWN PAYMENT

I, Padmaja Rao, Chief Financial Officer of the Township of Montclair, in the County of Essex, New Jersey (the "Township") HEREBY CERTIFY that prior to the final adoption on _____, 2023 of a bond ordinance entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,515,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF,

there was available as a down payment for the purposes authorized by the bond ordinance the sum of \$185,000, which amount was appropriated as a down payment by the bond ordinance and was made available from the following sources (strike out inapplicable language):

- a. by provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes;
- b. from moneys then actually held by the Township and previously contributed for such purpose other than by the Township; or
- c. by emergency appropriation.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2023.

Padmaja Rao, Chief Financial Officer

EXTRACT from the minutes of a _____ meeting of the Township Council of the Township of Montclair, in the County of Essex, New Jersey held at the _____ in the Township on _____, 2023 at _____ o'clock _____.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Angelese Bermudez Nieves, Clerk of the Township of Montclair, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____, 2023 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2023.

Angelese Bermudez Nieves, Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the Township Council of the Township of Montclair, in the County of Essex, New Jersey held at the _____ in the Township on _____, 2023 at _____ o'clock _____.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Angelese Bermudez Nieves, Clerk of the Township of Montclair, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____, 2023 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2023.

Angelese Bermudez Nieves, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Angelese Bermudez Nieves, Clerk of the Township of Montclair, in the County of Essex, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Deputy Clerk of the Township of Montclair, in the County of Essex, State of New Jersey (herein called the "Township"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all ordinances and resolutions of the Township. The representations made herein are based upon the records of the Township.

2. Attached hereto is a true and complete copy of a bond ordinance passed by the governing body of the Township on first reading on _____, 2023 and finally adopted by the governing body on _____, 2023 and, where necessary, approved by the Mayor on _____, 2023.

3. On _____, 2023, a copy of the bond ordinance and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body, was posted in the principal municipal building of the Township at the place where public notices are customarily posted. Copies of the bond ordinance were made available to all who requested them.

4. Upon passage on first reading, the bond ordinance, or a summary thereof, was duly published on _____, 2023.

5. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

6. After final passage, the bond ordinance, a copy of which is attached hereto, was duly published on _____, 2023. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2023.

Angelese Bermudez Nieves, Clerk

[SEAL]

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Montclair, in the County of Essex, State of New Jersey, on _____, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the _____, in the Township on _____, 2023 at _____ o'clock __.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk’s office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: “BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,515,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”

Purposes:

<p>a) Paving and curbing of various roads, all as set forth on a list on file in the Department of Community Services, as determined by the engineer as needed, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$3,000,000</p>	<p>\$2,850,000</p>	<p>10 years</p>
<p>b) Improvements to Essex Pool and Nishuane Pool, all as set forth on a list on file in the Department of Community Services, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary</p>			

therefor and incidental thereto.	<u>\$700,000</u>	<u>\$665,000</u>	15 years
Total	<u>\$3,700,000</u>	<u>\$3,515,000</u>	

Appropriation: \$3,700,000

Bonds/Notes Authorized: \$3,515,000

Grant Appropriated: N/A

Section 20 Costs: \$185,000

Useful Life: 10.94 years

Angelese Bermudez Nieves, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Montclair, in the County of Essex, State of New Jersey on _____, 2023 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: “BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,515,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”

Purposes:

<p>a) Paving and curbing of various roads, all as set forth on a list on file in the Department of Community Services, as determined by the engineer as needed, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$3,000,000</p>	<p>\$2,850,000</p>	<p>10 years</p>
<p>b) Improvements to Essex Pool and Nishuane Pool, all as set forth on a list on file in the Department of Community Services, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.</p>	<p><u>\$700,000</u></p>	<p><u>\$665,000</u></p>	<p>15 years</p>

Total	<u>\$3,700,000</u>	<u>\$3,515,000</u>	
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Appropriation: \$3,700,000

Bonds/Notes Authorized: \$3,515,000

Grant Appropriated: N/A

Section 20 Costs: \$185,000

Useful Life: 10.94 years

Angelese Bermudez Nieves, Clerk



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-03:** Bond Ordinance amending Section 3 of Bond Ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2020, in order to amend the project description

ATTACHMENTS:

[Item 0C Montclair Bond Ordinance Amending Section 3 #20-19 \(Board of Ed Masonry Improvements\).pdf](#)

O-23-03

BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE O-20-19 OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, FINALLY ADOPTED AUGUST 4, 2020, IN ORDER TO AMEND THE PROJECT DESCRIPTION.

WHEREAS, The Board of Education of the Township of Montclair in the County of Essex, New Jersey (the "Board of Education") previously determined by resolution duly adopted on May 16, 2020 that it was necessary to raise the aggregate amount of \$4,834,850 for masonry improvements at various Board of Education facilities and had delivered a copy of the resolution to each member of the Board of School Estimate (the "Board of School Estimate"); and

WHEREAS, the Board of School Estimate previously fixed and determined by resolution duly adopted on April 6, 2020 that it was necessary to raise the aggregate amount of \$4,834,850 for such masonry improvements at various Board of Education facilities and delivered a certificate to that effect to the Board of Education and to the Township Council of the Township of Montclair, in the County of Essex, New Jersey (the "Township"); and

WHEREAS, on August 4, 2020, the Township determined to finance such masonry improvements at various Board of Education facilities by the issuance of school bonds or temporary notes of the Township by adoption of Bond Ordinance O-20-19, entitled, "BOND ORDINANCE OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR VARIOUS SCHOOL CAPITAL IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$4,834,850 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF" (the "2020 Bond Ordinance"); and

WHEREAS, the 2020 Bond Ordinance provided for the cost of the masonry improvements by facility; accordingly, the Board of Education is not currently permitted to exceed the cost allocated to any one facility, even if costs for improvements at other facilities are less than the costs allocated therefor; and

WHEREAS, the Board of Education has requested that the Township amend the project description of the 2020 Bond Ordinance to combine all of the specified facility masonry projects into one project, without changing the aggregate cost of the projects; and

WHEREAS, notwithstanding that the Board of Education is now a "Type II" school district as a result of the referendum election held on November 2, 2021, the Board of Education is bound by the spending limitations set forth in the 2020 Bond Ordinance and the Township remains obligated to fund the project costs set forth in the 2020 Bond Ordinance by issuance of school bonds or temporary notes; and

WHEREAS, the Township wishes to amend the 2020 Bond Ordinance to combine multiple masonry projects into one project, without modifying the total amount of such project cost.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Section 3 of the 2020 Bond Ordinance is hereby amended to combine multiple masonry projects into one masonry project at various Board of Education facilities, and to read in its entirety as follows:

“Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is masonry improvements to

various Board of Education facilities, including but not limited to, the Administration Building, Bradford Elementary School, Buzz Aldrin Middle School, Central Heating Plant and Pre-K Building, Charles H. Bullock School, Edgemont Elementary School, Montclair High School and George Inness Annex, Glenfield Middle School, Hillside Elementary School, Nishuane Elementary School, Northeast Elementary School, Renaissance Middle School, Watchung Elementary School, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.”

Section Two. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Three. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

EXTRACT from the minutes of a _____ meeting of the Township Council
of the Township of Montclair, in the County of Essex, New Jersey held at the
_____ in the Township on _____, 2022 at _____ o'clock
____.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Angelese Bermúdez Nieve, Clerk of the Township of Montclair, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____, 2022 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2022

Angelese Bermúdez Nieve, Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the Township Council of the Township of Montclair, in the County of Essex, New Jersey held at the _____ in the Township on _____, 2022 at _____ o'clock ____ .m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Angelese Bermúdez Nieve, Clerk of the Township of Montclair, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____, 2022 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2022.

Angelese Bermúdez Nieve, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Angelese Bermúdez Nieve, Clerk of the Township of Berkeley Heights, in the County of Union, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Township of Montclair, in the County of Essex, State of New Jersey (herein called the "Township"). In this capacity I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all ordinances and resolutions of the Township. The representations made herein are based upon the records of the Township.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Township on first reading on _____, 2022 and finally adopted by the governing body on _____, 2022 and, where necessary, approved by the Mayor on _____, 2022.

3. On _____, 2022 a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Township at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them.

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on _____, 2022. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the

governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2022.

Angelese Bermúdez Nieve, Clerk

[SEAL]

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Montclair, in the County of Essex, State of New Jersey, on _____, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the _____, in the Township on _____, 2022 at _____ o'clock __.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE O-20-19 OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, FINALLY ADOPTED AUGUST 4, 2020, IN ORDER TO AMEND THE PROJECT DESCRIPTION.

Purpose: To amend section 3 of bond ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2022, to combine multiple masonry projects into one masonry project at various Board of Education facilities, and to read in its entirety as follows:

“Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is masonry improvements to various Board of Education facilities, including but not limited to, the Administration Building, Bradford Elementary School, Buzz Aldrin Middle School, Central Heating Plant and Pre-K Building, Charles H. Bullock School, Edgemont Elementary School, Montclair High School and George Inness Annex, Glenfield Middle School, Hillside Elementary School, Nishuane Elementary School, Northeast Elementary School, Renaissance Middle School, Watchung Elementary School, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.”

Appropriation: \$0

Bonds/Notes Authorized: \$0

Grant Appropriated: N/A

Section 20 Costs: \$0

Useful Life: N/A

Angelese Bermúdez Nieve, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Montclair, in the County of Essex, State of New Jersey on _____, 2022 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE O-20-19 OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, FINALLY ADOPTED AUGUST 4, 2020, IN ORDER TO AMEND THE PROJECT DESCRIPTION

Purpose: To amend section 3 of bond ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2022, to combine multiple masonry projects into one masonry project at various Board of Education facilities, and to read in its entirety as follows:

“Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is masonry improvements to various Board of Education facilities, including but not limited to, the Administration Building, Bradford Elementary School, Buzz Aldrin Middle School, Central Heating Plant and Pre-K Building, Charles H. Bullock School, Edgemont Elementary School, Montclair High School and George Inness Annex, Glenfield Middle School, Hillside Elementary School, Nishuane Elementary School, Northeast Elementary School, Renaissance Middle School, Watchung Elementary School, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.”

Appropriation: \$0

Bonds/Notes Authorized: \$0

Grant Appropriated: N/A

Section 20 Costs: \$0

Useful Life: N/A

Angelese Bermúdez Nieve, Clerk

Padmaja Rao
Chief Financial Officer
Township of Montclair
205 Claremont Avenue
Montclair, NJ 07042

Re: Amending Bond Ordinance O-20-19

Dear Maja:

In accordance with your request, I have prepared and enclose herewith a form of ordinance amending bond ordinance O-20-19. The ordinance should be adopted in accordance with the procedure set forth below for your convenience.

In order to comply with the capital budget regulations, the ordinance contains a provision amending the capital budget to the extent of any inconsistency with the bond ordinance and it should be sent to Trenton and filed with the Division of Local Government Services prior to final adoption of the ordinance along with the resolution of the governing body in the form required by the Local Finance Board showing the details of the amended capital budget. It will not be necessary to publish the resolution.

The ordinance may be introduced and read by title only and adopted by a majority of the members of the governing body present, assuming a quorum. After introduction, the Notice of Pending Bond Ordinance and Summary must be published in the local newspaper, a form of which I have enclosed for your use. Also, the ordinance should be posted on the bulletin board customarily used for notices, together with the Notice of Pending Bond Ordinance and Summary, and copies of the ordinance should be made available to anyone who requests them of the Clerk after introduction.

The bond ordinance can be considered for final adoption not less than ten days after introduction and not less than seven days after the publication of the Notice of Pending Bond Ordinance and Summary. If the ordinance has been posted and copies made available as indicated above, the ordinance can be read at the second hearing by title only. If the ordinance posting procedure has not been followed, the ordinance must be read in full at the second hearing. After the ordinance is read for the second time, the governing body should hold a public hearing and should give all members of the public a chance to be heard on the ordinance. After the public hearing, the ordinance can be finally adopted by the affirmative vote of not less than two-thirds of the full membership of the governing body. After final adoption, the Bond Ordinance Statement and Summary must be published, a copy of which I have enclosed for your use. Note that if the approval of an officer is required to make the ordinance effective, the ordinance must be approved by that officer, or passed over veto, before it is published after final adoption.

McManimon, Scotland & Baumann, LLC
Newark - Roseland - Trenton

After the ordinance is finally adopted, it will be necessary for us to establish a record of proceedings documenting the proper adoption of the bond ordinance. In order to do this, we will need one completely executed set of the documents enumerated on the attached checklist. By copy

of this letter, I am sending the Clerk a copy of the checklist along with a copy of the ordinance. With the exception of the Affidavits of Publication, I am also sending [the Clerk] the necessary certificates to be completed, executed and returned to us along with the necessary attachments to provide us with this documentation. It should be noted that the Clerk's Certificate must be executed no sooner than 21 days following the final publication in order to attest that there has been no protest within the statutory twenty-day protest period.

If you or the Clerk have any questions about the form of the ordinance, the adoption procedure or the form of the certificates, please call me.

Thank you for this opportunity to have been of assistance.

Very truly yours,

Matthew D. Jessup

Matthew D. Jessup

Enclosures

cc: Angelese Bermúdez Nieve, Clerk, w/encl.
Paul J. Burr, Esq., w/encl.
David Gannon, C.P.A., w/encl.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-22-23:** Ordinance to amend Section 347 Zoning of the Code of the Township of Montclair, New Jersey

ATTACHMENTS:

[Item 0D O-Zoning Amendments_Residential Impervious Coverage_Updated.pdf](#)

O-22-23

**ORDINANCE TO AMEND SECTION 347 ZONING OF THE CODE OF THE
TOWNSHIP OF MONTCLAIR, NEW JERSEY**

January 17, 2023

WHEREAS, the 2016 Master Plan Reexamination Report adopted by the Montclair Township Planning Board recommends that maximum impervious coverage ratios be established for all zones; and

WHEREAS, the Planning Board proposed changes to Chapter 347 Zoning to establish maximum impervious coverage requirements for residential zone districts as recommended in the Master Plan Reexamination Report and the Conservation Plan of the Master Plan; and

WHEREAS, Montclair's stormwater management infrastructure does not effectively address stormwater where it falls, leading to problems of localized flooding, and the efforts are needed to reduce stormwater flow using alternative techniques to reduce the environmental and fiscal cost of treating stormwater; and

WHEREAS, reduction in impervious surface is effective in reducing the volume and flow of stormwater runoff from development;

NOW, THEREFORE BE IT ORDAINED by the Council of the Township of Montclair, in the County of Essex, State of New Jersey that it hereby amends Chapter 347 of the Montclair Code as follows (deletions are shown as ~~strikethroughs~~ and additions are shown in underlined text):

1. Article III General Lot and Building Regulations

§347-20 ~~Number of dwellings on lot~~ **Additional requirements for residential uses.**

- A) Number of dwellings on lot. For one-and two-family dwellings, there shall be no more than one principal building per lot, and each lot shall front on a public street, except for carriage houses as provided in §347-9.
- B) Maximum impervious coverage.
- 1) For lots less than 10,000 square feet in area, the maximum impervious coverage shall be 55 percent of the lot area.
 - 2) For lots over 25,000 square feet in area, the maximum impervious coverage shall be 35 percent of the lot area.
 - 3) For lots with areas between 10,000 square feet and 25,000 square feet in area, the maximum impervious coverage shall be equal to 55 divided by the square root of the lot area.
- C) The requirements set forth in Montclair Code §294 Steep Slopes and Montclair Code §295 Stormwater Control are also applicable to residential uses.

Article IV R-O Mountainside Zone

§347-33 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. The maximum building coverage shall be 20% and the maximum impervious coverage shall be as set forth in Montclair Code §347-20B.

2. Article V R-O(a) One-Family Zone

§ 347-39 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. The maximum building coverage shall be 20% and the maximum impervious coverage shall be as set forth in Montclair Code §347-20B.
- E. No change.

3. Article VI R-1 One-Family Zone

§ 347-45 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. No change.
- F. No change.
- G. The maximum impervious coverage shall be as set forth in Montclair Code §347-20B.

4. Article VII R-2 Two-Family Zone

§ 347-51 ~~Height and setback of principal structures~~ Bulk requirements.

~~Height and setback of principal structures~~ Bulk requirements shall be the same as in the R-1 zone.

5. Article VIII R-3 Garden Group Zone

§ 347-57 ~~Height and setback of principal structures~~ Bulk requirements.

- A. For one- and two-family dwellings and all other permitted buildings, except townhouses and new multifamily dwellings, and for all conditional uses when a new building or enlargement of an existing building is proposed, the height and setback bulk requirements shall be as specified as for the R-1 Zone in § 347-45.

B. For new multifamily dwellings, the following requirements shall apply:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.
- (5) The principal building or buildings shall not occupy more than 20% of the ground area of the site and the maximum impervious coverage shall not exceed 65% of the ground area of the site.
- (6) No change.
- (7) No change.
- (8) No change.
- (9) No change.
- (10) No change.
- (11) No change.

C. No change.

6. Article X R-4 Three-Story Apartment Zone

§347-70 ~~Height and setback of principal structures~~ Bulk requirements.

Height and setback of principal structures shall be the same as in the R-3 Garden Group Zone, except that for multifamily dwellings, the following requirements shall apply:

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. ~~Lot coverage: maximum 30%~~ The maximum building coverage shall be 30% and the maximum impervious coverage shall be 65%.
- F. No change.
- G. No change.
- H. No change.
- I. No change.
- J. No change.

Article XVII Off-Street Parking and Loading

§347-102 Design of parking spaces and access.

- ~~A.~~ Required garages and parking areas and spaces shall be paved with either a hard-surface pavement or a pervious paving system as detailed in the latest edition of the New Jersey Stormwater Best Management Practices Manual paving and shall be accessible from similarly paved areas (herein called "aisles") which must be connected directly or by means of a similarly paved driveway to a public street. Any

driveway used as an aisle must satisfy the aisle width requirements. All such paving shall be drained and properly maintained. ~~For single and two family dwellings, gravel may be used in lieu of hard surface paving for parking areas and driveways or aisles.~~

- B. No change.
- C. No change.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-05:** Ordinance to amend Chapter 327 of the Code of the Township of Montclair to prohibit parking at all times on the south side of the parkway

ATTACHMENTS:
[Item 0E Ordinance Restricted Parking on Parkway.pdf](#)

O-23-05

TOWNSHIP OF MONTCLAIR

AN ORDINANCE TO AMEND CHAPTER 327 OF THE CODE OF THE TOWNSHIP OF MONTCLAIR TO PROHIBIT PARKING AT ALL TIMES ON THE SOUTH SIDE OF PARKWAY

January 17, 2023

BE IT ORDAINED by the Mayor and Council of the Township of Montclair, in the County of Essex, State of New Jersey that it hereby amends Chapter 327 of the Montclair Code as follows (additions are shown in underlined text):

Article III Parking, Standing and Stopping

§327-16 Parking prohibited at all times.

Name of Street	Side	Location
<u>Parkway</u>	<u>South</u>	<u>Entire length of street.</u>



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-06:** Ordinance to amend Section 347 Zoning Of the Code of the Township of Montclair, New Jersey

ATTACHMENTS:

[Item 0F O-Council_Demolition of historic structures 20230106.pdf](#)

O-23-06

**ORDINANCE TO AMEND SECTION 347 ZONING OF THE CODE OF THE
TOWNSHIP OF MONTCLAIR, NEW JERSEY**

January 17, 2023

WHEREAS, Section 347-142.1 of the Montclair Code for demolition of historic structures was added to the Zoning Ordinance on July 9, 2019 through the adoption of Ordinance O-19-020; and

WHEREAS, Section 347-134(K) of the Montclair Code empowers the Commission to draft and/or recommend to the Township Council and the Planning Board amendments to existing ordinances that impact the design and preservation of historic structures regulated by Chapter 347, Section 134 et seq. of the Montclair Code; and

WHEREAS, the Historic Preservation Commission has reviewed several applications for a permit for total demolition of historic buildings since the adoption of the Ordinance; and

WHEREAS, the Historic Preservation Commission formed a subcommittee comprising three Commissioners to evaluate the effectiveness of Montclair Code Sections 347-142.1 and 347-143 and recommend amendments to the Ordinance; and

WHEREAS, the Historic Preservation Commission at a meeting held on October 13, 2022 recommended the proposed amendments to the Ordinance; and

WHEREAS, the Economic Development Authority reviewed and provided comments which have been incorporated into the draft Ordinance included hereto; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Montclair that the amendments to Chapter 347, Section 142.1 of the Montclair Code is amended as set forth below (deletions are shown as ~~strike throughs~~ and additions are shown in underlined text):

1. §347-142.1A Purpose

No changes

2. §347-142.1B Definitions

ADMINISTRATIVE OFFICER

For purposes of this Article XXIII, the Zoning Officer.

HISTORIC STRUCTURE BUILDING

Includes any property 1) in a federally, state- or locally designated historic zoning district; or 2) on a federally, state- or locally designated historic site identified on the Zoning or Official Map; or 3) identified as historic or potentially historic in the Historic Preservation Element of the Master Plan with a documented historic survey filed with the New Jersey State Historic Preservation Office. The Department of Planning and Community Development shall maintain a list of properties deemed to be historic ~~structures~~ buildings, and a notation to that effect added to the property record in the Tax Assessor's office.

PARTIAL DEMOLITION and PARTIALLY DEMOLISHED

Shall mean any razing, dismantling, destruction, removal, or demolition of less than 50% of the total building as calculated by the surface area of any visible façade, exterior wall and/or architectural element, including removal of a building from its site, which may or may not include the foundation.

PERMIT

Shall have the meaning given in § 347-128.

TOTAL DEMOLITION and TOTALLY DEMOLISHED

~~For purposes of this section the razing, dismantling or destruction of substantially all of any building or of any publicly visible facade wall, including removal of a building from its site, which may or may not include the foundation. "Total demolition" is to be distinguished from "demolition" as defined at § 347-128, which is a broader category that includes total demolition. "Substantially all" of a building means at least 50% of the exterior walls.~~
This section shall be applicable to the razing, dismantling, destruction, removal, or demolition (collectively referred to as "demolition") of all or substantially all of any historic building, including any publicly visible facade, including removal of a building from its site, which may or may not include the foundation. "Total demolition", which is subject to this section, is to be distinguished from "demolition" as defined at § 347-128, which is a broader category that includes total demolition. "Substantially all" of a building means at least 50% of the exterior walls or publicly visible facade wall, as measured by the exterior surface area of the building. Any demolition (partial or total) proposed within five years of a previous demolition permit issuance will be considered cumulatively with respect to the percentage of exterior walls or façade demolished when determining whether total demolition is sought.

TOTAL DEMOLITION PERMIT

A separate permit distinct from a construction or building permit issued by the Construction Official, specific to enforcement of the Montclair Code zoning provisions concerning historic preservation.

3. §347-142.1C. Notice to property owners

No changes

4. §347-142.1D. Permits ~~to totally demolish~~ for total demolition of historic structures ~~buildings~~

No changes to body of this section

5. §347-142.1E. Procedure and criteria for total demolition approval

(1) Supplementary application. An application, or supplementary application, as the case may be, for approval to totally demolish an historic ~~structure~~ building shall be completed and submitted on a form authorized by the Department of Planning and Community Development in cases where:

(a) An application for a total demolition permit for an historic ~~structure~~ building has been submitted to the Construction Official.

(b) The administrative officer finds that any other permit application to the Construction Official involves total demolition of an historic ~~structure~~ building as defined herein.

(c) An application for development is filed with the Planning Board or the Board of Adjustment that if approved would require the total demolition of an historic ~~structure~~ building.

(2) Required contents of application for total demolition. The application for total demolition shall include:

(a) Complete photographic record of all exterior elevations, interior spaces, and details of all existing ~~structure~~ buildings and any adjacent properties pertinent to the history of the ~~structure~~ building or surrounding neighborhood.

(b) Statement of the need/purposes for the proposed total demolition.

~~(c) In any instance where there is a claim of no other alternative to total demolition, the applicant shall provide written documentation of good-faith attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate, or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be totally demolished or other evidence the Historic Preservation Commission deems acceptable.~~

Written documentation of: 1) the estimated cost and timing of restoration or rehabilitation of the building so as to allow for its reasonable use; and 2) evidence of good-faith attempts to offer the historic building for sale at a price that does not exceed its reasonable and comparable value to purchasers willing to remove and relocate the historic building, at the purchaser's expense, to

another location and/or to preserve, rehabilitate, or restore the building. A reasonable and comparable price shall be demonstrated by the applicant by providing evidence such as recent appraisals, comparable sales of buildings similar in location, character, and condition to the building proposed to be totally demolished or such other evidence as the Historic Preservation Commission determines to be a reasonable indication of property value. At the request of the applicant, the HPC shall grant a waiver of this requirement upon a finding of good cause, including but not limited to instances the property's historic use as a non-profit institution or charitable organization is proposed to continue onsite, or continued ownership tied to the period of significance.

(d) Written and pictorial record of the building's history and architectural features for archival purposes, including, without limitation, all exterior facades as a whole, a street view with surrounding properties, pictures of all features identified in all historical/architectural surveys of the property on file with the Township, the dates of original construction of the building or structure to be totally demolished; original documents, maps, drawings, and photographs; the square footage or dimensions of the building or structure to be totally demolished; a brief description of the materials, configuration and use of the existing building or structure; significant events and occupants associated with the history of the building or property who are historically significant; architectural features; and a description of the building through photographs, plans, and maps.

(e) Archaeological study of the property before and/or during total demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources.

(f) Preservation or salvage of architectural elements that are proposed for removal and photographic documentation. The Department of Planning and Community Development will provide applicants with local service directories of centers.

(g) Cost estimate of the proposed total demolition, categorized by site preparation, abatement, physical demolition work, and any other relevant costs.

(3) Review criteria for total demolition. With regard to applications to totally demolish an historic structure building, the following matters shall be considered: such application to demolish shall be granted if the applicant demonstrates that: 1) the preservation of the historic building is not warranted; or 2) the preservation of the historic building would impose an undue burden or hardship on the applicant.

(a) The first element may be demonstrated by evidence that the building's historic characteristics do not warrant its preservation, based on the following factors:

~~(a)~~(i) Its historical, architectural, cultural and aesthetic significance.

~~(b)~~(ii) Its use, its intended use and/or the use for which the building, structure, object or site was originally designed and the feasibility of the continuation of its designed use.

~~(e)~~(iii) Its importance to the Township and the extent to which its historical or architectural value is such that its removal will or will not be detrimental to the landmark district and/or to the public interest.

~~(d)~~(iv) The extent to which it is of such ~~old~~ age, unusual or uncommon design, craftsmanship, texture or material that it could not be reproduced or could be reproduced only with great difficulty and cost.

~~(e)~~(v) The extent to which its retention would promote business, create new positions, attract tourists, students, writers, historians, artists or artisans, encourage study and interest in American history, stimulate interest and study in architecture and design, educate citizens in American culture and heritage or make the Township a more attractive and desirable place in which to live.

~~(f)~~(vi) The probable impact of its removal upon the character and ambience of the landmark district.

(vii) The extent to which the replacement building proposed would preserve or not adversely affect the character of the neighborhood.

(b) The second element may be demonstrated by evidence, in consideration of the following factors, that preservation of the building or denial of the permit would impose an undue burden or hardship upon applicant:

~~(g)~~(i) The condition, structural soundness, and integrity of the building, ~~structure, object or site~~ and the economic feasibility of its restoration or rehabilitation so as to allow for its reasonable use.

~~(h)~~(ii) The threat to the public health and safety as a result of deterioration or disrepair of the building, ~~structure, object or site~~.

~~(i)~~(iii) The technological feasibility of structural rehabilitation.

~~(j)~~(iv) The interference with the charitable purposes of any nonprofit or charitable organization if total demolition is not permitted.

(v) Such other information and evidence regarding the burdens upon applicant of preservation as the Historic Preservation Commission may reasonably request in writing.

(4) ~~Criteria regarding removal and relocation of historic buildings or structures. The following factors shall be considered with regard to an application to move to a new location or site any historic structure:~~An application to move the building to a new location shall be granted if the applicant demonstrates that: 1) the preservation of the historic building is not warranted; and, 2) moving the building is technically feasible and would not pose a substantial negative impact to the site, the present district, or the proposed district of relocation.

(a) The first part is satisfied if, upon consideration of the following factors, the building's historic characteristics do not warrant its preservation:

(i) Its historical, architectural, cultural and aesthetic significance.

(ii) Its use, its intended use and/or the use for which the building, ~~structure, object or site~~ was originally designed and the feasibility of the continuation of its designed use.

(iii) Its importance to the Township and the extent to which its historical or architectural value is such that its removal will be detrimental to the landmark district and/or to the public interest.

(iv) The extent to which it is of such age, unusual or uncommon design, craftsmanship, texture or material that it could not be reproduced or could be reproduced only with great difficulty.

(v) The extent to which its retention would promote business, create new positions, attract tourists, students, writers, historians, artists or artisans, encourage study and interest in American history, stimulate interest and study in architecture and design, educate citizens in American culture and heritage or make the Township a more attractive and desirable place in which to live.

~~(a)(vi)~~ The impact of the loss of integrity suffered as a result of removal from the original and/or historic location; and, if located within an historic district, the impact of that loss of integrity upon the district as a whole.

~~(b) The relative value to the applicant of the proposed relocation contrasted to the value to the community as a whole in allowing it to remain at its original and/or historic site.~~

(b) The second part is satisfied if, upon consideration of the following factors, moving the building is not technically feasible and or would not pose a substantial negative impact to the site, the present district, or the proposed district of relocation:

(i) The condition, structural soundness, and integrity of the building and the economic feasibility of its restoration or rehabilitation so as to allow for its reasonable use at another site.

(ii) The interference with the charitable purposes of any nonprofit or charitable organization if relocation is not permitted.

~~(c)(iii)~~ The compatibility, nature and character of the areas adjacent to both the present site and the proposed site as they relate to the protection of historic properties and districts as regulated by this article.

~~(d)(iv)~~ In the event that a proposed new location is in an historic district, the impact on the visual compatibility of adjacent buildings, structures, objects or sites as set forth in § 347-137C(1) through (12), inclusive.

~~(e)(v)~~ The likelihood of significant damage to the physical integrity of the building, ~~structure or object~~ itself.

6. §347-142.1F. Review

(1) The Historic Preservation Commission shall review the application for total demolition according to the standards set forth in § 347-137A and § 347-142.1D(2) and (3), and the standards set forth in 36 CFR 60.4, entitled "Criteria for Evaluation" as promulgated by the U.S. Secretary of the Interior, which is adopted and incorporated by reference herein.

(2) The Historic Preservation Commission may delegate the review of the total demolition application to the Historic Preservation Officer, provided that the Commission by resolution shall adopt or otherwise act upon the Officer's report at a public hearing.

(3) The Historic Preservation Commission shall report and certify its conclusion to the administrative officer as to whether the subject building ~~or structure~~ possesses cultural, historical

or architectural significance which merits its preservation. The Historic Preservation Commission shall present its certification in a written report within 45 days of receipt of a complete application for total demolition. The report shall include, but shall not be limited to:

(a) A description of the age (noting if the building ~~and/or structure~~ was constructed more than 50 years ago), architectural style, historical associations and significance of the building ~~or structure~~.

(b) Certification that the building ~~or structure~~ is an historic ~~structure~~ building as defined in this chapter.

(c) Certification as to whether the building ~~or structure~~ is associated with events that have made a significant contribution to the broad patterns of our local, state, and/or national history.

(d) Certification as to whether the building ~~or structure~~ was associated with the life of a person who made a significant contribution to local, state and/or national history.

(e) Certification as whether the building ~~or structure~~ embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction, most especially if no other, or very few, buildings ~~or structures~~ with the same association have survived.

(f) Certification as to whether the building ~~or structure~~ has yielded, or may be reasonably likely to yield, information important in prehistory or history.

(g) Certification as to whether the building ~~or structure~~ maintains integrity of:

[1] Location: the place where the historic property was constructed or the place where the historic event occurred; and/or

[2] Design: the combination of elements that create the form, plan, space, structure, and style of a property; and/or

[3] Setting: the physical environment of an historic property; and/or

[4] Materials: the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property; and/or

[5] Workmanship: the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory; and/or

[6] Feeling: the property's expression of the historic sense of a particular period of time; and/or

[7] Association: the property's direct link between an important historic event or person and an historic property.

(4) The applicant is required to arrange site access to the Township and the Township's contracted professional consultants, and reviewing commission members as needed in order to complete a complete review as outlined in this section.

7. §347-142.1G. Low-impact applications – expedited process

No changes

8. §347-142.1H. Findings and decision

No changes

9. §347-142.1I. Notice of hearing

(1) The applicant for total demolition or for removal and relocation of an historic building shall give notice of the public hearing during which the application is to be heard as follows:

(a) Public notice shall be given by publication in the official newspaper of the municipality at least 10 days prior to the date of the hearing.

(b) Notice shall be given to the owners of all real property as shown on the current tax duplicates located within 200 feet in all directions of the property which is the subject of such hearing and all adjoining property which is under common ownership and whether located within or without this municipality. Such notice shall be given by serving a copy thereof on the owner as shown on said current tax duplicate or his or her agent in charge of the property or by mailing a copy thereof by certified mail to the property owner at his or her address as shown on said current tax duplicate. A return receipt is not required. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its President, a Vice President, Secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a limited liability company may be made by service upon any member thereof. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200 feet of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners or homeowners on account of such common elements or areas. The requirement of service shall be satisfied by notice to the condominium association, in the case of any unit owner whose unit is above or below it, or horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it.

10. § 347-143. Violations and penalties; enforcement.

~~A. Violations defined. Any person violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties herein. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any person who shall undertake any activity without approvals required~~

~~by this article shall be deemed to be in violation hereof.~~

(1) Any person violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties herein. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any person who shall undertake any activity without approvals required by this article shall be deemed to be in violation hereof.

(2) If any person shall undertake demolition of any portion of a historic building without first having obtained a permit, he or she shall be required to immediately stop the demolition, apply for approval and take any necessary measures to preserve the affected premises pending such approval. If the permit for demolition is denied, he or she shall immediately restore the affected premises to its condition prior to any demolition. In the event of a threat of imminent action for which the necessary approvals have not been granted and which action would permanently and adversely change a historic or landmark premises, the Zoning Officer is empowered to apply to the Superior Court of New Jersey for injunctive relief as is necessary to prevent such actions.

B. Notice of violations. Upon learning of the violation, the administrative officer shall personally serve upon the owner of the property whereon the violation is occurring a notice describing the violation in detail and giving the owner 10 days to abate the violation by restoring the building, structure or site to its condition prior to the violation. If the owner cannot personally be served within the Township with said notice, a copy shall be posted on the property and a copy shall be sent to the owner at his or her last known address.

C. Injunctive relief. In the event that the violation is not abated within 10 days of service or posting on site, whichever is earlier, the administrative officer shall cause to be instituted any appropriate action or proceeding to prevent such unlawful activity; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or site; or to prevent any illegal act, conduct, business or use in or about such premises as follows:

(1) If any person shall undertake any activity requiring a permit and report of the Commission without first having obtained approval, he or she shall be required to immediately stop the activity, apply for approval and take any necessary measures to preserve the affected premises pending such approval. If the work is denied, he or she shall immediately restore the building, structure, object or site to its condition prior to any such activity. The administrative officer is hereby authorized to seek injunctive relief regarding a stop action or restoration in the Superior Court not less than 10 days after the delivery of notice pursuant to Subsection B hereof.

(2) In the event of the threat of imminent action for which the necessary approvals have not been granted and which action would permanently and adversely change a landmark or any building, structure, object or site located within a landmark district, the administrative officer is empowered to apply to the

Superior Court of New Jersey for injunctive relief as is necessary to prevent such actions.

D. Penalties. In addition to the remedies provided above and notwithstanding §347-6 of this chapter, a person convicted of a violation of this Article XVIII before a court of competent jurisdiction shall be subject to penalties as follows:

(1) For each day up to 10 days: not more than ~~\$100~~ \$1,000 per day.

(2) For each day between 11 and 25 days: not more than ~~\$250~~ \$2,500 per day.

(3) For each day beyond 25 days: not more than ~~\$500~~ \$5,000 per day.

(4) For each day beyond 25 days: a jail term not to exceed 90 days may be imposed.

(5) If a historic building subject to the provisions of this Ordinance is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of five (5) years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control, and in addition, shall be subject to a fine not to exceed \$250,000.00 for each violation.



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-07:** Ordinance to amend Section 327 (Vehicles and Traffic) of the Code of the Township of Montclair, New Jersey

ATTACHMENTS:

[Item OG O-Multiway Stop - Claremont Avenue and Forest Street \(00361273xD43F8\).pdf](#)

O-23-07

TOWNSHIP OF MONTCLAIR

ORDINANCE TO AMEND SECTION 327 (VEHICLES AND TRAFFIC) OF THE
CODE OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY

January 17, 2022

BE IT ORDAINED, by the Council of the Township of Montclair in the County of Essex that Montclair Code Section 327-9.1 (multiway stop intersections) hereby be amended to read as follows:

§327- 9.31. Multiway stop intersections

The following described locations are hereby designated as multiway stop intersections, and stop signs shall be installed on both the major and minor street as follows:

Major Street

Minor Street

Claremont Avenue

Forest Street

This ordinance shall take effect in accordance with the provisions of N.J.S.A. Title 39 (Motor Vehicle and Traffic Regulation) as amended.

[New Language Underlined]



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-22-295:** Resolution amending Resolution R-22-295 authorizing the execution of a professional services agreement with Bright View Engineering to prepare a traffic study for Lackawanna Plaza Redevelopment Plan (RFP 22-19)

ATTACHMENTS:

[Item 0H Resolution - Traffic Engineer Lackawanna Plaza - REV2 ABD.pdf](#)
[Certification of Funds - BVE.pdf](#)

R-22-295

TOWNSHIP OF MONTCLAIR

RESOLUTION AMENDING RESOLUTION R-22-295 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BRIGHT VIEW ENGINEERING TO PREPARE A TRAFFIC STUDY FOR THE LACKAWANNA PLAZA REDEVELOPMENT PLAN (RFP 22 – 19)

January 17, 2023

WHEREAS the Township of Montclair has determined it has the need to retain a traffic engineer to provide professional services including, but not limited to, preparation of traffic studies and other services as may be required from time to time; and

WHEREAS, Request for Qualifications for Professional Services CY 2023 Various Montclair Township Land Use Professionals (RFP 22-19) was issued on October 24, 2022 and the following vendors were pre-qualified in the area of Traffic Engineering pursuant to Township Council Resolution R-22-283:

1. Bright View Engineering, Livingston, NJ 07039
2. Boswell Engineering, South Hackensack, NJ 07606
3. CME Associates, Parlin, NJ 08859
4. Neglia Group, Lyndhurst, NJ 07071

WHEREAS, a Request for Proposal to prepare a traffic study evaluating the impacts of the Lackawanna Plaza Redevelopment Plan was sent to each firm on December 7, 2022 and all four firms submitted proposals; and

WHEREAS, the scope of the Request for Proposal was expanded on December 15, 2022 and two firms submitted proposals; and

WHEREAS, after review of the proposals, price and other factors considered, the Township of Montclair has selected Bright View Engineering to prepare the traffic study for the Lackawanna Plaza Redevelopment Plan; and

WHEREAS, pursuant to N.J.S.A 19:44A – 20.5 et seq. this contract is being awarded under the Fair and Open Process; and

WHEREAS, Chief Financial Officer will certify that funds are available in budget line 04-215-16-011-003 for the proposed scope of services and that that the funds for these services will be appropriated in this account number; and

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Township enter into a contract with Bright View Engineering to prepare a traffic study for the Lackawanna Plaza Redevelopment Plan for a period not to exceed six (6) months starting from the date of the resolution, for an amount not to exceed \$116,470.00; and

BE IT FURTHER RESOLVED that the Township Manager be, and he is hereby authorized to execute the applicable Professional Services Agreement with Bright View Engineering, subject to final approval by the Township Attorney.



Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 tel: 973-509-4964 fax: 973-509-0370

Chief Financial Officer
Director of Finance

CERTIFICATION OF FUNDS

I HEREBY CERTIFY THAT SUBJECT TO APPROPRIATION OF SUFFICIENT FUNDS IN THE ADOPTED BUDGET, THE TOWNSHIP OF MONTCLAIR WILL ENCUMBER THE FUNDS FOR THE PAYMENT OF SERVICES, GOODS, AND/OR MERCHANDISE AS STATED IN THE FOLLOWING CONTRACT:

PURPOSE OF CONTRACT

**TOTAL AMOUNT OF CONTRACT
SUBJECT TO APPROPRIATIONS IN
BUDGET**

ACCOUNT NUMBER (S)

NAME AND ADDRESS OF COMPANY

Padmaja Rao

**Padmaja Rao, CPA, RMA, CMFO
Chief Financial Officer
Director of Finance**

Date: _____



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-001:** Resolution authorizing adoption of 2023 Temporary Budget

ATTACHMENTS:

[Item 01 2023 TEMP BUDGET resolution.pdf](#)
[Schedule A - 2023 Temporary Budget - Current Fund.pdf](#)
[Schedule A - 2023 Temporary Budget - Sewer Utility.pdf](#)
[Schedule A - 2023 Temporary Budget - Parking Utility.pdf](#)
[Schedule A - 2023 Temporary Budget - Water Utility.pdf](#)

R-23-001

TOWNSHIP OF MONTCLAIR
AUTHORIZING ADOPTION OF 2023 TEMPORARY BUDGET

January 17, 2023

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contracts, commitments or payments are to be made prior to the adoption of the 2023 Budget, temporary appropriations effective January 1, 2023 should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2023, and

WHEREAS, the total of such total appropriations shall not exceed twenty-six and twenty-five per centum (26.25%) of the total 2022 Budget exclusive of any appropriations made for Debt Service, Capital Improvements and Public Assistance, and

WHEREAS, the Chief Financial Officer has certified that the amounts included in the attached Schedule A conform to the above statute and has determined that those appropriations be included in the Temporary Budget.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Montclair, County of Essex, that the following 2023 temporary appropriations are hereby established and shall become effective as of January 1, 2023, and shall serve as the 2023 Temporary Budget until the 2023 Budget is introduced, which shall then serve as the Temporary Budget until such time as the year 2023 Official Budget is adopted:

**Township of Montclair
2023 Temporary Budget**

Current Fund

Description	2023 Temporary budget
TOWNSHIP MANAGER S&W	119,942.37
TOWNSHIP MANAGER O.E.	55,707.75
HUMAN RESOURCES S&W	44,882.75
HUMAN RESOURCES O.E.	43,110.38
TOWNSHIP COUNCIL S&W	12,888.75
TOWNSHIP COUNCIL O.E.	11,865.00
TOWNSHIP CLERK S&W	49,757.09
TOWNSHIP CLERK O.E.	9,043.13
ELECTION EXPENSE S&W	809.16
ELECTION EXPENSE O.E.	23,625.00
ADMINISTRATION-FINANCE S&W	30,811.31
ADMINISTRATION-FINANCE O.E.	12,298.13
ACCOUNTING & TREASURY S&W	67,194.68
ACCOUNTING & TREASURY O.E.	14,201.25
AUDIT SERVICES	11,156.25
INFORMATION TECHNOLOGY S&W	33,106.55
INFORMATION TECHNOLOGY O.E.	135,187.50
TAX COLLECTOR S&W	59,222.67
TAX COLLECTOR O.E.	12,096.00
ASSESSOR'S OFFICE S&W	92,379.51
ASSESSOR'S OFFICE O.E.	88,600.31
TOWNSHIP ATTORNEY S&W	73,000.14
TOWNSHIP ATTORNEY O.E.	126,393.75
ENGINEERING O.E.	52,723.13
ADMINISTRATION-PLANNING S&W	92,722.88
ADMINISTRATION-PLANNING O.E.	19,201.88
PLANNING BOARD O.E.	13,413.75
Rent Control S&W	18,681.25
Rent Control O.E.	14,131.25
BOARD OF ADJUSTMENT O.E.	4,488.75
UNIFORM CONSTRUCTION CODE S&W	242,937.40
UNIFORM CONST CODE O.E.	5,702.81
UNIFORM CONSTR.CODE O/E	20,212.50
LIABILITY INSURANCE	500,000.00
INSURANCE O.E.	1,603,875.00
HEALTH BENEFITS WAIVER	61,687.50
ADMIN/CODE ENFORCE & ENVIRON S&W	116,464.08
ADMIN/CODE ENFORCE & ENVIRON OE	22,981.88
POLICE S&W	3,906,111.41
POLICE O.E.	800,272.11
SPCL PRG/ACT POLICE DEPT O/E	14,437.50
FIRE S&W	2,539,378.62
FIRE O.E.	75,678.75
ADMIN COMM SERVICES S&W	216,382.40
COMMUNITY SERVICES O.E.	2,710.31
STREETS REPAIR & MAINT S&W	109,401.66
STREETS REPAIR & MAINT O.E.	7,514.06
STORM SEWER S&W	57,365.27
STORM SEWER O.E.	3,215.63
STORM CLEARANCE S&W	26,250.00
STORM CLEARANCE O.E.	200,000.00
TRAFFIC S&W	47,682.69
TRAFFIC O.E.	15,421.88
CENT GARAGE OPERATIONS S&W	59,307.42
CENT GARAGE OPERATIONS O.E.	163,050.00
REFUSE COLLECTION S&W	319,715.71

Current Fund

REFUSE COLLECTION O.E.	8,045.63
RECYCLING S&W	307,119.33
RECYCLING O.E.	131,250.00
BUILDING MAINT-PUB WORKS S&W	35,952.03
BUILDING MAINT-PUB WKS O.E.	77,122.50
SHADE TREES S&W	59,244.74
SHADE TREES O.E.	33,468.75
HEALTH SERVICES S&W	185,000.00
HEALTH SERVICES O.E.	33,814.73
NURSING SERVICES S&W	75,096.06
HEALTH(SENIOR SERVICES) DEPARTMENT O/E	1,050.00
DIVISION OF SENIOR SERVICES S&W	39,000.64
DIVISION OF SENIOR SERVICES O.E.	40,175.63
ANIMAL CONTROL/SHELTER S&W	114,097.86
ANIMAL CONTROL/SHELTER O.E.	43,862.94
PARKS/REC/CULTURAL AFFAIRS O/E	37,406.25
RECREATION PROGRAMS S&W	136,468.04
RECREATION PROGRAMS O.E.	35,789.25
PARKS SERVICES S&W	96,357.06
PARKS SERVICES O.E.	108,750.00
MAINT FREE PUB LIBRARY	887,845.09
Capital Lease on Fire Ladder Truck	212,575.53
POSTAGE CHARGES	13,125.00
ELECTRICITY O.E.	154,875.00
STREET LIGHTING O.E.	135,187.50
TELEPHONE O.E.	78,750.00
NATURAL GAS O.E.	36,750.00
FUEL DIESEL O.E.	85,312.50
GASOLINE O.E.	89,250.00
BUILDING MAINTENANCE O.E.	75,000.00
COPIER LEASE MAINTENANCE	7,875.00
DUMP FEES O.E.	390,859.20
Statutory Expenditures	354,375.00
MUNICIPAL COURT S&W	179,049.02
MUNICIPAL COURT O.E.	18,001.99
	<hr/>
	16,798,301.11
	<hr/>
OTHER CAPITAL IMPROVEMENTS	492,000.00
DEBT SERVICES	10,434,616.67
TYPE 1 DISTRICT SCHOOL DEBT SERVICE	8,046,700.00
Current Fund Totals	<hr/> 35,771,617.78 <hr/>

**Township of Montclair
2023 Temporary Budget**

Sewer Utility Fund

Department	Description	2023 Temporary Budget
Sewer Operating	Salaries & Wages	237,974.61
Sewer Operating	Other Expenses	181,627.04
Social Security System	Other Expenses	17,449.10
Passaic Valley Sewer	Other Expenses	1,300,000.00
Second River Sewer	Other Expenses	31,250.00
Third River Sewer	Other Expenses	5,000.00
		<u>1,773,300.76</u>
Capital Expenditures		2,000,000.00
Debt Service	Other Expenses	129,000.00
Total temporary Budget		<u>3,902,300.76</u>

**Township of Montclair
2023 Temporary Budget**

Parking Utility Fund

		2023 Temporary Budget
Department	Description	
Parking Operating	Salaries & Wages	313,421.76
Parking Operating	Other Expenses	500,449.73
Social Security System	Other Expenses	22,128.20
		<u>835,999.70</u>
Capital Expenditures	Other Expenses	150,000
Debt Service	Other Expenses	1,005,000.00
Total temporary Budget		<u>1,990,999.70</u>

**Township of Montclair
2023 Temporary Budget**

Water Utility Fund

Department	Description	2023 Temporary Budget
Water Operating	Salaries & Wages	352,435.33
Water Operating	Other Expenses	1,073,366.10
Water Commercial	Salaries & Wages	37,413.86
Water Commercial	Other Expenses	15,750.00
Social Security System	Other Expenses	27,562.50
		<u>1,506,527.79</u>
Capital Expenditures	Other Expenses	2,500,000.00
Debt Service	Other Expenses	975,000.00
Total temporary Budget		<u>4,981,527.79</u>



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-002:** Resolution to return application fee to Viridis MFG LLC for failure to submit a complete application for a Cannabis License pursuant to Chapter 110 of the Montclair Code

ATTACHMENTS:

[Item 0J Resolution to Return Application fee to Viridis Mfg LLC \(002\).pdf](#)

R-23-002**TOWNSHIP OF MONTCLAIR****RESOLUTION TO RETURN APPLICATION FEE TO VIRDIS MFG LLC FOR FAILURE TO SUBMIT A COMPLETE APPLICATION FOR A CANNABIS LICENSE PURSUANT TO CHAPTER 110 OF THE MONTCLAIR CODE**

January 17, 2022

WHEREAS, under the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, municipalities are permitted to authorize and regulate the number of licensed cannabis businesses, as well as their location, manner, and times of operation within its jurisdiction; and

WHEREAS, on August 10, 2021, the Township adopted an Ordinance (O-21-17) and amended by Ordinance (O-22-11) on May 17, 2022, for the cultivating, manufacturing, distribution, retail sale, and delivery of cannabis in the Township of Montclair; and

WHEREAS, Section 110-5 of the Township code provides that the Township may issue certain municipal licenses for Cannabis Establishments, including a Class 2/Category E: Cannabis Manufacturer license; and

WHEREAS, Section 110-8 of the Township provides that an application shall be deemed incomplete, and shall not be processed, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

A. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis retailer, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.

B. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, antidiscrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, gender identity, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

C. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code.

D. The applicant shall submit, to the satisfaction of the Township Council, proof of financial capability to open and operate the cannabis retailer for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the Township Council.

E. The applicant shall submit all required fees for the application and conditional license in accordance with the fee schedule set forth in this chapter. All fees shall be nonrefundable except as expressly provided [therein].

F. In addition to complying with any state requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five years.

G. The applicant and the application shall otherwise comply with any and all qualification standards set forth in the state and Township laws or regulations; and

WHEREAS, pursuant to Section 110-16, the initial application fee is \$15,000.00 for the following cannabis business licenses: Retailer, Manufacturer, Grower, Wholesaler, Distributer, and Delivery Service; and

WHEREAS, on June 6, 2022, the Township announced the period for submission of applications for cannabis business licenses in the Township of Montclair starting on June 6, 2022 and ending on August 31, 2022; and

WHEREAS, on Wednesday, August 31, 2022 at 4:21 p.m., Virdis submitted an application for a cannabis manufacturing license accompanied by the application fee in the amount of \$15,000.00; and

WHEREAS, on September 23, 2022, the Clerk of the Township sent Virdis a letter informing that its application was incomplete and provided a lists of deficiencies, namely, 1. Proof of business structure; 2. Complete list of each person with 10% interest in the proposed cannabis business; 3. Proof applicant has or will have legal possession of the proposed business premises; 4. An affidavit and documentary proof that Applicant is in compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices and a certified statement under oath that Applicant will discriminate based on race, color, religion, gender, gender expression, gender identity, age, national origin, disability, marital status, sexual orientation or military status, in any of its activities or operations; 5. Proof of financial capability; 6. Documentation regarding how the applicant will satisfy all requirements set forth in Section 110-9 of the Montclair Municipal Code; 7. A narrative regarding applicant's demonstrated commitment to or sufficient experience as a responsible employer, defined as the Applicant being party to a labor peace agreement or collective bargaining agreement; 8. A summary of its environmental impact and sustainability plan; 9. A narrative describing Applicant's ties to the host community; 10. A narrative regarding the commitment to diversity in its ownership composition and hiring practices and whether the applicant holds any certifications as a NJ minority owned, women-owned, or veteran-owned business; 11. Acknowledgment signed by all owners of the proposed cannabis business.. The letter provided instructions and a deadline ("by noon on Tuesday, October 11, 2022") to submit the listed deficiencies to the Township Clerk's Office; and

WHEREAS, Virdis failed to timely submit the deficiencies by noon on Tuesday, October 11, 2022 at which time the Township deemed Virdis's application incomplete, and it was not processed; and

WHEREAS, pursuant to Section 110-8, application fees are part of a complete application, and once submitted as part of a completed application shall be nonrefundable except as expressly provided within the ordinance; and

WHEREAS, Virdis did not timely submit a completed application and has requested the return of its applications fees since the application has been deemed incomplete and not accepted by the Township; and

WHEREAS, in consideration of Virdis's agreement to provide a general release to release the Township of Montclair from all claims, the Township will return the application fees due to the material fact that Virdis did not submit a completed application to the Township in accordance with Section 110-8; and

WHEREAS, on December 14, 2022, Virdis executed a General Release Agreement to release the Township from all and any claims.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Montclair as follows:

1. The foregoing recitals are hereby incorporated by reference as if the same had been fully set forth herein.
2. The Township Manager or the Township Attorney is hereby authorized to sign and execute the General Release Agreement with Virdis Mfg. LLC.
3. The Township is authorized to return the application fee in the amount of \$15,000.00 to Virdis Mfg. LLC in accordance with the terms and conditions of the General Release Agreement.

BE IT FURTHER RESOLVED, that all Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Office of the Municipal Clerk

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-003:** Resolution appointing an alternate member to the Planning Board

ATTACHMENTS:

[Item 0K R-23-003 Resolution appointing members to the Planning Board.pdf](#)

R-23-003
TOWNSHIP OF MONTCLAIR

RESOLUTION APPOINTING AN ALTERNATE MEMBER TO THE PLANNING BOARD

January 17, 2023

BE IT RESOLVED by the Mayor and Council of the Township of Montclair, in the County of Essex, that the following person is appointed to the Planning Board to the position and for the term indicated:

Term Type	Name	Member Class	Effective Date	Term End Date
*Unexpired	Jeffrey Jacobson	Alternate No. 1	January 1, 2023	December 31, 2024

**Indicates re-appointment*



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Office of the Municipal Clerk

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-004:** Resolution appointing a member to the Zoning Board of Adjustment

ATTACHMENTS:

[Item 0L R-23-004Resolution appointing members to the Zoning Board \(002\).pdf](#)

R-23-004
TOWNSHIP OF MONTCLAIR

**RESOLUTION APPOINTING A MEMBER TO THE ZONING BOARD OF
ADJUSTMENT**

January 17, 2023

BE IT RESOLVED by the Mayor and Council of the Township of Montclair, in the County of Essex, that the following person is appointed to the Zoning Board of Adjustment to the position and for the term indicated:

Term Type	Name	Member Class	Effective Date	Term Ends
*Unexpired	Jay Church	Regular	01/01/2023	12/31/2026

**Indicates Re-appointment*



BILL LIST RESOLUTION

WHEREAS, INVOICES AGAINST THE TOWNSHIP OF MONTCLAIR, IN FAVOR OF THE FOLLOWING PERSONS FOR THE AMOUNTS SET OPPOSITE THEIR RESPECTIVE NAMES, HAVE BEEN RECEIVED; DULY AUDITED AND FOUND CORRECT.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, THAT SAID INVOICES BE AND THEY ARE HEREBY ORDERED PAID, AND THAT CHECKS BE DRAWN BY THE FINANCE DEPARTMENT TO THE ORDER OF SUCH PERSONS FOR THE AMOUNTS RESPECTIVELY AND HEREINAFTER STATED ON THE SCHEDULE ATTACHED HERETO AND MADE A PART HEREOF:

Council Meeting Date:

Total Amount:



TOWNSHIP OF MONTCLAIR
OFFICE OF THE CHIEF FINANCIAL OFFICER
INTEROFFICE MEMORANDUM

DATE:

TO: Mayor and Township Council

FROM:

PR

SUBJECT: Bill List

Following is a preliminary version of the Bill List, aggregating _____ to be presented for approval at the _____ Council Meeting. Should any changes be required, a listing of adjustments will accompany a revised Bill List that will be submitted on the day of the Council Meeting for your review.

TOWNSHIP OF MONTCLAIR
SUMMARY OF BILL LISTS
MEETING OF
CHECKS DATED

<u>FUND</u>	<u>AMOUNT</u>
CURRENT FUND	
WATER OPERATING FUND	
WATER CAPITAL	
SEWER OPERATING FUND	
SEWER CAPITAL FUND	
PARKING UTILITY OPERATING FUND	
SECTION 8 FUND	
GENERAL CAPITAL FUND	
GENERAL TRUST FUND	
ANIMAL CONTROL TRUST FUND	
POLICE FORFEITURE TRUST FUND	
PARKING CAPITAL FUND	
STATE UNEMPLOYMENT TRUST FUND	
TOTAL	

IT IS HEREBY CERTIFIED
that the vouchers covering the above funds
are available in the respective accounts to
be charged.

Padmaja Rao

Disbursements Journal								
From 12/20/2022 to 12/31/2022								
Current, Parking Operating, & General Capital Funds								
DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
12/20/2022	5066		12202201		PUBLIC SERVICE ELECTRIC & GAS		54,118.81	01-101-01-001-001
				01-201-31-430-250	2022-11-21 PSE&G Bill A/C 13-014-025-08	54,118.81		
12/21/2022	5327		830096		MONTCLAIR BOARD OF EDUCATION		5,700,000.00	01-101-01-001-001
				01-207-55-001-001	12/21/22 BOE Levy	5,700,000.00		
12/29/2022	5335	2202699		01-201-26-301-034	GLASS FOR GARAGE	30.00		
				01-201-26-301-034	NJMVC REGISTRATION	60.00		
				01-201-26-305-125	WATER FOR REFUSE	64.35		
				01-201-26-301-034	LEAGUE OF MUNICIPALITIES PKG	20.00		
				01-201-26-301-034		10.00		
			16977		TOWNSHIP OF MONTCLAIR		184.35	01-101-01-001-001
12/29/2022	5336	2202713		01-201-20-131-100	Order Receipt Health Department 12/10/22	10.00		
				01-201-20-131-100	Order Receipt Health Department 12/17/22	10.00		
				01-201-20-131-100	Order Receipt Health Department 1/12//22	20.00		
			16977		TOWNSHIP OF MONTCLAIR		40.00	01-101-01-001-001
12/29/2022	5337	2202718		01-201-28-371-170	Supplies for Tree Lighting- Dollar Store	19.46		
				01-201-28-371-170	Santa Letter Supplies -Michaels	9.69		
				01-201-28-371-170	Supplies Santa Fire Truck-ACME	38.43		
			16977		TOWNSHIP OF MONTCLAIR		67.58	01-101-01-001-001
12/29/2022	5338	2202760		01-201-20-120-022	Postage Reimbursement due to issues with po	22.08		
			16977		TOWNSHIP OF MONTCLAIR		22.08	01-101-01-001-001
12/29/2022	5339	2202766		01-201-25-240-045	TRAVEL EXPENSES	222.89		
				01-201-25-240-041	MEETINGS	128.31		
				01-201-25-240-127	NOTARY REGISTRATION OATH	45.00		
				01-201-25-240-126	PRISONER MEALS	34.48		
				01-201-25-240-124	BATTERIES FRONT DOOR	10.29		
			16977		TOWNSHIP OF MONTCLAIR		440.97	01-101-01-001-001
12/29/2022	5340	2202739		01-201-20-120-021	Staples Order Supply	41.98		
				01-201-20-120-021	Newspaper for Advertisements	3.00		
				01-201-20-120-021	Star Ledger for Advertisements	3.00		
				01-201-20-120-021	CVS: Batteries for Clock Remote	9.99		
				01-201-20-120-021	Star Ledger for Advertisements	3.00		
				01-201-20-120-021		3.00		
			16978		TOWNSHIP OF MONTCLAIR		63.97	01-101-01-001-001
12/29/2022	5341	2202709		09-201-55-501-231	6/17/2022--- Judith Knies Crescent Deck ref	8.00		
			2253		TOWNSHIP OF MONTCLAIR		8.00	09-101-01-001-010
12/20/2022	5345	2202742		04-215-21-005-013	Settlement in the matter of Township of Mon	425,000.00		
			2220		Superior Courts of New Jersey		425,000.00	04-101-01-001-007
							6,179,945.76	Total PY Disbursements (above)
							6,507,055.17	Total from 01-17-23 Bill List
							12,687,000.93	Grand Total

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
CURRENT FUND			
7163 - A & K EQUIPMENT COMPANY INC. 221 WESCOTT DRIVE ATTN: KAREN RAHWAY NJ 07065	PO 2200392 PLOW PARTS - (BLANKET) PO 2200415 VARIOUS PARTS AND SUPPLIES - (BLANKET)	1,106.28 1,105.00	2,211.28**
9046 - ACCESS CONTROL SYSTEMS LOCKSMITH LLC 551 VALLEY RD, PMB 148 MONTCLAIR NJ 07043	PO 2202495 FD Headquarters Repairs:	1,000.00	1,000.00**
99689 - Advanced Enterprises Recycling, Inc. dba DART 300 Frank W. Burr Blvd., Ste 39 Teaneck NJ 07666	PO 2200014 TYPE 13 NON-PROCESSISBLE WASTE - (BLANKE	9,458.98	9,458.98**
30 - AGL Welding Supply Co. PO Box 1707 Clifton NJ 07015-1707	PO 2200234 VARIOUS CHEMICALS & GASES - (BLANKET)	94.44	94.44**
2997 - AIR & GAS TECHNOLOGIES, INC. 42 INDUSTRIAL DRIVE CLIFFWOOD BEACH NJ 07735	PO 2202667 Air compressor maintenance	741.00	741.00**
34 - AIRPOWER INTERNAT'L INC 7303 RIVER ROAD PENNSAUKEN NJ 08110-0001	PO 2202695 Maintenance & Repair of Air Cascade Fill	108.48	108.48**
100181 - Akmal, Nada c/o Township of Montclair 205 Claremont Avenue Montclair NJ 07042	PO 2300009 Reimbursements 107TH Annual League Confe	302.50	302.50**
99037 - Amazon Capital Services	PO 2200594 Council Amazon Purchases 2022 Blanket	37.99	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
PO Box 035184 Seattle WA 98124-5184			37.99**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2202311 OFFICE SUPPLIES-FINANCE, PAYROLL, ACCOUN	481.84	481.84**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2202605 REPLACEMENT BATTERIES FOR MOTOROLA HAND	353.30	353.30**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2202668 Plastic File Boxes for Storage	74.89	74.89**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200156 VARIOUS HARDWARE SUPPLIES - REFUSE (BLA	336.92	336.92**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200843 Blanket PO - FD Hardware purchases	1,274.75	1,274.75**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200942 VARIOUS HARDWARE SUPPLIES - TRAFIC (BL	116.81	116.81**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2202665 BLANKET: BUILDING MAINTENANCE/MISCELLANE	64.97	64.97**

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
12479 - AMERICAN WEAR INC. 261 NORTH 18TH STREET EAST ORANGE NJ 07017	PO 2200968 UNIFOR WKLY RENTALS & WIPERS - (BLANKET	382.00	382.00**
2562 - ANIMAL ALLIANCE 1432 ROUTE 179 NORTH LAMBERTVILLE NJ 08530	PO 2201403 ANIMAL SHELTER SPAYING & NEUTERING BLANK	3,585.00	3,585.00**
394 - AT&T PO BOX 5075 Carol Stream IL 60197-5075	PO 2200842 Blanket PO - FD Long Distance - Account	71.46	71.46**
7907 - ATLANTIC IRRIGATION 73 NORTH WILLOW STREET MONTCLAIR NJ 07042	PO 2200247 SPRINKLER SERVICES	875.00	875.00**
100188 - BARBARA HARRIS OF THE TOYS 230 LT. GLENN ZAMORSKI DRIVE 2ND FLOOR ELIZABETH NJ 07206-1521	PO 2202472 MILL FALL TRAVELING SHOW - NEW VENDOR	350.00	350.00**
99288 - Barnwell House of Tires, Inc. 112 Lehigh Drive Fairfield NJ 07004	PO 2202688 FD Blanket PO - Purchase, Service & Repa	7,798.16	7,798.16**
738 - BEATTIE PADOVANO, LLC ARTHUR M. NEISS, ESQ. 200 Market St., Suite 401 Montvale NJ 07645	PO 2201281 Blanket #2 - General - 2022 Beattie Pado	900.00	1,800.00**
	PO 2201281 Blanket #2 - General - 2022 Beattie Pado	900.00	
7417 - BENECKE ECONOMICS 8410 SANCTUARY BLVD. RIVERDALE NJ 07457	PO 2200951 BLANKET PROFESSIONAL SERVICES 2022	3,315.00	3,315.00**

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
100187 - Bianco, Lisa 138 SUMMIT AVENUE MONTCLAIR NJ 07043	PO 2202469 A Cappella Performance at Montclair Tree	500.00	500.00**
99993 - Bright View Engineering 5 Pitcairn Drive Roseland NJ 07068	PO 2201227 Blanket #2 2022 GENERAL Bright View Traf PO 2201227 Blanket #2 2022 GENERAL Bright View Traf	1,275.00 369.33	1,644.33**
8509 - CIVIL SOLUTIONS PO BOX 579 HAMMONTON NJ 08037	PO 2201345 FOR SERVICES TO THE ASSESSOR'S OFFICE FO	560.00	560.00**
7300 - CLAIRMONT AUTO BODY, INC. 2 BLOOMFIELD AVENUE MONTCLAIR NJ 07042	PO 2202066 CAR #204 BROKEN TAIL LIGHT REPAIR/REPL	747.52	747.52**
6585 - CLEARVIEW DATA SYSTEMS INC. 728 N. PLEASANTBURG DRIVE GREENVILLE SC 29607	PO 2202741 2023-2024 LIVESCAN PLUS/MUGSHOT SOFTWARE	630.00	630.00**
6207 - CLERMONT, WILLANDE C/O TOWNSHIP OF MONTCLAIR 205 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2300010 Reimbursement S107TH Annual League Confe	139.34	139.34**
99055 - Community Safety Consultants 1 Safety Place Metuchen NJ 08840	PO 2201776 BLANKET: TRAINING - EMT REFRESHER PTL.	375.00	375.00**
7693 - CONTINENTAL FIRE & SAFETY, INC 2740 KUSER ROAD ATTN: TRISH ZIVE	PO 2202686 FD Blanket PO - Fire equipment sales/ser	990.15	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
HAMILTON NJ 08691			990.15**
100051 - Corelogic Attn: Refunds Department 3001 Hackberry Road Irving TX 75063	PO 2300029 2022 TAX REFUND FOR 502-2, HIGHLAND AVE	4,189.61	4,189.61**
1701 - CUSTOM BANDAG INC. 401 E. LINDEN AVENUE LINDEN NJ 07036-2411	PO 2200016 VARIOUS TIRES & REPAIRS - (BLANKET)	3,174.57	3,174.57**
13821 - DIAL PEST CONTROL, INC. 13 Eagle Rock Ave. E. Hanover NJ 07936	PO 2201513 ANIMAL SHELTER PEST CONTROL BLANKET REST	98.12	98.12**
8191 - DIAMOND ROCK SPRING WATER PO BOX 672 RIDGEFIELD PARK NJ 07660	PO 2200359 EDGEMONT SUPPLIES	6.00	6.00**
9604 - DMAXX UNIVERSE LLC 28 SOUTH 12th AVENUE MOUNT VERNON NY 10550	PO 2202620 Wrestling Singlets	237.50	237.50**
2162 - ECUA RRF ESCROW ACCOUNT TD BANK 6000 Atrium Way Mt. Laurel NJ 08054	PO 2200012 2022 TIPPING FEES - (BLANKET)	78,057.08	78,057.08**
99532 - Edmunds Gov Tech, Inc. 301A Tilton Road Northfield NJ 08225	PO 2200953 BLANKET FOR 2022 SOFTWARE MAINTENANCE	1,990.49	1,990.49**
1578 - ELEVATOR MAINTENANCE CORP. 580 ELM STREET	PO 2201002 2022 Blanket for Elevator Maintenance	733.00	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
KEARNY NJ 07032			733.00**
99056 - Eric M. Bernstein & Associates, LLC 34 Mountian Blvd. Building A PO Box 4922 Warren NJ 07059	PO 2201744 FOR PROFESSIONAL SERVICES RENDERED FOR T	8,151.00	8,151.00**
12873 - ESSEX REGIONAL HEALTH COMSSN 204 HILLSIDE AVENUE LIVINGSTON NJ 07039	PO 2201663 PROFESSIONAL SERVICE AGMENT TO PROVIDE S	26,986.74	26,986.74**
98999 - FBINAA - NJ CHAPTER PO BOX 906 OCEAN CITY NJ 08226	PO 2202728 MEMBERSHIP DUES: CHIEF TODD CONFORTI	120.00	120.00**
475 - FIRE & SAFETY SERV LTD 200 RYAN STREET SOUTH PLAINFIELD NJ 07080	PO 2201050 FD Blanket PO - Repair & Maintenance of PO 2202692 FD Blanket PO - Repair & Maintenance of	18,491.82 21,169.47	39,661.29**
6205 - FISCHER, JOSEPH P. 12 GARDEN PLACE NUTLEY NJ 07110	PO 2202452 Toy Soldiers and Candy Cane Lane for Tre	500.00	500.00**
496 - FOLEY INCORPORATED PO Box 787132 PHILADELPHIA PA 19178-7132	PO 2202640 CUTTING EDGES FOR CAT BUCKETS	1,527.17	1,527.17**
99217 - Frankie's Finish Line Car Wash 305 Broad Street Bloomfield NJ 07003	PO 2200302 CAR WASHES FOR DCS VEHICLES - (BLANKET) PO 2200518 BLANKET: FLEET CAR WASHES	5.00 35.00	40.00**
502 - FRANKS TRUCK CENTER INC	PO 2202405 VARIOUS PARTS AND REPAIRS (BLANKET	48.08	

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325 ORIENT WAY LYNDHURST NJ 07071-0002			48.08**
11122 - GOVERNMENT FINANCE OFFICR ASSC OF NEW JERSEY 150 W. STATE STREET TRENTON NJ 08608-1105	PO 2202590 ANNUAL MEMBERSHIP RENEWAL N AKMAL PO 2300025 ANNUAL MEMBERSHIP RENEWAL P RAO	90.00 90.00	180.00**
3446 - GPH, INC. 100 Naylor Avenue Livingston NJ 07039	PO 2200011 REPAIRS AT VARIOUS DCS LOCATIONS - (BLA	1,156.08	1,156.08**
1494 - GRAINGER, INC. DEPT. 876710096 PALATINE IL 60038-0001	PO 2200880 FD Blanket PO - Equipment & Supplies	3,436.66	3,436.66**
1494 - GRAINGER, INC. DEPT. 876710096 PALATINE IL 60038-0001	PO 2200881 FD Blanket PO - Equipment & Supplies	2,170.15	2,170.15**
10067 - GRAINGER, INC. DEPT 811747534 PALATINE IL 60038	PO 2202304 VARIOUS PARTS FOR DRILL PRESS (TRAFFIC)	200.06	200.06**
1494 - GRAINGER, INC. DEPT. 876710096 PALATINE IL 60038-0001	PO 2202687 FD Blanket PO - Equipment & Supplies	974.86	974.86**
99670 - GRANICUS, LLC 408 S. PETER ST. S. PAUL MN 55102	PO 2202707 2021-2022 Granicus - Peak Agenda Managem	21,114.00	21,114.00**

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100186 - Granite Telecommunications, LLC PO Box 983119 Boston MA 02298	PO 2202706 POT Lines Phone Services - A/C: 04789982	3,402.64	3,402.64**
10013 - Great American Financial Services PO BOX 660831 DALLAS TX 75266-0831	PO 2201335 2019-2024 Mail Machine Lease - Town, Pol	935.00	935.00**
9667 - Griffith-Allied Trucking LLC PO Box 392 Manville nj 08835	PO 2200829 GASOLINE DELIVERIES - (BLANKET)	14,713.89	14,713.89**
99546 - Hackett, Esq., Michael A. 80 Main Street Suite 450 West Orange NJ 07052	PO 2202682 Conflict Judge	450.00	450.00**
100216 - Hayes, Brendan & Kerry 126 Chestnut Street Montclair NJ 07042	PO 2300028 2022 TAX REFUND FOR 2401-22 126 CHESTNUT	3,090.72	3,090.72**
4263 - HUDSON COUNTY MOTORS, INC. 290 SECAUCUS ROAD PO BOX 2611 SECAUCUS NJ 07094	PO 2201088 VARIOUS PARTS AND SUPPLIES - (BLANKET)	1,313.62	1,313.62**
1856 - HURLOCK, WILLIAM C/O TOWNSHIP OF MONTCLAIR 205 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2202651 Reimbursement for Year 2022 NJLM Confere	328.63	328.63**
9208 - HYDRO MAGIC, LLC D/B/A/ WYSIWASH 2090 S. NOVA RD., UNIT B203 SOUTH DAYTONA FL 32119	PO 2202591 BUILDING MAINTENANCE QUOTE	1,019.53	1,019.53**

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100208 - James M. Darby, Esq., Arbitrator & Media 20 N. Mulberry Street Suite 1 Lancaster PA 17603	PO 2202719 BLANKET PO FOR ARBITRATOR SERVICES	4,400.00	4,400.00**
100089 - Jay's Exterminating Service 631 W. Mount Pleasant Ave Livingston NJ 07039	PO 2201609 BLANKET: INSECT & RODENT CONTROL	298.00	298.00**
100207 - Jazz House Kids, Inc. 347 Bloomfield Avenue Lower Level Montclair NJ	PO 2202724 2022 JAZZ FESTIVAL FUNDING	20,000.00	20,000.00**
100050 - Keefe, James 43 Conforti Avenue Apt. #27 West Orange NJ 07052	PO 2202603 MILL FALL CLASSES 2022	400.00	400.00**
7812 - KONICA MINOLTA BUSINESS SOLTNS DEPT. AT 952823 ATLANTA GA 31192-2823	PO 2200514 BLANKET: COPIER/PRINTER MAINTENANCE PO 2200575 KONICA COPIER USAGE - BLDG #2 (BLANKET)	319.71 212.70	532.41**
9757 - KONICA MINOLTA PREMIER FINANCE PO BOX 070241 PHILADELPHIA PA 19176-0241	PO 2201196 New KM Summary Inv. - Blanket (PD, HR, F	482.21	482.21**
7692 - LANGUAGE LINE SERVICES PO BOX 202564 DALLAS TX 75320	PO 2201056 Blanket Translation Services (March - De	131.18	131.18**
3337 - LAWMEN SUPPLY COMPANY MUNC EMER SERVS INC - LAWMEN PO BOX 856892	PO 2201819 BLANKET: UNIFORM CLOTHING	1,185.00	

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MINNEAPOLIS MN 55485-6892			1,185.00**
8575 - Let's Think Wireless, LLC PO Box 628 Pine Brook NJ 07058	PO 2202635 BLANKET: MISCELLANEOUS REPAIRS	276.50	
			276.50**
5930 - LEXIS NEXIS MATTHEW BENDER 9443 N. SPRINGBORO PIKE MIAMISBURG OH 45342	PO 2201882 BLANKET: ACCURINT FOR LAW ENFORCEMENT	136.00	
	PO 2201882 BLANKET: ACCURINT FOR LAW ENFORCEMENT	140.00	
			276.00**
6780 - LIFESAVERS, INC. 39 PLYMOUTH STREET FAIRFIELD NJ 07004	PO 2202672 BLANKET: AED PADS	671.25	
			671.25**
99315 - Lyons, Jean 211 Montclair Avenue Montclair NJ 07043	PO 2202048 MILL FALL CLASSES 2022	393.75	
			393.75**
8109 - M & D AUTOMOTIVE DBA P&A AUTO PARTS 1278 BROAD STREET BLOOMFIELD NJ 07003	PO 2200015 VARIOUS PARTS & SUPPLIES - (BLANKET)	1,602.73	
			1,602.73**
99651 - MANDEL, JANET C. 9 BRADFORD AVE W. ORANGE NJ 07052	PO 2202600 MILL FALL CLASSES 2022	175.00	
			175.00**
9474 - MARAVIGLIA, PATRICIA 109 FOUR SEASONS DRIVE NORTH CALDWELL DRIVE NJ 07006	PO 2200998 2022 PAYROLL SUPPORT SERVICES	712.50	
			712.50**
100205 - Mario Medici Lectures, LLC 61 Sloat Place	PO 2202643 MILL FALL CLASSES 2022 - NEW VENDOR	125.00	

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River Vale NJ 07675			125.00**
2470 - MCMANIMON, SCOTLAND, BAUMANN LLC 75 LIVINGSTON AVENUE ROSELAND NJ 07068	PO 2201344 2022 BOND COUNSEL	236.50	236.50**
853 - MGL PRINTING SOLUTIONS 154 SOUTH STREET NEW PROVIDENCE NJ 07974	PO 2202639 Leather binders for Board Minutes and Ag	701.00	701.00**
99600 - MID-ATLANTIC TRUCK CENTRE 525 WEST LINDEN AVE LINDEN NJ 07036	PO 2200085 VARIOUS PARTS & REPAIRS - (BLANKET) PO 2201977 VARIOUS PARTS & REPAIRS	26.00 345.15	371.15**
100180 - Miner, Ltd. dba New Jersey Door Works 11827 Tech Com Road #115 San Antonio NJ 78233	PO 2202365 REAR SIDE DOOR REPAIR/REPLACEMENT	2,925.00	2,925.00**
99287 - Montclair Car Care 4 Bloomfield Avenue Montclair NJ 07042	PO 2200132 Blanket PO - FD Car Wash PO 2201162 BLANKET: VEHICLE/FLEET CAR WASHES/DETAIL PO 2202689 BLANKET: VEHICLE/FLEET CAR WASHES/DETAIL	25.00 490.00 470.00	985.00**
7782 - MONTCLAIR MOTORWERKS INC. 40 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2202526 BLANKET: REPAIR & MAINTENANCE OF POLICE	6,072.03	6,072.03**
7782 - MONTCLAIR MOTORWERKS INC. 40 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2202526 BLANKET: REPAIR & MAINTENANCE OF POLICE	21,923.49	21,923.49**
2321 - MORTON SALT, INC.	PO 2200052 ROCK SALT (BULK ICE CONTROL) - (BLANKE	22,188.79	

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DEPT. CH 19973 PALATINE IL 60055-9973			22,188.79**
5734 - MOTOROLA SOLUTIONS, INC. 13108 COLLECTION CENTER DR. CHICAGO IL 60693	PO 2202179 BLANKET: CAMERAS FOR NEW VEHICLES	31,335.00	31,335.00**
10042 - MR. JOHN PO BOX 130 KEASBY NJ 08832	PO 2200083 PORTABLE TOILET FACILITIES AT VARIOUS LO	1,517.80	1,517.80**
996 - NAT'L FUEL OIL CO 175 ORANGE ST NEWARK NJ 07103-0001	PO 2200830 DIESEL DELIVERIES - (BLANKET)	44,057.56	44,057.56**
99580 - National Business Furniture 770 S. 70th Street Milwaukee WI 53214	PO 2202417 HIGH BACK MESH CHAIR ITEM # 56848 QUOTE	359.00	359.00**
7628 - NATIONAL FIRE CODES 11 TRACY DRIVE AVON MA 02322-9908	PO 2202300 UPDATED CODE BOOKS NFPA	1,310.70	1,310.70**
8672 - NATURE'S CHOICE CORP. 1106 Millstone River Road Hillsborough NJ 08844	PO 2200184 RECYCLING OF LEAVES - (BLANKET)	4,615.00	4,615.00**
100020 - NJ ADVANCE MEDIA, LLC DEPT 77571 PO BOX 77000 DETROIT MI 48277-0571	PO 2200899 2022 Blanket for Purchasing Advertising	373.23	373.23**

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100097 - NJ Advance Media, LLC Dept 77751 PO Box 77000 Detroit MI 48277-0571	PO 2202744 Rent Control Board Public Meeting 12/14/	29.25	29.25**
7716 - NJLM 222 WEST STATE STREET TRENTON NJ 08608	PO 2200080 2022 NJLM JOB ADS	115.00	115.00**
2567 - NJNEOA - NEW JERSEY NARCOTIC ENFORCEMENT OFFICER'S ASSOC PO BOX 202 PORT READING NJ 07064	PO 2202729 2023 ANNUAL MEMBERSHIP RENEWAL	40.00	40.00**
1183 - NORTH JERSEY MEDIA GROUP PO BOX 630703 CINCINNATI OH 45263-0703	PO 2201376 Blanket #2 Publication of legal notices	17.22	17.22**
100098 - North Jersey Media Group PO Box 630703 Cincinnati OH 45263-0703	PO 2202624 Rent Control Board Public Meeting 9-21-2	23.79	23.79**
5444 - NORTHEAST EQUIPMENT 1190 ROUTE 23 SOUTH CEDAR GROVE NJ 07009-0001	PO 2200328 VARIOUS PARTS AND SUPPLIES - (BLANKET)	1,074.57	1,074.57**
9656 - PATTERSON VETERINARY SUPPLY 822 7TH STREET STE 740 PO BOX 1240 GREELEY CO 80631	PO 2202623 ANIMAL SHELTER MEDICAL SUPPLIES FOR DOGS PO 2202666 PATERSON MEDICAL SUPPLIES ANIMAL SHELTER	3,453.02 158.68	3,611.70**
7399 - PHILLIPS PREISS GRYGIEL, LLC Attn: Paul Grygiel 70 Hudson Street, Suite 5B Hoboken NJ 07030	PO 2201921 Professional Services	767.50	767.50**

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8214 - PM AM CORPORATION 5430 LBJ FRWY STE 370 DALLAS TX 75240	PO 2202684 BLANKET: 2022 ALARM REGIST., FALSE ALARM	4,197.82	4,197.82**
2392 - PRINTING TECHNIQUES 48 FRANKLIN AVE NUTLEY NJ 07110	PO 2202525 DOG LICENSE RENEWAL FORMS	305.00	305.00**
7990 - PROSTOCK AUTO PARTS MONTCLAIR AUTO PARTS 330 NORTH MIDLAND AVENUE SADDLEBROOK NJ 07663	PO 2201573 FD Blanket PO - Auto Parts PO 2202549 ANTIFREEZE FOR GARAGE	527.57 563.84	1,091.41**
8007 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2201298 ANIMAL SHELTER PSE&G BLANKET REST OF YEA	2,138.00	2,138.00**
99732 - QUALITY FACILITY SOLUTIONS 199 Lee Ave. #297 BROOKLYN NY 11211	PO 2201168 2022-2024 Cleaning Services	5,107.41	5,107.41**
5197 - RAO, PADMAJA C/O TOWNSHIP OF MONTCLAIR 205 CLAREMONT AVE MONTCLAIR NJ 07042	PO 2202697 2022 GFOA FALL CONFERNCE REIMBURSEMENTS:	377.10	377.10**
99521 - ReadyRefresh by Nestle Nestle Waters North America Inc. PO Box 856192 Louisville KY 40285-6192	PO 2200403 Water Cooler Rental & Water Delivery Bla	141.73	141.73**
705 - RICHFIELD FARMS & GARDEN CTR 1139 VAN HOUTEN AVE CLIFTON NJ 07013	PO 2200283 VARIOUS PLANTS, FLOWERS & GARDEN SUPPLIE	55.93	

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			55.93**
46038 - RICHVIEW CONSULTING 4 MAUDE LANE HACKETTSTOWN NJ 07840	PO 2202028 2022-2023 Arborist Consulting Services	2,989.60	
			2,989.60**
9033 - RIKER, DANZIG, SCHERE, HYLAND & PERRETTI LLP-ATTN:D.FREIJOIMIL ONE SPEEDWELL AVENUE MORRISTOWN NJ 07962	PO 2202700 BLANKET PO FOR LITIGATION/SPECIAL COUNSE	58,754.50	
			58,754.50**
1567 - Robert's and Son, Inc. P O BOX 110 GARFIELD NJ 07029	PO 2200106 VARIOUS PARTS & REPAIRS - (BLANKET)	882.11	
			882.11**
99017 - Sal Electric Co., Inc. 83 Fleet Street Jersey City NJ 07306	PO 2201557 ELECTRICAL WORK AT VARIOUS LOCATIONS - PO 2202727 BASEMENT GFCI REPLACEMENT	1,294.53 324.45	
			1,618.98**
7866 - SCHLAGER, ROBIN 11 WENDOVER ROAD MONTCLAIR NJ 07042	PO 2202650 Reimbursement (Mileage) January 2022 to	261.00	
			261.00**
7330 - SHERWIN-WILLIAMS 324 BLOOMFIELD AVENUE BLOOMFIELD NJ 07003-0001	PO 2200337 TRAFFIC PAINT & RELATED SUPPLIES - (BLA	138.08	
			138.08**
100087 - Shoreline Energy Advisors, LLC 648 Valley Road Suite 2 Brielle NJ 08730	PO 2202063 MICROGRID PHASE 2 -	172,782.45	
			172,782.45**
3784 - SOUZA, SAMUEL C/O MONTCLAIR BLDG. DEPARTMENT	PO 2202698 REIMBURSEMENT FOR HOTEL @ BUILDING SAFET	200.26	

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205 CLAREMONT AVENUE MONTCLAIR NJ 07042			200.26**
8760 - SPACE FARMS ZOO & MUSEUM 218 ROUTE 519 BEEMERVILLE NJ 07461	PO 2202606 DECEMBER DEER CARCASS REMOVAL	88.00	
			88.00**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2200649 Clerk's Office Supplies 2022 - Blanket	273.48	
	PO 2200927 OFFICE SUPPLIES	11.29	
	PO 2201336 FD Blanket PO - Office Supplies	752.11	
	PO 2202276 OFFICE CHAIR AND ELECTRIC PENCIL SHARPEN	168.41	
	PO 2202524 Usage of Purchasing Cooperatives	428.88	
	PO 2202532 2022 Blanket - Staples Office Supplies	249.78	
	PO 2202563 BLANKET: MISCELLANEOUS OFFICE SUPPLIES	2,229.66	
	PO 2202573 Office Supplies	365.00	
	PO 2202622 Usage of Purchasing Cooperatives	496.86	4,975.47**
9032 - STICKEL,KOENIG,SULLIVAN, DRILL LLC 571 POMPTON AVENUE CEDAR GROVE NJ 07009	PO 2201234 Blanket #2 - 2022 - GENERAL SKSD Legal	3,000.00	
			3,000.00**
6133 - SUBURBAN JR. WRESTLING LEAGUE ATTN: JIM WEBER, DIRECTOR 14 HILLVIEW ROAD FREDON NJ 07860	PO 2300034 League Fee	700.00	
			700.00**
2767 - SUPERIOR DISTRIBUTORS 4 MIDLAND AVE ELMWOOD PARK NJ 07407-0001	PO 2200107 VARIOUS PARTS & REPAIRS - (BLANKET)	66.32	
	PO 2200523 VARIOUS PARTS FOR PLOWS - (BLANKET)	90.12	
			156.44**
99650 - The Olympic Glove & Safety Co. Inc. 75 Main Avenue Elmwood Park NJ 07407	PO 2200333 SAFETY VESTS, GLOVES AND GLASSES - (BLA	82.51	
			82.51**
7437 - TLP Climate Control Sysems, Inc.	PO 2202494 Replacement VAV Controller - 1st Floor V	4,918.00	

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400 Rike Drive Millstone Township NJ 08535	PO 2202714 ANIMAL SHELTER FALL INSPECTION	555.35	5,473.35**
99969 - Topology NJ , LLC 60 Union Street #1N Newark NJ 07105	PO 2200402 GIS Services - Parcel Map Maintenance	831.25	831.25**
6538 - TRIPLE T SPORTS 5 COMELY PLACE BLOOMFIELD NJ 07003	PO 2202441 Composite Youth Footballs	4,191.30	4,191.30**
6738 - TURN OUT UNIFORMS, INC. 195 PATERSON AVENUE LITTLE FALLS NJ 07424	PO 2201098 BLANKET: NEW PROBATIONARY POLICE OFFICER PO 2201908 BLANKET: NEW HIRE UNIFORMS ROMAINE THO PO 2202133 BLANKET: PROMOTIONAL UNIFORMS	269.99 28.99 238.98	537.96**
2573 - ULINE PO BOX 88741 CHICAGO IL 60680	PO 2202553 GREETER OFFICE CHAIR (REPLACEMENT) PO 2202671 BLANKET: JANITORIAL SUPPLIES	960.83 735.19	1,696.02**
8779 - VERIZON PO BOX 15124 ALBANY NY 12212-5124	PO 2201888 BLANKET --- ACCT #: 955-272-967-0001-42	249.98	249.98**
955 - VERIZON BUSINESS PO Box 16801 Newark NJ 07101-6801	PO 2200868 ANIMAL SHELTER VERIZON BLANKET FOR REST	287.28	287.28**
8550 - VERIZON RBCC PO BOX 15124 ALBANY NY 12212-5124	PO 2300024 Verizon high speed internet service, sta	963.84	963.84**

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5601 - W.B. MASON CO., INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2200237 BLANKET- WATER COOLER-CODE ENFORCEMENT	23.30	23.30**
9362 - W.B. MASON COMPANY INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2200126 Blanket PO - FD Hot & Cold Water Cooler PO 2200787 2022 W.B. Mason January - June Water Coo PO 2200928 2022 Blanket Water Cooler Service PO 2202645 VARIOUS CLEANING SUPPLIES ANIMAL SHELTER	27.77 15.20 17.88 803.01	863.86**
99837 - Windstream PO Box 9001013 Louisville KY 40290-1013	PO 2202735 November 2022 Invoice	5,235.89	5,235.89**
4926 - WITMER PUBLIC SAFETY GROUP 104 INDEPENDENCE WAY COATSVILLE PA 19320	PO 2200453 FD Blanket PO - Firefighter Protective C	180.00	180.00**
99745 - YACOBELLIS, PETER c/o Township of Montclair 205 Claremont Avenue Montclair NJ 07042	PO 2202652 Reimbursement for Year 2022 NJLM Confere	351.54	351.54**
DEDICATED TRUST			
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2202668 Plastic File Boxes for Storage	501.19	501.19**
99169 - Atlantic Coast Fibers LLC 101 7th Street Passaic NJ 07055	PO 2202011 RECYCLING AGREEMENT FOR 24 MONTH PERIOD	33,780.06	33,780.06**
738 - BEATTIE PADOVANO, LLC ARTHUR M. NEISS, ESQ.	PO 2201264 Blanket #2 - ESCROW - 2022 Beattie Padov	1,700.00	

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200 Market St,. Suite 401 Montvale NJ 07645			1,700.00**
99329 - BELGIOVINE/BROUGHTON GRILL 714 BLOOMFIELD AVENUE MONTCLAIR NJ 07042	PO 2202710 FD Regional training seminar	1,277.50	
			1,277.50**
99931 - Boswell Engineering 330 Phillips Avenue South Hackensack NJ 07606	PO 2201261 Blanket #2 2022 ESCROW Boswell Engineeri	2,085.00	
	PO 2201262 Blanket #2 2022 ESCROW BOSWELL Engineeri	2,473.50	
			4,558.50**
99993 - Bright View Engineering 5 Pitcairn Drive Roseland NJ 07068	PO 2201272 Blanket #2 2022 ESCROW Bright View Traff	650.67	
			650.67**
9875 - CGP&H, LLC 1249 South River Road Suite 301 Cranbury NJ 08512	PO 2201346 Administration of a Housing Rehabilitati	1,476.00	
			1,476.00**
7300 - CLAIRMONT AUTO BODY, INC. 2 BLOOMFIELD AVENUE MONTCLAIR NJ 07042	PO 2202722 FD Auto Repair Fire Official Car #6-Fron	105.68	
			105.68**
9717 - CONNOLLY & HICKEY HISTORICAL ARCHITECTS, LLC 1 S. Union Avenue, 3rd floor Cranform NJ 07016	PO 2201260 Blanket #2 2022 ESCROW Connolly Hickey H	910.00	
			910.00**
100165 - Culpepper, E. 1 Carolin Road Montclair NJ 07043	PO 2202339 Refund of Unused Escrow Deposits	337.00	
			337.00**
100024 - K & D Contractors, LLC	PO 2202634 Valley Road Firehouse ADA Upgrade	38,200.00	

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351 Monroe Avenue Kenilworth NJ 07033			38,200.00**
7812 - KONICA MINOLTA BUSINESS SOLTNS DEPT. AT 952823 ATLANTA GA 31192-2823	PO 2200130 Blanket PO - Fire Prevention Copier - Co	40.53	40.53**
5660 - MONTCLAIR ART MUSEUM 3 SOUTH MOUNTAIN AVENUE MONTCLAIR NJ 07042	PO 2202331 Refund of Unused Escrow Deposits	78.00	78.00**
8672 - NATURE'S CHOICE CORP. 1106 Millstone River Road Hillsborough NJ 08844	PO 2200184 RECYCLING OF LEAVES - (BLANKET)	28,100.00	28,100.00**
100171 - Northern Property Associates LLC 1 Ridge Road Roseland NJ 07068	PO 2202345 Refund of Unused Escrow Deposits	155.00	155.00**
9887 - PROSHRED SECURITY 152 EAGLE ROACK AVENUE ROSELAND NJ 07068	PO 2200345 Blanket PO - FD Shredding	14.67	14.67**
7990 - PROSTOCK AUTO PARTS MONTCLAIR AUTO PARTS 330 NORTH MIDLAND AVENUE SADDLEBROOK NJ 07663	PO 2201721 Fire Prevention Blanket PO - Auto Parts	186.74	186.74**
100174 - Scainetti, Satya 30 Greenview Way Montclair NJ 07043	PO 2202348 Refund of Unused Escrow Deposits	250.00	250.00**

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7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2200209 Blanket PO - Fire Prevention Office Supp	864.82	864.82**
9032 - STICKEL, KOENIG, SULLIVAN, DRILL LLC 571 POMPTON AVENUE CEDAR GROVE NJ 07009	PO 2201265 Blanket #2 - 2022 ESCROW - SKSD Legal	620.50	620.50**
CAPITAL			
7163 - A & K EQUIPMENT COMPANY INC. 221 WESCOTT DRIVE ATTN: KAREN RAHWAY NJ 07065	PO 2201212 REFURBISH PARKS 27	12,718.26	12,718.26**
8471 - ALLAN BRITWAY ELECTRICAL UTILITY CONTRACTORS, INC. 30 A Vreeland Rd., Suite 220 Florham Park NJ 07932	PO 2101024 REFURBISH SIGNAL @ BELLEVUE AVE & PARK S	9,440.00	9,440.00**
9645 - CHALLENGER FENCE 53 KENTUCKY AVENUE PATERSON NJ 07503	PO 2202720 FENCE REPAIR/REPLACEMENT @ KAVENEY FIELD	9,583.00	9,583.00**
2316 - CIFELLI & SON GENERAL CONTRACTING, INC. 81 FRANKLIN AVENUE NUTLEY NJ 07110	PO 2201555 2022 road Resurfacing Materials - MCCPC	55,040.00	55,040.00**
9717 - CONNOLLY & HICKEY HISTORICAL ARCHITECTS, LLC 1 S. Union Avenue, 3rd floor Cranform NJ 07016	PO 2200984 Non-Fair & Open Contract for Design and	19,110.00	19,110.00**
1487 - DUJETS TREE EXPERTS 54 NOTCH ROAD	PO 2201692 2022 Tree Removal Services	16,165.00	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
WOODLAND PARK NJ 07424			16,165.00**
7915 - MATRIX NEW WORLD ENGINEERING 26 COLUMBIA TURNPIKE FLORHAM PARK NJ 07932	PO 2201792 Environmental Services for NJDEP Site Re	8,020.40	8,020.40**
99600 - MID-ATLANTIC TRUCK CENTRE 525 WEST LINDEN AVE LINDEN NJ 07036	PO 2201976 PLOW TRUCK PARTS	3,823.98	3,823.98**
	Water Operating		
30 - AGL Welding Supply Co. PO Box 1707 Clifton NJ 07015-1707	PO 2200034 W-2 - Blanket for Cylinder Rentals for G	108.08	108.08**
6902 - AGRA ENVIRONMENTAL & LAB SERV 90 1/2 WEST BLACKWELL STREET DOVER NJ 07801	PO 2202658 W-179 - Third Blanket for Lab Analysis S	243.00	243.00**
41 - ALL SERVICE 770 Route 23 POMPTON PLAINS NJ 07444-0001	PO 2200042 Blanket for	2,664.68	2,664.68**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2200384 W-29 - SECOND BLANKET - Materials, Equip	27.91	27.91**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2201874 W-102 -- Second Blanket for Hardware Ite	14.99	14.99**

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
94 - AQUA PRO-TECH LABORATORIES 1275 BLOOMFIELD AVENUE BUILDING #6 FAIRFIELD NJ 07004	PO 2200032 W-5 - Blanket for Lab Analysis Services PO 2202659 W-180 - Second Blanket for Sampling/Lab	927.00 24,562.05	25,489.05**
143 - BELL'S SECURITY SALES, INC 426 BLOOMFIELD AVE BLOOMFIELD NJ 07003	PO 2200031 W-6 - Blanket for Materials & Supplies f	298.64	298.64**
1701 - CUSTOM BANDAG INC. 401 E. LINDEN AVENUE LINDEN NJ 07036-2411	PO 2202680 W-176 -- Three 265/70R17 Tires for WB-7	501.15	501.15**
99820 - Eastern Pest Services 2 Industrial Road Suite 202 Fairfield NJ 07004	PO 2200372 W-27 -- BLANKET for Monthly Rodent Baiti	150.00	150.00**
100025 - ECD Solutions LLC 452 River Road Unit L Nutley NJ 07110	PO 2201705 W-91 -- Office Cleaning for 6 Months at	439.99	439.99**
99532 - Edmunds Gov Tech, Inc. 301A Tilton Road Northfield NJ 08225	PO 2200953 BLANKET FOR 2022 SOFTWARE MAINTENANCE	995.23	995.23**
1658 - FDR HITCHES 120 WEST WESTFIELD AVENUE ROSELLE PARK NJ 07204	PO 2202274 W-144 -- Replacement of Truck Body & Lif	10,030.00	10,030.00**
8791 - FERGUSON ENTERPRISE INC. #501 PO BOX 417592 BOSTON MA 02241-7592	PO 2202427 W-159 One Solenoid Valve needed for WAP	1,188.86	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
			1,188.86**
99284 - GenServe, LLC 100 Newtown Road Plainview NJ 11803	PO 2202673 W-178 -- Service Call for GSPS (Onon 35K	600.00	
			600.00**
100186 - Granite Telecommunications, LLC PO Box 983119 Boston MA 02298	PO 2202706 POT Lines Phone Services - A/C: 04789982	315.84	
			315.84**
14131 - LONGO ELECTRICAL-MECHANICAL PO BOX 511 WHARTON NJ 07885-0511	PO 2202576 W-172 - Troubleshoot VFD & Pump #5 at WA PO 2202678 W-175 -- Repair Pump #5 at WAPS on 10/10	1,400.00 4,290.00	
			5,690.00**
11822 - OBSZARNY, GARY C/O MONTCLAIR WATER BUREAU 54 WATCHUNG AVENUE MONTCLAIR NJ 07043	PO 2202615 W-173 -- Reimbursement for CPWM Certific	50.00	
			50.00**
7643 - ONE CALL CONCEPTS, INC. 7223 PARKWAY DRIVE SUITE 210 HANOVER MD 21076	PO 2202676 O-30 -- Third Blanket for One Call Messa	336.05	
			336.05**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2200386 2022 Office Supplies CO-OP 012320-SCC	10.29	
			10.29**
100199 - UNGER, TOBIN 530 UPPER MOUNTAIN AVENUE MONTCLAIR NJ 07043	PO 2202571 Water Refund Overpayment	261.87	
			261.87**

Water Capital

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
9368 - CORE & MAIN LP PO BOX 28330 ST. LOUIS MO 63146	PO 2200874 P-12 -- ORDERING Various Sized Ductile I PO 2200875 P-11 -- ORDERING Various Sized Megalugs PO 2201111 P-22 -- Second Encumbrance-Purchase & De	161,514.10 1,900.00 4,511.92	167,926.02**
8977 - JOHN GARCIA CONSTRUCTION COMPANY, INC. 183 FRIAR LANE CLIFTON NJ 07013-0001	PO 2100450 REPLACEMENT OF WATER MAINS IN STONEBRIDG	17,640.00	17,640.00**
PARKING UTILITY			
99291 - ChargePoint Inc. 254 E. Hacienda Avenue Campbell CA 95008	PO 2201154 2022 Modem Upgrade Kit	789.18	789.18**
1578 - ELEVATOR MAINTENANCE CORP. 580 ELM STREET KEARNY NJ 07032	PO 2201002 2022 Blanket for Elevator Maintenance	367.00	367.00**
10067 - GRAINGER, INC. DEPT 811747534 PALATINE IL 60038	PO 2200122 2022 Supplies and Hardware- Usage of Sta	2,001.94	2,001.94**
1494 - GRAINGER, INC. DEPT. 876710096 PALATINE IL 60038-0001	PO 2202084 2022- Supplies and hardware Midtown Deck	2,717.63	2,717.63**
9710 - IMPARK 216 Haddon Avenue Suite 400 Westmont NJ 08108	PO 2200963 2022 Operations and Management for Parki	33,348.54	33,348.54**
8389 - IPS PO BOX 80500	PO 2201316 Upgrade IPS Parking Meters to 4G	32,800.00	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
CITY OF INDUSTRY CA 91716-8500			32,800.00**
6870 - LEVITT'S LLC PO BOX 613 PINE BROOK NJ 07058	PO 2202715 Usage of Purchasing Cooperatives	1,842.50	1,842.50**
99815 - Parkeon, Inc. dba FlowBird 40 Twosome Drive, Suite 7 Moorestown NJ 08057	PO 2201484 2022 Proprietary Parking Mobile Applicat	915.00	915.00**
914 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2200853 Electricity Bill 2022	3,777.50	3,777.50**
99017 - Sal Electric Co., Inc. 83 Fleet Street Jersey City NJ 07306	PO 2200445 2022 Electrical Work	1,631.01	1,631.01**
5046 - TAKE A POWDER, INC 147 SPRING STREET PATERSON NJ 07501	PO 2201726 2022 Coin Collection operation and maint	207.00	207.00**
8872 - VERIZON PO BOX 408 NEWARK NJ 07101-0408	PO 2201997 Upper Montclair Pay station Broadband Se	77.96	77.96**
Section 8			
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2202608 Usage of Purchasing Cooperatives	157.20	157.20**

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
5601 - W.B. MASON CO., INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2200277 2022 Water Cooler Monthly Rental Charge PO 2200278 5 Gallon Water Bottles @ \$4.47 each x 4	0.95 13.41	14.36**
Parking Capital			
6377 - Gannett Fleming, Inc. PO Box 829160 Philadelphia PA 19182-9160	PO 2201709 Midtown Parking Deck Engineering Proposa	1,109.70	1,109.70**
8389 - IPS PO BOX 80500 CITY OF INDUSTRY CA 91716-8500	PO 2202390 Upgrade IPS Parking Meters to 4G	1,641.61	1,641.61**
SEWER OPERATING			
100095 - Allegiance Trucks 525 West Linden Avenue Linden NJ 07036	PO 2201712 R-17 - Blanket for Vehicle Parts & Suppl	493.73	493.73**
99532 - Edmunds Gov Tech, Inc. 301A Tilton Road Northfield NJ 08225	PO 2200953 BLANKET FOR 2022 SOFTWARE MAINTENANCE	995.23	995.23**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2200386 2022 Office Supplies CO-OP 012320-SCC	508.78	508.78**
SEWER CAPITAL			
5165 - SUBURBAN CONSULTING ENGINEERS 96 US HIGHWAY 206	PO 2201823 N-3 -- Eng Srvs--Construction Admin/Obse	16,885.25	

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
SUITE 101 (UTL) FLANDERS NJ 07836-9225			16,885.25**
TOTAL			1,302,639.05

** = Payment(s) need to be approved before check can be printed.

Total to be paid from Fund 01 CURRENT FUND	717,668.78
Total to be paid from Fund 03 DEDICATED TRUST	113,806.86
Total to be paid from Fund 04 CAPITAL	133,900.64
Total to be paid from Fund 06 Water Operating	49,415.63
Total to be paid from Fund 07 Water Capital	185,566.02
Total to be paid from Fund 09 PARKING UTILITY	80,475.26
Total to be paid from Fund 16 Section 8	171.56
Total to be paid from Fund 19 Parking Capital	2,751.31
Total to be paid from Fund 22 SEWER OPERATING	1,997.74
Total to be paid from Fund 23 SEWER CAPITAL	16,885.25

	1,302,639.05

Checks Previously Disbursed

828942	MONTCLAIR BOARD OF EDUCATION	1/11/23 BOE Levy	5,200,000.00	1/11/2023
561140829	STATE OF NEW JERSEY	PO# 2201082 Payments to all Water Organizati	4,416.12	1/11/2023

			5,204,416.12	

Totals by fund	Previous Checks/Voids	Current Payments	Total
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Fund 01 CURRENT FUND	5,200,000.00	717,668.78	5,917,668.78
Fund 03 DEDICATED TRUST		113,806.86	113,806.86
Fund 04 CAPITAL		133,900.64	133,900.64
Fund 06 Water Operating	4,416.12	49,415.63	53,831.75
Fund 07 Water Capital		185,566.02	185,566.02

List of Bills - (All Funds)

Meeting Date: 01/17/2023 For bills from 12/20/2022 to 01/13/2023

Paid to	Description	Payment	Check Total
Fund 09 PARKING UTILITY	80,475.26	80,475.26	
Fund 16 Section 8	171.56	171.56	
Fund 19 Parking Capital	2,751.31	2,751.31	
Fund 22 SEWER OPERATING	1,997.74	1,997.74	
Fund 23 SEWER CAPITAL	16,885.25	16,885.25	

BILLS LIST TOTALS	5,204,416.12	1,302,639.05	6,507,055.17 =====



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Office of the Township Manager

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-007:** Resolution authorizing an agreement between the Township of Montclair and the Montclair Emergency Services for Hope to partially underwrite emergency overnight shelter services to the homeless

ATTACHMENTS:

[Item 0N R-23-007 Resolution 2023.pdf](#)

[COF - MESH.pdf](#)

[Contract for homeless services.pdf](#)

R-23-007
TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF MONTCLAIR AND MONTCLAIR EMERGENCY SERVICES FOR HOPE (MESH) TO PARTIALLY UNDERWRITE EMERGENCY OVERNIGHT SHELTER SERVICES TO THE HOMELESS

January 17, 2023

WHEREAS, the Township wishes to contribute funds towards providing emergency overnight shelter services to the Township's homeless population during extreme weather conditions; and

WHEREAS, the homeless shelter operated by the Montclair Emergency Services For Hope, which provides such emergency services, has requested financial assistance from the Township; and

NOW, THEREFORE, BE IT RESOLVED, that the Township will provide to the Montclair Neighborhood Development Corporation the sum of \$17,500.00 for emergency overnight respite services to the homeless; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Montclair, in the County of Essex, that the Township Manager be, and hereby is, authorized to execute an agreement with the Montclair Emergency Services For Hope , in accordance with the terms and conditions and in substantially the form attached hereto; and

BE IT FUTHER RESOLVED, that the Township Clerk shall undertake any actions required by law in connection with this award.



Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 tel: 973-509-4964 fax: 973-509-0370

Chief Financial Officer
Director of Finance

CERTIFICATION OF FUNDS

I HEREBY CERTIFY THAT THE TOWNSHIP OF MONTCLAIR HAS UNENCUMBERED FUNDS ON HAND FOR THE PAYMENT OF SERVICES, GOODS, AND/OR MERCHANDISE AS STATED IN THE FOLLOWING CONTRACT:

PURPOSE OF CONTRACT

**TOTAL AMOUNT OF CONTRACT
SUBJECT TO APPROPRIATIONS IN
BUDGET**

ACCOUNT NUMBER (S)

NAME AND ADDRESS OF COMPANY

Padmaja Rao

**Padmaja Rao, CPA, RMA, CMFO
Chief Financial Officer
Director of Finance**

Date: _____

CONTRACT FOR HOMELESS SERVICES

THIS AGREEMENT made this day of 11/16 , 2023 by and between Montclair Emergency Services for Hope ("MESH"), located at P.O. Box 1919, Montclair, NJ 07042, and the Township of Montclair, herein referred to as the "Township" located at 205 Claremont Avenue, Montclair, New Jersey.

In consideration of the mutual promises, terms and conditions set forth herein, the parties agree as follows:

- 1. Agreement.** The Township agrees to partially underwrite the efforts of MESH to provide emergency shelter services to homeless individuals residing in the Township.

- 2. Term.** The term of this agreement is for one year, beginning January 1, 2023 and ending March 31, 2023.

- 3. Scope of Services.**
 - a)** MESH will provide overnight emergency respite services for the chronically homeless on nights when the outdoor temperature is expected to drop below 32 degrees F. or if extreme weather conditions could endanger homeless individuals sleeping outdoors.

 - b)** MESH services shall include obtaining and preparing a space for the operation of an emergency shelter, professional security, cots, and blankets and 12-hour staff coverage.

- 4. Payment.** The Township shall pay \$17,500.00 for services provided in budget year 2023 pursuant to this Agreement, on a mutually agreed schedule. The Township's role and responsibilities in the implementation of this agreement shall be strictly limited to payment as set forth above.

- 5. Termination.** This contract can be terminated by either party with 30 days' notice with cause.

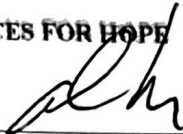
- 6. No Discrimination.** This Agreement shall be subject to and performed in compliance with the anti-discrimination rider attached hereto and made a part hereof.

- 7. Hold Harmless.** MESH agrees to save and hold the Township harmless from any and all claims arising from activities performed pursuant to this Agreement not caused by the Township's negligence or intentional act.

- 8. Independent Contractor.** The relationship created by this Agreement is that of an independent contractor. Nothing in this Agreement shall be construed so as to create partnership or employee/employer relationship between parties. This agreement shall not create, nor be construed to create a fiduciary relationship between the parties, nor be construed to give the Township any supervisory authority or operational role in administering the services to be provided by MNDC.

AGREED: MONTCLAIR EMERGENCY SERVICES FOR HOPE

Date: 1/16/23



Albie Monterossa
Executive Director of MESH

WITNESS:


Name: _____

TOWNSHIP OF MONTCLAIR

Date: _____

Brian Scantlebury
Acting Township Manager

ATTEST:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution establishing a cash management plan and naming official depositories for the Township of Montclair for the calendar year 2023

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Purchasing Office

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the Township to accept and qualify responses to the Request for Qualifications (RFP 22-30) for the Township Grant Writing Services Provider for CY 2023

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the execution of a fair and open professional services agreement with CGP&H to serve as the Township's affordable housing administrative agent and to administer the Montclair Township Housing Rehabilitation Program (RFP 22-17)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution awarding fair and open contract to Neglia Engineering Associates for CY 2023 Municipal Engineering Services (RFP 22-07)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Purchasing Office

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution amending the non-fair and open contract to CME Associates to fair and open for Professional Engineering Services pursuant to RFP 22-03

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution renewing contract for 2023 Annual Tree Removal Contract

ATTACHMENTS:
[2023 Dujets Letter Contract Renewal.pdf](#)



Stephen C. Wood
Director of Community Services
219 North Fullerton Ave
Montclair, NJ 07042

12/21/22

Dujets Tree Experts Inc. would like to renew the contract for tree and stump removal for the Township of Montclair for 2023.

Thank you,
Lucas Dujets
President



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing grant application submission Local Recreation Improvement Grant (LRIG) FY2023

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing refund of escrow account balances

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution awarding a contract to Big Belly Solar, LLC for support service and maintenance of proprietary solar powered side walk waste receptacles

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/JANUARY 24, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the pre-qualification and award of a fair and open professional services contract to Benecke Economics to serve as Township Financial Consultant for CY 2023 (RFP 22-22)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: January 17, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **EXECUTIVE SESSION**

SUBJECT: **Resolution R-23-006:** Resolution authorizing executive session without the public being permitted to attend in accordance with N.J.S.A. 10:4-12(b) (Subject(s): Potential Litigation, Independent Employment Practices Investigation)

ATTACHMENTS:

[00 Resolution Authorizing Executive Session 01.17.23 Council Meeting.pdf](#)

TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING EXECUTIVE SESSION WITHOUT THE PUBLIC BEING PERMITTED TO ATTEND IN ACCORDANCE WITH N.J.S.A 10:4-12(b)

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Montclair Township Council to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, the Council of the Township of Montclair has determined that three (3) issues that are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on _____ at _____ P.M, and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

[] **“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;

[] **“(2) Any matter in which the release of information would impair a right to receive funds from the federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;

[] **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;

_____ ;

[] **“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body”** The collective bargaining contract(s) discussed are between the Township and _____ ;

[] **“(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____ ;

[] **“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____ ;

[1] **“(7) Any pending or anticipated litigation or contract negotiation in which the public body is a party or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.”** The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are Township of Montclair and Montclair Fire Department; and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is Attorney-Client Privilege – briefing by Township Attorney regarding anticipated/potential litigation relating to the MFD promotional exam;

[1] **“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.”** Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are related to personnel and independent employment practices investigation;

[] **“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of**

omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

WHEREAS, the length of the Executive Session is estimated to be _____ minutes after which the public meeting of the Township Council shall:

- reconvene and immediately adjourn; or
- reconvene and proceed with business.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Montclair, in the County of Essex, will go into Executive Session for **only** the above stated reasons; and

BE IT FURTHER RESOLVED that the Township Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below:

Unknown for all.