



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

TOWNSHIP COUNCIL CONFERENCE MEETING April 12, 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

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. If you wish to comment on a pending ordinance listed on this evening's agenda, please make your comment during the public hearing for that ordinance.

APPROVAL OF MINUTES

There have been presented to us the minutes of March 14, 2023. Are there any corrections or additions? MOTION TO ADOPT.

PROCLAMATION(S)

Proclamation Autism Acceptance Month

PENDING ORDINANCE(S)/SECOND READING

- A. **Ordinance O-23-08:** Ordinance to amend Section 347 Zoning of the Code of the Township of Montclair, New Jersey (Minimum Lot Depth)

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]
Without objection I am closing the hearing.

- B. **Ordinance O-23-11:** Ordinance for the calendar year 2023 to exceed the municipal budget approbation limits and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- C. **Ordinance O-23-12:** Ordinance amending Chapter 327, Section 36 of the Township Code- Parking Meter Zones (Gates Avenue)

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- D. **Ordinance O-23-13:** Ordinance to amend Chapter 327-9.1 of the Code of the Township of Montclair to designate the intersection of Franklin Avenue and Virginia Avenue a Multiway Stop intersection in the Township of Montclair NJ

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- E. **Ordinance O-23-14:** Ordinance adding article XIX, Defense and Indemnification, to Chapter 3 of the Code of the Township of Montclair

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

NEW BUSINESS ORDINANCE(S)

- F. **Ordinance O-23-15:** Ordinance for adoption of Floodplain Management Regulations of the Township of Montclair

NEW BUSINESS RESOLUTION(S)

- G. **Resolution R-23-086:** Resolution authorizing introduction and approval of the 2023 Budget for the Montclair Center Business Improvement District
- H. **Resolution R-23-087:** Resolution awarding a contract to Motorola Solution for M500 in car video camera for police patrol vehicles in accordance with NJ State Contract #19198
- I. **Resolution R-23-088:** Resolution awarding a contract to East Coast Emergency Lighting, Inc. for outfitting of police patrol vehicles in accordance with NJ State Coop Contract pricing
- J. **Resolution R-23-089:** Resolution of support from Local Governing Body authorizing participation in the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program
- K. **Resolution R-23-090:** Bills List Resolution

DISCUSSION/APRIL 26, 2023 AGENDA ITEMS

1. Resolution authorizing the submission of a strategic plan for the Montclair Community Intervention Alliance Grant for fiscal year 2024 (Grant period: July 1, 2023-June 30, 2024)
2. Resolution authorizing emergency purchase pursuant to N.J.S.A. 40A:11-6 to acquire goods and services for emergency repair of Township computer system
3. Resolution authorizing the use of competitive contracting to acquire goods and services for operation, Management or Administration of data processing services in connection with Township payroll, Human Resources Information System (HRIS) benefit, pension, time, and attendance, ACA compliance and other finance reporting services
4. Resolution authorizing the use of competitive contracting for Consulting Services in connection with Township Professional Arborist
5. Resolution ratifying the emergency expenditure for the repair of the roadway on Bloomfield Avenue (at the intersection of Midland Avenue) due to a water main break
6. Resolution ratifying the emergency expenditure for the repair of a 6-inch main break on Glenridge Avenue (between Greenwood Avenue and North Willow Street)

7. Resolution ratifying the emergency expenditure for the repair of a 12-inch water main break on Glenridge Avenue (between Greenwood Avenue and North Willow Street)
8. Resolution awarding a fair and open contract to National Metering Services, Inc. for installation of water meters with Radio Frequency Meter Interface Units (RFMIU) (BID 23-04)
9. Resolution awarding contract for installation of water main bypass in Grove Street (near the Grove Street Pumping Station) with the PVWC-[BID #23-03]
10. Resolution accepting maintenance responsibility for new ADA curb ramps, signage, and crosswalk striping at the Watchung Avenue and Montclair Avenue intersection

ADJOURNMENT

Township of Montclair, New Jersey

Proclamation

Autism Acceptance Month

WHEREAS, Autism is a developmental disorder that affects communication and behavior with a broad range of conditions characterized by challenges with social skills, repetitive behaviors, speech and nonverbal communication; and

WHEREAS, the Centers for Disease Control and Prevention (CDC), most recent report states the rate of children identified with autism spectrum disorder is 1 in 36 children nationally. New Jersey now has the second highest rate of Autism prevalence with a rise to 1 in 34 according to the Centers for Disease Control and Prevention (CDC); and

WHEREAS, while there is no cure for autism, research shows that early intervention treatment services can improve a child's development. Early intervention services help children from 18 months to 3 years old learn important skills. Services can include therapies to help those with autism communicate, improve their social interactions, and control behaviors such as physical aggression and self-injury; and

WHEREAS, New Jersey has one of the best systems in the nation for identifying, diagnosing, and caring for children and adults with autism spectrum disorders. The State's electronic Autism Registry is a support service that links parents and family members of individuals with autism to appropriate diagnostic, treatment, and support services in their communities; and

WHEREAS, different institutions of learning in Montclair have dedicated resources to provide supportive structured learning environments that help empower all children and students to reach independence and achievement. The Center for Autism and Early Childhood Mental Health at Montclair State University provides families and individuals with autism support, clinical services, interventions, and psychotherapeutic services for young children. The Deron School's Montclair Campus fosters an environment that emphasizes independence through learning and living for students diagnosed with Autism; the Montclair Public School system is committed to providing and fostering an inclusive school setting for all children including children with autism and other disabilities; and

WHEREAS, the Township of Montclair recognizes that autism represents a spectrum of people who have vastly different support needs. Understanding support needs and how they can increase community inclusion is only possible by listening to the voices of self-advocates who have Autism; and

WHEREAS, during the month of April, the Township of Montclair is striving to promote Autism Acceptance and inclusion. The Mayor and Council wish to assure that each person with autism is provided with an opportunity to achieve the highest possible quality of life.

NOW THEREFORE, by virtue of this Proclamation, the Mayor, and Council of the Township of Montclair, do hereby proclaim April 2023 as Autism Acceptance Month in Montclair and encourages those who live and work in Montclair to support families and individuals as they respond to the challenges of autism and autism spectrum disorders and also to support initiatives related to autism research, training, information and availability of services.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

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

ITEM TYPE: Resolution

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-08:** Ordinance to amend Section 347 Zoning of the Code of the Township of Montclair, New Jersey (Minimum Lot Depth)

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[0A NO VB PENDING O-23-08 AMENDED O-Zoning Amendments_Formation of New Lots.pdf](#)

**AMENDED PENDING ORDINANCE O-23-08
TOWNSHIP OF MONTCLAIR**

ORDINANCE TO AMEND SECTION 347 ZONING OF THE CODE OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY (MINIMUM LOT DEPTH)

February 21, 2023 (date of introduction)

April 12, 2023 (date of public hearing)

WHEREAS, the Township is concerned that recent subdivisions in established neighborhoods have lot depths that are inconsistent with the lot sizes in the neighborhood; and

WHEREAS, the Department of Planning and Community Development evaluated lot depths for one- and two-family homes throughout the Township for the lot width categories established in Montclair Code §347-18E(2) using ARC-GIS; and

WHEREAS, the results of the analysis indicate that the average lot depths in the Township significantly exceed the lot depth requirements currently provided in the Code; and

WHEREAS, the Economic Development Committee considered the recommendation from the Planning Department and found that the proposed changes will preserve the existing character of the Township's residential neighborhoods;

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:

1. Article III General Lot and Building Regulations. The following changes have been made to the requirements for the formation of new lots.

§ 347-18 Formation of new lots.

A) No change.

B) No change.

C) No change.

D) The minimum lot ~~frontage~~ width required indicated on the Montclair Township Zoning Map dated August 1, 2017, establishes the minimum lot ~~frontage~~ width for properties in the R-O, R-O(a), R-1 and R-2 Zone Districts. Existing lots of record under separate ownership with lesser ~~frontages~~ widths at the time this subsection is adopted are permitted.

E) The minimum lot sizes and areas in R-O, R-O(a), R-1 and R-2 Zones shall conform to the minimum lot sizes and areas prescribed in this chapter, or if there is no such zoning requirement for the district in which such lot or lots are located, the width of such proposed lot or lots shall conform to the widths set forth in the ~~Minimum Standard Width of Lot Map~~ Zoning Map appended to this chapter. The depth of such proposed lot or lots shall conform to the following requirements:

- 1) Where the existing street pattern has been established and there is no opportunity for interior block subdivision, the depth of all newly created lots shall be in keeping with the established lot depth, as defined in § 347-2.
- 2) Where the existing street pattern has not been established and where a subdivision will involve a new street, lots of the respective widths shown shall have the minimum depth stated below:

Lot Width (feet)	Minimum Lot Depth (feet)
50 to 60	110 <u>150</u>
61 to 70	110 <u>155</u>
71 to 80	120 <u>155</u>
81 to 90	125 <u>170</u>
91 to 100	130 <u>180</u>
101 and over	140 <u>200</u>

- F) The minimum lot sizes and areas in R-3, OR-3, R-4, OR-4, C-1, C-2 and NC Zones shall conform to the minimum lot sizes and areas prescribed in this chapter.



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-11:** Ordinance for the calendar year 2023 to exceed the municipal budget approbation limits and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[0B NO VB PENDING O-23-11 CY2023 COLA Ordinance.pdf](#)

**PENDING ORDINANCE O-23-11
TOWNSHIP OF MONTCLAIR**

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

March 27, 2023 (date of introduction)

April 12, 2023 (date of public hearing)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a(b) provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Township of Montclair in the County of Essex find it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$656,608.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Montclair, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Montclair shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$2,298,139.77 and that the CY 2023 municipal budget for the Township of Montclair be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**TOWNSHIP OF MONTCLAIR
PENDING ORDINANCE O-23-11**

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-12:** Ordinance amending Chapter 327, Section 36 of the Township Code-Parking Meter Zones (Gates Avenue)

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[0C NO VB PENDING O-23-12 ORDINANCE AMENDING CHAPTER 327 SECTION 36 Parking Meter Zones \(GATES AVE\).pdf](#)

**PENDING ORDINANCE O-23-12
TOWNSHIP OF MONTCLAIR**

**ORDINANCE AMENDING CHAPTER 327, SECTION 36 OF THE TOWNSHIP CODE -
PARKING METER ZONES (GATES AVENUE)**

March 27, 2023 (date of introduction)
April 12, 2023 (date of public hearing)

BE IT ORDAINED, by the Township Council of the Township of Montclair, as follows
[Additions are underlined; deletions are ~~strikethrough~~]:

Chapter 327, Section 36 of the Montclair Township Code, is amended as shown below:

§ 327-36 Parking meter zones.

Name of Street	Side	Hours/Days	Location
Gates Ave.	East <u>Both</u>	8:00 a.m. to 7:00 p.m.	From Bloomfield Ave to Roosevelt Place <u>Union Street</u>



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-13:** Ordinance to amend Chapter 327-9.1 of the Code of the Township of Montclair to designate the intersection of Franklin Avenue and Virginia Avenue a Multiway Stop intersection in the Township of Montclair NJ

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[0D NO VB PENDING O-23-13 Ordinance Multiway Stop intersection at Franklin and Virginia \(1\).pdf](#)

**PENDING ORDINANCE O-23-13
TOWNSHIP OF MONTCLAIR**

ORDINANCE TO AMEND CHAPTER 327-9.1 OF THE CODE OF THE TOWNSHIP OF MONTCLAIR TO DESIGNATE THE INTERSECTION OF FRANKLIN AVENUE AND VIRGINIA AVENUE A MULTIWAY STOP INTERSECTION IN THE TOWNSHIP OF MONTCLAIR, NJ

March 27, 2023 (date of introduction)

April 12, 2023 (date of public hearing)

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 327-9.1 of the Montclair Code as follows (additions and correction are shown in underlined text):

Article II Traffic Regulations

§327-9.1 Multiway stop intersection

Major Street
Franklin Avenue

Minor Street
Virginia Avenue



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-14:** Ordinance adding article XIX, Defense and Indemnification, to Chapter 3 of the Code of the Township of Montclair

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[0E NO VB PENDING O-23-14 Montclair Indemnification Ordinance for 3-27-23 - with edits accepted \(003\).pdf](#)

**PENDING ORDINANCE O-23-14
TOWNSHIP OF MONTCLAIR**

**ORDINANCE ADDING ARTICLE XIX, DEFENSE AND INDEMNIFICATION, TO
CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF MONTCLAIR**

March 27, 2023 (date of introduction)
April 12, 2023 (date of public hearing)

Article XIX Defense and Indemnification

§3-67 Definitions.

As used in this article, the following terms shall have the meanings indicated:

EMPLOYEE – Any officer or employee of the Township of Montclair, whether elected or appointed, except employees of the Township Police Department or Fire Department entitled to a defense or indemnification under N.J.S.A. 40A:14-28 and 40A:14-155.

LEGAL ACTION OR PROCEEDING – Any pending, threatened or completed civil, criminal, administrative or arbitrative action, suit or proceeding, and any appeal therein and any inquiry or investigation which could lead to the action, suit or proceeding.

§3-68 Township Attorney’s Duty to Defend.

Except as provided below in §3-69, the Township Attorney shall provide for the defense of any legal action or proceeding against an employee arising out of an act or omission within the scope of employment or authority provided the employee:

- A. Requests a legal defense in writing and provides to the Township Attorney any summons, complaint, process, notice, demand, or pleading; and

- B. Cooperates with the Township Attorney in his or her defense.

§3-69 Grounds for refusal to provide defense.

- A. The Township Attorney may refuse to provide for the defense of a legal action or proceeding against an employee if he or she determines that:
 - 1. The act or omission was not within the scope of employment or authority;
 - 2. The act or omission was one of fraud, actual malice, willful misconduct or bad faith;

**TOWNSHIP OF MONTCLAIR
PENDING ORDINANCE O-23-14**

3. The employee has been charged or indicted in connection with an act or omission that would constitute a crime or offense under N.J.S.A. 2C, federal criminal law or an act committed in another state that would constitute a crime or offense under N.J.S.A. 2C, except that an employee may be entitled to reimbursement of the costs of defending any such criminal action against the employee provided that the criminal proceeding has been dismissed or results in a final disposition in favor of the employee;
 4. The defense would create a conflict of interest between the Township and the employee;
 5. The employee has failed to cooperate fully with the defense;
 6. The employee failed to request a legal defense; or
 7. The legal action or proceeding was brought by the Township against the employee, including any disciplinary proceeding.
- B. Under circumstances where the factual predicate for a legal action or proceeding against an employee cannot be ascertained with certainty, the Township Attorney may, in the exercise of his or her discretion, provide for the defense of a legal action or proceeding against an employee under a reservation of rights. If the Township Attorney later determines that the employee is not entitled to a legal defense at the Township's expense, he or she shall so notify the employee in writing, at which point the Township's obligation to provide a defense for the employee shall cease.

§3-70 Methods of providing defense.

- A. The Township Attorney may at his or her option provide for legal defense of an employee by:
1. Assigning the defense to an attorney on his or her staff;
 2. Engaging an independent attorney selected by the Township Attorney;
 3. Reimbursing the employee for reasonable attorney's fees expended or obligated to be expended by such employee in the defense of the action; or
 4. Asserting the Township's right to a defense under any appropriate insurance policy which requires the insurer to provide the defense.
- B. No employee shall be reimbursed for the expenses of a legal defense unless the Township Attorney has agreed in writing to the amount of reimbursement, which includes hourly rates and expenses, before the employee incurs any expenses in his or her defense.

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PENDING ORDINANCE O-23-14**

- C. All costs of defense and legal fees to be provided herein shall be calculated at the Township reasonable prevailing fees.

§3-71 Indemnification of employee.

- A. Whenever the Township Attorney is required to provide for the defense of any legal action or proceeding against an employee, the Township shall pay or reimburse the employee for:
 - 1. Any bona fide settlement of the action approved by the Township Attorney and the Township Council.
 - 2. Any judgment against the employee.
- B. In addition, in any case where the Township would be required to provide a defense under this article, the Township shall indemnify the employee against any judgment or settlement to the extent not provided by such insurance.
- C. Nothing in this Chapter shall authorize the Township to pay punitive or exemplary damages assessed against an employee or any damages resulting from the commission of a crime, actual malice, actual fraud or willful misconduct.

§3-72 Additional provisions.

In addition to the provisions hereof, all employees shall be entitled to defense and indemnification as provided in N.J.S.A. 59:10-1 et seq. and N.J.S.A. 59:10A-1 et seq.



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Ordinance

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

SUBJECT: **Ordinance O-23-15:** Ordinance for adoption of Floodplain Management Regulations of the Township of Montclair

ATTACHMENTS:

[Item 0F Ordinance - Flood Damage Prevention \(00367635xD43F8\).pdf](#)

O-23-15
TOWNSHIP OF MONTCLAIR

ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE TOWNSHIP OF MONTCLAIR

AN ORDINANCE BY THE COUNCIL OF THE TOWNSHIP OF MONTCLAIR AMENDING THE TOWNSHIP OF MONTCLAIR CODE OF ORDINANCES TO REPEAL CHAPTER 161, TITLED “FLOOD DAMAGE PREVENTION”; TO ADOPT A NEW CHAPTER 161, TITLED “FLOOD DAMAGE PREVENTION”; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Township of Montclair and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Township of Montclair was accepted for participation in the National Flood Insurance Program on September 15, 1977 and the Council of the Township of Montclair desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the Township of Montclair is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Township of Montclair is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the Township of Montclair is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Montclair in the County of Essex, in the State of New Jersey that the following floodplain management regulations are hereby adopted.

ARTICLE I. RECITALS

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

ARTICLE II. REVISIONS

These regulations specifically repeal and replace the following ordinance: Chapter 161, Flood Damage Prevention, adopted March 10, 2020 by Ordinance 20-03.

ARTICLE III- SCOPE AND ADMINISTRATION

161-1 Title.

These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter “Uniform Construction Code,” consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter “FHACA”), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the Township of Montclair (hereinafter “these regulations”).

161-2 Scope.

These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in **Article IV** of these regulations.

161-3 Purposes and objectives.

The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- A. Protect human life and health.
- B. Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- C. Manage the alteration of natural floodplains, stream channels and shorelines.
- D. Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- E. Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- F. Contribute to improved construction techniques in the floodplain.
- G. Minimize damage to public and private facilities and utilities.
- H. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- I. Minimize the need for rescue and relief efforts associated with flooding.
- J. Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- K. Minimize the need for future expenditure of public funds for flood control projects and response to

and recovery from flood events.

- L. Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

161-4 Coordination with Building Codes.

Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Township of Montclair administer and enforce the State building codes, the Council of the Township of Montclair does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

161-5 Ordinary Building Maintenance and Minor Work.

Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement **Chapter 161-26** of this ordinance.

161-6 Warning.

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

161-7 Other laws.

The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

161-8 Violations and Penalties for Noncompliance.

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a FLOOD DAMAGE PREVENTION ORDINANCE – TOWNSHIP OF MONTCLAIR

person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

161-8.1 Solid Waste Disposal in a Flood Hazard Area.

Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

161-9 Abrogation and greater restrictions.

These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

ARTICLE IV APPLICABILITY

161-10 General.

These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

161-11 Establishment of Flood Hazard Areas.

The Township of Montclair was accepted for participation in the National Flood Insurance Program on September 15, 1977.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Township of Montclair Department of Community Services 219 North Fullerton Avenue, Montclair, New Jersey.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- A. Effective Flood Insurance Study. Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Flood Insurance Study Essex County, New Jersey (All Jurisdictions) dated April 3, 2020 and the accompanying Flood Insurance Rate Maps (FIRM) identified in table **161-11(A)** whose

effective date is June 4, 2007 and April 3, 2020 are hereby adopted by reference.

Table 161-11(A)

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
34013C0102	April 3, 2020	G	34013C0104	April 3, 2020	G
34013C0103	June 4, 2007	F	34013C0106	April 3, 2020	G
34013C0108	April 3, 2020	G	34013C0112	April 3, 2020	G
34013C0111	June 4, 2007	F			

- B. Federal Best Available Information. The Township of Montclair shall utilize Federal flood information as listed in table **161-11(B)** that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA’s Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 161-11(B)

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
<i><u>None as of the date of this ordinance.</u></i>			

- C. Other Best Available Data. The Township of Montclair shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Township of Montclair. Other “best available information” may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in **Chapters 161-11(A)**, and **161-11(B)**, above. This information shall be used for floodplain regulation purposes only.
- D. State Regulated Flood Hazard Areas. For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the “Flood Hazard Area Control Act Design Flood Elevation”, as defined in **Article XI**, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

List of State Studied Waters:

Name of Studied Water	File Name	Map Number
Nishuane Bk	SUPPIV02	N-1
Nishuane Bk	SUPPIV03	N-2
Second Rv	SUPPIV06	S-5
Second Rv	SUPPIV07	S-6
Third Rv	SUPPIV18	T-9
Third Rv	SUPPIV19	T-10
Peckman Rv	SUPPV009	2 of 2
Third Rv	SUPPIV21p	08P

161-12 Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in **Chapter 161-11**, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- A. For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in **Chapter 161-11**, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- B. For any undelineated watercourse (where mapping or studies described in **Chapters 161-11(A)**, and **161-11(B)**, above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
 - (1) A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - (2) A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to **Chapters 161-35** and **161-36**.
- C. AO Zones – For Zone AO areas on the municipality’s FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- D. Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- E. Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood

Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

ARTICLE V DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

161-13 Floodplain Administrator Designation.

The Township Engineer is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

161-14 General.

The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to **Article IX** of these regulations.

161-15 Coordination.

The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

161-16 Duties.

The duties of the Floodplain Administrator shall include but are not limited to:

- A. Review all permit applications to determine whether proposed development is located in flood hazard areas established in **Article IV** of these regulations.
- B. Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- C. Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- D. Determine whether additional flood hazard data shall be obtained or developed.
- E. Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- F. Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to **Chapter 161-26** of these regulations.
- G. Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- H. Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to **Article IX** of these regulations.
- I. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood

hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.

- J. Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- K. Inspect development in accordance with **Article VIII** of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- L. Prepare comments and recommendations for consideration when applicants seek variances in accordance with **Article IX** of these regulations.
- M. Cite violations in accordance with **Article X** of these regulations.
- N. Notify the Federal Emergency Management Agency when the corporate boundaries of the Township of Montclair have been modified.
- O. Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in **Chapter 161-11**.

161-17 Use of changed technical data.

The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

161-18 Other permits.

It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including Section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

161-19 Determination of Local Design Flood Elevations.

If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- A. Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- B. Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in **Chapters 161-11** and **161-12** respectively. This information shall be provided to the Construction Official and documented according to

Chapter 161-27.

161-20 Requirement to submit new technical data.

Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

161-21 Activities in riverine flood hazard areas.

In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

161-22 Floodway encroachment.

Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

161-22.1 Floodway revisions.

A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

161-23 Watercourse alteration.

Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

161-23.1 Engineering analysis.

The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

161-24 Alterations in coastal areas.

The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention

permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

161-25 Development in riparian zones.

All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

161-26 Substantial improvement and substantial damage determinations.

When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- A. Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- B. Determine and include the costs of all ordinary maintenance and minor work, as discussed in **Chapter 161-5**, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- C. Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- D. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.
- E. Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

161-27 Department records.

In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

161-28 Liability.

The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

ARTICLE VI PERMITS

161-29 Permits Required.

Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

161-30 Application for permit.

The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- A. Identify and describe the development to be covered by the permit.
- B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- C. Indicate the use and occupancy for which the proposed development is intended.
- D. Be accompanied by a site plan and construction documents as specified in **Article VII** of these regulations, grading and filling plans and other information deemed appropriate by the

Floodplain Administrator.

- E. State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- F. Be signed by the applicant or the applicant's authorized agent.

161-31 Validity of permit.

The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

161-32 Expiration.

A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

161-33 Suspension or revocation.

The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

ARTICLE VII SITE PLANS AND CONSTRUCTION DOCUMENTS

161-34 Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- A. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- B. Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with **Chapter 161-35**.
- C. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with **Chapter 161-35(C)** of these regulations.
- D. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.
- E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence

that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.

- G. Extent of any proposed alteration of sand dunes.
- H. Existing and proposed alignment of any proposed alteration of a watercourse.
- I. Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

161-35 Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- A. Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- B. Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- C. Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

161-36 Analyses and certifications by a Licensed Professional Engineer.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- A. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in **Chapter 161-37** of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- B. For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed

development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

- C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in **Chapter 161-37** of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- D. For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- E. For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

161-37 Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

ARTICLE VIII INSPECTIONS

161-38 General.

Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

161-39 Inspections of development.

The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

161-40 Buildings and structures.

The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- A. Lowest floor elevation. Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in **Chapter 161-74** shall be submitted to the Construction Official on an Elevation Certificate.
- B. Lowest horizontal structural member. In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of

the elevation required in **Chapter 161-74** shall be submitted to the Construction Official on an Elevation Certificate.

- C. Installation of attendant utilities (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in **Chapter 161-74**.
- D. Final inspection. Prior to the final inspection, certification of the elevation required in **Chapter 161-74** shall be submitted to the Construction Official on an Elevation Certificate.

161-41 Manufactured homes.

The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

ARTICLE IX VARIANCES

161-42 General.

The Montclair Planning Board shall hear and decide requests for variances. The Montclair Planning Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in **Chapter 161-46**, the conditions of issuance set forth in **Chapter 161-47**, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Montclair Planning Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

161-43 Historic structures.

A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

161-44 Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

161-45 Restrictions in floodways.

A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in **Chapter 161-36(A)**, of these regulations.

161-46 Considerations.

In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.

- B. The danger to life and property due to flooding or erosion damage.
- C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- D. The importance of the services provided by the proposed development to the community.
- E. The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- F. The compatibility of the proposed development with existing and anticipated development.
- G. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- H. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- I. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

161-47 Conditions for issuance.

Variances shall only be issued upon:

- A. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- D. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

ARTICLE X VIOLATIONS

161-48 Violations.

Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

161-49 Authority.

The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner’s agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

161-50 Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

161-51 Review Period to Correct Violations.

A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

ARTICLE XI DEFINITIONS

161-52 General.

The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

161-53 Definitions.

30 DAY PERIOD

The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION

Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION

Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES

Areas of ‘Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding)

where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE

Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE

A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING

A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
AREA OF SPECIAL FLOOD HAZARD – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE

A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7

The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24

The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE)

The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

BASEMENT

Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA

The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA

The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION

The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS

Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING

Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION

A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA.

FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION – FILL

A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING

Per the FHACA, “Critical Building” means that:

- A. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- B. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT

Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING

A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

ELEVATED BUILDING

A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE

An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT

The placement of fill, excavation, buildings, permanent structures or other development into a flood

hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS

Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
- (1) The overflow of inland or tidal waters.
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
 - (3) Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in a(2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in a(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION

Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS)

The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA

Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and

other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE

Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING

Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP

As related to **Article IX** of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Planning Board of the Township of Montclair requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means

without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING

Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- A. Prior to January 31, 1980; or
- B. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT

A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE

The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on an

Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION

A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL

A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM), it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL

Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER

A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION

The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's Local Design Flood Elevation (LDFE) be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE

The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR

In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement

is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME

A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE

The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL

Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK

This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE

A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL

Pursuant to the ASCE 24:

- A. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- B. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- C. Institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL

“Solid Waste Disposal” shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA

The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION

The Start of Construction is as follows:

- A. For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA), this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- B. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of

construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE

A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES

Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE

A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION

A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION

The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE

A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING

Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

ARTICLE XII SUBDIVISIONS AND OTHER DEVELOPMENTS

161-54 General.

Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage.
- B. All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

161-55 Subdivision requirements.

Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- A. The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- B. Residential building lots shall be provided with adequate buildable area outside the floodway.
- C. The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

ARTICLE XIII SITE IMPROVEMENT

161-56 Encroachment in floodways.

Development, land disturbing activity, and encroachments in floodways shall not be authorized

unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with **Chapter 161-36(A)** of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If **Chapter 161-36(A)** is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with **Chapter 161-74** of this ordinance and the floodway requirements of N.J.A.C. 7:13.

161-56.1 Prohibited in floodways.

The following are prohibited activities:

- A. The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- B. Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

161-57 Sewer facilities.

All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

161-58 Water facilities.

All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

161-59 Storm drainage.

Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

161-60 Streets and sidewalks.

Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

161-61 Limitations on placement of fill.

Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

161-62 Hazardous Materials.

The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

ARTICLE XIV MANUFACTURED HOMES

161-63 General.

All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

161-64 Elevation.

All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in **Chapter 161-74**.

161-65 Foundations.

All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

161-66 Anchoring.

All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

161-67 Enclosures.

Fully enclosed areas below elevated manufactured homes shall comply with the requirements of **Chapter 161-74**.

161-68 Protection of mechanical equipment and outside appliances.

Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in **Chapter 161-74** of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by **Chapter 161-74**, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE XV RECREATIONAL VEHICLES

161-69 Placement prohibited.

The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

161-70 Temporary placement.

Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

161-71 Permanent placement.

Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of **Chapter 161-74** for

habitable buildings and **Chapter 161-65**.

ARTICLE XVI TANKS

161-72 Tanks.

Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

ARTICLE XVII OTHER DEVELOPMENT AND BUILDING WORK

161-73 General requirements for other development and building work.

All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- A. Be located and constructed to minimize flood damage;
- B. Meet the limitations of **Chapter 161-36(A)** of this ordinance when located in a regulated floodway;
- C. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to **Chapter 161-12**;
- D. Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- E. Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to **Chapter 161-12** or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - (1) Specifically allowed below the Local Design Flood Elevation; and
 - (2) Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- F. Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- G. Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

161-74 Requirements for Habitable Buildings and Structures.

Construction and Elevation in A Zones not including Coastal A Zones.

- A. No portion of a building is located within a V Zone.
- B. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
- C. All new construction and substantial improvement of any habitable building (as defined in **Article XI**) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in **Chapter 161-12**, be in conformance with

ASCE Chapter 7, and be confirmed by an Elevation Certificate.

D. All new construction and substantial improvements of non-residential structures shall:

- (1) Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in **Chapter 161-12**, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
- (2) Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 - (a) Meets the requirements of ASCE 24 Chapters 2 and 7; and
 - (b) Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.

E. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:

- (1) For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
- (2) Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of **Chapter 161-74(D)(2)** are met;
- (3) Be constructed to meet the requirements of ASCE 24 Chapter 2;
- (4) Have openings documented on an Elevation Certificate; and
- (5) Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 - (a) The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 - (b) The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 - (c) The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

161-75 Garages and accessory storage structures.

Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

161-76 Fences.

Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of **Chapter 161-36(A)** of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in **Article IX** of this ordinance.

161-77 Retaining walls, sidewalks, and driveways.

Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of **Chapter 161-36(A)** of these regulations and N.J.A.C. 7:13.

161-78 Swimming pools.

Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of **Chapter 161-36(A)** of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

161-79 Roads and watercourse crossings.

- A. For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- B. Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of **Chapter 161-36(A)** of these regulations.

ARTICLE XVIII TEMPORARY STRUCTURES AND TEMPORARY STORAGE

161-80 Temporary structures.

Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

161-81 Temporary storage.

Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

161-82 Floodway encroachment.

Temporary structures and temporary storage in floodways shall meet the requirements of **Chapter 161-36(A)** of these regulations.

ARTICLE XIX UTILITY AND MISCELLANEOUS GROUP U

161-83 Utility and Miscellaneous Group U.

In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

161-84 Flood loads.

Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in **Chapter 161-12**.

161-85 Elevation.

Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in **Chapter 161-12** and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

161-86 Enclosures below base flood elevation.

Fully enclosed areas below the design flood elevation shall be constructed in accordance with **Chapter 161-74** and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

161-87 Flood-damage resistant materials.

Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in **Chapter 161-12**.

161-88 Protection of mechanical, plumbing, and electrical systems.

Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in **Chapter 161-12**.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE XX SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

ARTICLE XXI EFFECTIVE DATE.

This ordinance shall take effect on **{TBD}**.

[Jurisdiction to add signature blocks.]



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Resolution

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

SUBJECT: **Resolution R-23-086:** Resolution authorizing introduction and approval of the 2023 Budget for the Montclair Center Business Improvement District

ATTACHMENTS:

[Item 0G BID Budget 2023 - Resolution.pdf](#)
[FY2023 Budget - Board Approved - Mailer.pdf](#)

TOWNSHIP OF MONTCLAIR

**RESOLUTION AUTHORIZING INTRODUCTION AND APPROVAL OF THE 2023
BUDGET FOR THE MONTCLAIR CENTER BUSINESS IMPROVEMENT DISTRICT**

April 12,2023

WHEREAS, the Township of Montclair has received a proposed budget for the year 2023 from the Montclair Center Business Improvement District; and

WHEREAS, N.J.S.A. 40:56-84 and Montclair Code Section 293-3 provide that said budget be introduced and approved by the governing body and that the budget thereafter be advertised, and a public hearing held with regard to same, prior to adoption; now therefore

BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the 2023 Business Improvement District Budget setting the assessment at \$1,018,290.00 was received from the Montclair Center Business Improvement District and is hereby introduced and approved subject to final adoption.

MONTCLAIR CENTER BID
2023 Board Approved Budget

	Approved 2022 Budget	Modified 2022 Budget	Board Approved 2023 Budget
Revenue			
BID Assessment	\$ 953,583	\$ 953,583	\$ 1,018,290
Banner Income		3,000	5,000
DMO Grant	\$ -	-	-
Grant Funds			144,000
Other Sponsorships and Member Dues			71,000
Grant and Sponsorship Income	50,000	75,000	50,000
Interest Income	500	500	75
Rental Income	9,600	9,600	9,600
Total Revenue	\$ 1,013,683	\$ 1,041,683	\$ 1,297,965
Maintenance & Improvements			
QOL	\$ 230,374	\$ 230,374	\$ -
Third-Party (QOL Staffing, Sweeper, Vehicle Maintenance, WC)	-	-	283,639
Banners	4,000	48,500	-
BID Vehicle Maint. & Expenses	10,000	10,000	-
Beautification and Landscaping	25,000	29,500	64,500
Public Art	15,000	-	10,000
QOL Equipment/Supplies	15,500	11,500	-
Sidewalk Sweeper Maintenance & Insurance	10,000	10,000	-
Total Maintenance & Improvments	309,874	339,874	358,139
Destination Marketing Organization Costs			
Tourism and Sales Coordinator	-	-	119,300
DMO Program Costs	-	-	124,000
	-	-	-
Total Destination Marketing Organization Costs	-	-	243,300
Events & Programs			
Program Staff	110,564	110,564	165,941
Constituent Support Programs			
Stakeholder Education & Classes	2,500	2,500	2,500
Business Marketing	54,000	54,000	38,000
Event Municipal Expenses (Extra Duty Solutions)	-	-	5,000
Internal Event Programming	8,500	16,000	8,500
Support Event Programming	60,000	60,000	62,500
Total Events & Programming	235,564	243,064	282,441
General Administration			
Executive & Administrative Staff	165,745	165,745	185,360
Contracted Services	70,000	80,500	46,800
Accounting	12,500	12,750	18,000
Audit Services	7,000	8,750	9,300
Computer and Software	14,200	14,200	4,200
Conferences, Meals, and Meetings	10,000	10,000	10,000
Contingency & Misc	5,000	5,000	-
Copying & Printing	3,500	3,500	2,000
Dues & Subscription	-	-	3,000
Graphic Design	2,500	2,500	3,500
Insurance	20,000	24,000	10,000
IT Support Services	2,000	2,000	1,500
Legal Fees	2,500	7,500	10,000
Miscellaneous	-	-	1,000
Office Supplies	10,000	10,000	5,000
Payroll Service Fees	2,500	2,500	2,500
Phone & Internet	4,000	4,000	3,500
Postage	300	300	250
Professional Development	2,500	2,500	2,500
Rent	42,000	42,000	43,000
Utilities	6,000	10,000	7,000
Web Hosting	1,000	1,000	1,000
Total General Administrative	\$ 383,245	\$ 408,745	\$ 369,410

	Approved 2022 Budget	Modified 2022 Budget	Board Approved 2023 Budget
Strategic Initiatives	\$ 45,000	\$ 10,000	\$ -
Capital Reserves Transfer	\$ 20,000	\$ -	\$ -
Total Operating Expenses	\$ 993,683	\$ 1,001,683	\$ 1,253,290
Net Income (Change in Net Assets)	\$ 20,000	\$ 40,000	\$ 44,675
Amortization & Depreciation Expense	\$ -	\$ 40,336	\$ 44,675
Net Income (with A/D expense)	\$ 20,000	\$ (336)	\$ -



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Police Department

ITEM TYPE: Resolution

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

SUBJECT: **Resolution R-23-087:** Resolution awarding a contract to Motorola Solution for M500 in car video camera for police patrol vehicles in accordance with NJ State Contract #19198

ATTACHMENTS:

[Item 0H Resolution - M500 In Car Video Cameras Police Vehicles.pdf](#)
[Updated M500 Quote \(1\) \(2\).pdf](#)
[Signed Certification of Funds Motorola Solutions Inc Pending Adoption of Budget.pdf](#)

**RESOLUTION AWARDING A CONTRACT TO MOTOROLA SOLUTIONS FOR M500
IN CAR VIDEO CAMERAS FOR POLICE PATROL VEHICLES IN ACCORDANCE
WITH NJ STATE CONTRACT # 19198**

April 12, 2023

WHEREAS, N.J.S.A. 40A:11-10 permits municipalities to award public contracts without public bidding when the vendor is an approved vendor of joint purchasing alliance with other municipalities and the municipality participates in a cooperative pricing system; and,

WHEREAS, the Township requires equipping five (5) police patrol vehicles with M500 In Car Video systems; and

WHEREAS, the Township wishes to award a contract to Motorola Solutions located at 500 W. Monroe Street Chicago, IL 60661, pursuant to Quotation number 2090861, dated March 15, 2023 and State Contract # 19198; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account number 01-201-44-902-101 in the amount of \$54,500 to cover the cost of goods and services.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, hereby authorizes execution of an agreement, voucher, and/or purchase order for the above-mentioned goods and services, with Motorola Solutions pending approval from the Chief Financial Officer.



MONTCLAIR TOWNSHIP POLICE DEPT

03/15/2023

03/15/2023

MONTCLAIR TOWNSHIP POLICE DEPT
647 BLOOMFIELD AVE
MONTCLAIR, NJ 07042

Dear Jim Snodgrass,

Motorola Solutions is pleased to present MONTCLAIR TOWNSHIP POLICE DEPT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide MONTCLAIR TOWNSHIP POLICE DEPT with the best products and services available in the communications industry. Please direct any questions to John Dixon at John.Dixon@motorolasolutions.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

John Dixon

Billing Address:
 MONTCLAIR TOWNSHIP
 POLICE DEPT
 647 BLOOMFIELD AVE
 MONTCLAIR, NJ 07042
 US

Quote Date:03/15/2023
 Expiration Date:05/01/2023
 Quote Created By:
 John Dixon
 John.Dixon@
 motorolasolutions.com

End Customer:
 MONTCLAIR TOWNSHIP POLICE DEPT
 Jim Snodgrass
 jsnodgrass@montclairnjusa.org

Contract: 19198 - NJ STATE OF (83909)
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
Video as a Service							
1	AAS-M5-5YR-001	M500 IN-CAR VIDEO SYSTEM AND VIDEO MANAGER EL CLOUD - 5 YEARS VIDEO-AS-A-SERVICE*	5	5 YEAR	\$9,900.00	\$9,900.00	\$49,500.00
2	WCM000111-020	INTEGRATION VIDEOMANAGER EL WITH MOTOROLA CAD/RMS*	1		\$0.00	\$0.00	\$0.00
3	PRS-0618A	VAAS MANAGED INSTAL,ONSITE,TRAIN,CONF	1		\$6,250.00	\$5,000.00	\$5,000.00
4	WGB-0700A	VIDEO EQUIPMENT,M500 IN-CAR SYSTEM FRONT/PASSENGER CAM*	5		Included	Included	Included
5	WGW00502	M500 EXTENDED WARRANTY	5	5 YEAR	Included	Included	Included
6	WGA00428-103	CONFIGWIRLESKIT MTK802.11AC,POE,5GHZ ANT	5		Included	Included	Included
7	WGP01394-001	CBL, WIFI VHCL ANT MNT, NMO, 17'L	5		Included	Included	Included



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
8	WGA00574-100	SMART POE SWITCH (SPS), M500	5		Included	Included	Included
9	WGA00574-KIT	VISTA HD, SPS KIT, INC PWR & ANT CBL	5		Included	Included	Included
10	WGC02002-VAAS	VIDEOMANAGER EL CLOUD, ANNUAL UNLIMITED STORAGE PER IN-CAR VIDEO SYSTEM WITH 2 CAMERAS VAAS*	5	5 YEAR	Included	Included	Included

Grand Total
\$54,500.00(USD)
Notes:

- Additional information is required for one or more items on the quote for an order.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.
- Unless otherwise noted in this quote / order, installation of equipment is not included.



VIDEO-AS-A-SERVICE OVERVIEW

Video-as-a-Service (VaaS) is a subscription-based solution that provides agencies with Motorola's industry-leading evidence collection and management tools. VaaS provides agencies access to high-definition camera systems and the industry's only fully end-to-end digital evidence management ecosystem. Included in this quote is access to CommandCentral Evidence, which includes several applications that enable a single, streamlined workflow.



When combined into a single solution, these tools enable officers in the field to easily capture, record, and upload evidence, as well as efficiently manage and share that evidentiary data. Because Video-as-a-Service requires no up-front purchase of equipment or software, it provides a simple way to quickly deploy and begin using a complete camera and evidence management solution for a per-device charge, billed quarterly.



M500 IN-CAR VIDEO SYSTEM SOLUTION DESCRIPTION

The M500 In-Car Video System is the first AI-enabled in-car video solution for law enforcement. It combines Motorola's powerful camera technology with our industry-leading digital evidence management software (DEMS), to improve the quality of evidence collected and streamline the data sharing process throughout investigation.

VIDEO RECORDING AND CAPTURE

Equipped with high-definition front and cabin cameras with configurable recording resolution of up to 1080p, the M500 creates a reliable record of evidence that can be uploaded to your DEMS solution from any location with a cellular or Wi-Fi signal.

It is equipped with patented Record-After-the-Fact (RATF) technology, which ensures continuous recording from both front and cabin perspectives whenever the camera is on, even if the recording function isn't manually engaged. All RATF data is automatically uploaded to DEMS, for easy review and data capture whenever it is needed.

DISPLAY AND USER INTERFACE

The M500 system features a 5" control panel with a bright, clear display. It offers an icon-driven interface and intuitive controls to streamline field operations. Users can execute any function on the device within three taps of the screen.

AUTOMATIC RECORDING FUNCTIONALITY

Users can program various sensors to activate a new recording. These sensors include emergency lights, sirens, auxiliary inputs, wireless microphones, vehicle speed, and crash detection. When these sensors are triggered, the integrated cameras automatically start recording, allowing officers to capture video evidence without manually activating any cameras.

INTEGRATION WITH V300

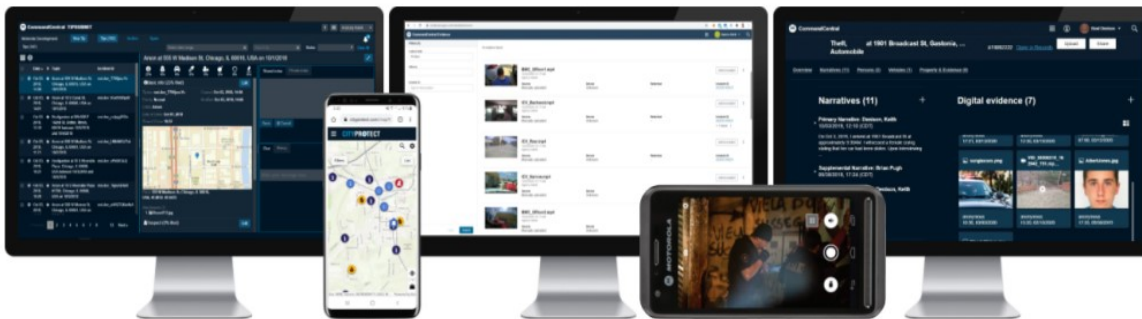
The M500 integrates with the V300 Body-Worn Camera for synchronized recording and playback, as well as wireless uploading. Whenever one camera in a group is activated, the Group Recording function enables other cameras in that group within Wi-Fi range to join in on a group recording for easy capture of all available information. Video evidence on a V300 Body-Worn Camera can be uploaded to your evidence management system via an in-car LTE network.



COMMANDCENTRAL EVIDENCE PLUS SOLUTION DESCRIPTION

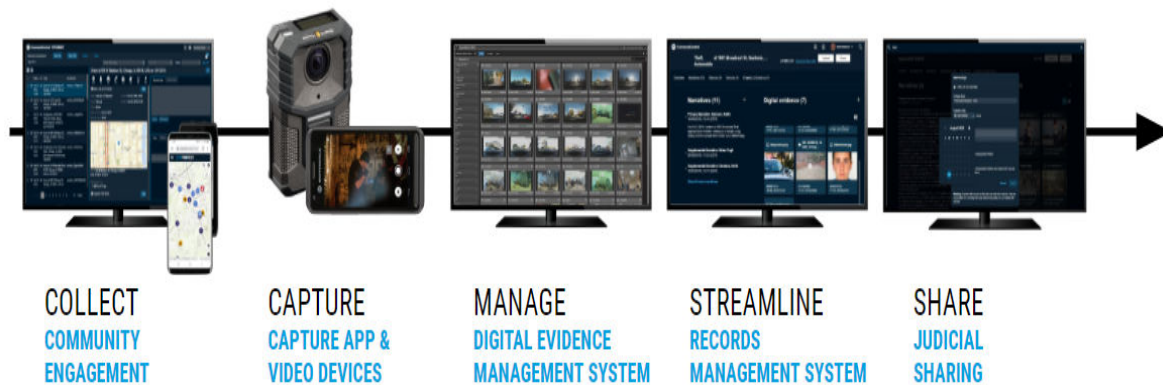
OVERVIEW

CommandCentral Evidence provides a suite of digital evidence management tools that help users contain, organize, and act on large amounts of incoming multimedia. These tools streamline the collection, capture, storage, and sharing of data from a single location. By centralizing digital evidence storage and management, CommandCentral Evidence removes data silos and helps users get the most out of their critical information.



Users access all case content from a single, cloud-based location. Cases integrate records and evidence content, allowing users to view all media associated with a case. These cloud-based tools help users account for all evidence regardless of source. CommandCentral Evidence makes it easy to secure and share content with chain of custody intact to improve collaboration.

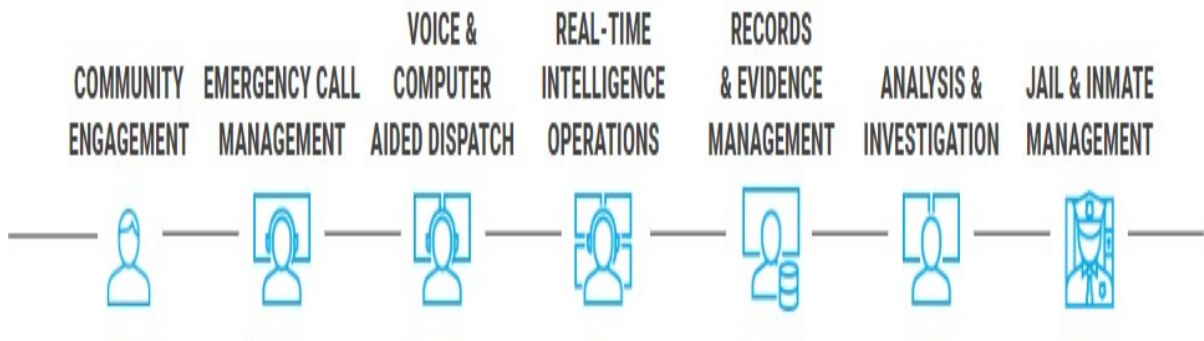
CommandCentral Evidence is available without any upfront investment. Monthly subscription service costs include the software and video storage. And CommandCentral Evidence uses the Azure GovCloud, securing data at rest and in transit to protect communications. This complies with CJIS guidelines and the NIST framework, audited annually against the Service Organization Control 1 and 2 reporting framework.



THE COMMANDCENTRAL PLATFORM

CommandCentral is an end-to-end platform of interconnected solutions that unify data and streamline public safety workflows from a tip or call to case closure. Through single sign-on capabilities, your personnel can access all CommandCentral software applications with one agency username and password for a more streamlined workflow. The CommandCentral platform puts your agency's data to better use, improves safety for critical personnel, and helps keep your focus on the communities you serve.

CommandCentral evolves over time, maximizing the value of existing investments while adopting new capabilities that better meet your personnel's growing needs. With cloud-based services and an agile development methodology through constant user feedback, Motorola Solutions can deliver new features and functionality in a more manageable, non-intrusive way.

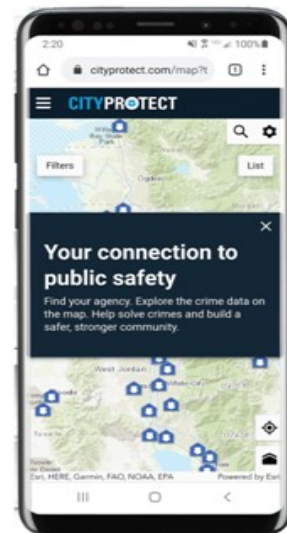


The CommandCentral End-to-End Platform

Community Interaction Tools

CommandCentral Evidence provides a set of Community Interaction tools to enhance the partnership between your agency and the public. This solution is the foundation for transparent community engagement by streamlining the flow of data between your agency and the people you serve. The toolkit helps build public trust and increases the value of community intelligence. As a result, your agency gains new ways to connect with the public, building collaboration and transparency.

Community interaction centers around CityProtect.com. This mobile-friendly webpage offers citizens a centralized set of tools to contribute to public safety. The tools and forms within CityProtect enable you to create a dialogue with your community and promote the value of citizen intelligence. Sharing and receiving important data is streamlined to make engagement easier.



AGENCY PAGE

CommandCentral Evidence provides a dedicated, public-facing webpage for your agency. This customizable page offers a unique URL to serve as the hub for community interaction with access to the tools for the public to connect with your agency.

The agency page shows quick, rotating messages—bulletins (up to five 244-character messages)—to keep the public informed. Your agency will control the order, schedule, and expiration date of these bulletins. The page also integrates an agency's social media feeds to further unify communications.

PUBLIC SUBMISSIONS

With CommandCentral Evidence, the public can submit information online with an easy-to-use interface. There are multiple self-service form options for online submissions, such as anonymous tips, public information requests, and non-emergency submissions. Your agency will decide which of these forms to deploy and how to personalize these forms with built-in form management tools. The public can submit tips using these forms on CityProtect, or via anonymous SMS communication. Together, these submissions help agencies build a more accurate operating picture. TipManager manages these submissions in a central location and saves digital content in CommandCentral Evidence. This streamlines public-provided content with officer-captured evidence in a single repository.

DIGITAL EVIDENCE COLLECTION

CommandCentral Evidence's digital evidence collection features allows your agency to collect case-specific digital media from any source without needing a personal device or physical storage, such as CDs, USBs, or other devices checked into physical evidence stores. Digital files are automatically added and tagged within the application, making access to specific information easy and efficient.

CRIME MAP

Crime Map is built into the CityProtect home page. Crime Map automatically publishes crime data and incident information from your CAD or RMS or CAD system to an interactive, online map. This map keeps the public informed of local crime activity and offers visibility into your operations. Crime Map also provides the following:

- Incident data display with up to hourly updates.
- Primary Agency shapefile.
- Sex offender listing options.
- Crime data download option and action link.

CAMERA REGISTRATION

Camera Registration allows citizens to register their residential or commercial security cameras in CityProtect. Each community member can create a free CityProtect user account to manage their camera information. Your agency can then access the location of these cameras and contact the owner for potential video evidence. The data from these accounts is visualized in a variety of CommandCentral applications.



FIELD RESPONSE APPLICATION

CommandCentral Evidence features a mobile application that allows users to capture video, images, and audio from the field. The application provides advanced camera controls to help users control what is captured. Integrated metadata population and tagging provides immediate access of content in the Digital Evidence Management application. This isolation ensures evidence is not accessible by other apps and ensures an uncompromised chain of custody from the moment of capture.

This application is a capture source for officers, detectives, command staff, supervisors and other law enforcement personnel. The application's user interface exists in the same ecosystem as the Digital Evidence Management tool. The field response application is available on iOS and Android.

RECORDS MANAGEMENT

CommandCentral Evidence's record management capabilities allow users to quickly and easily search video, audio, images, and other digital content. It then stores that data in a central cloud-based location, streamlining access and management across your organization to reduce the complexities of record management. As a result, this solution helps save your personnel valuable time and allows them to focus on critical tasks.

Records Management offers users the following features to benefit management workflows:

- Consolidated Record View – Enter and view incident data, officer narrative, and digital evidence with one user interface, allowing officers to spend more time in the field.
- Task Creation and Assignment – View, create, and assign tasks or projects for the day as part of the Insights Dashboard. This helps build and close cases faster by tracking progress and assigning ownership to activities.
- Unified Search – Find specific information faster by searching across all agency data.
- Master Indexes – Validate data on persons, vehicles, and organizations against the master indexes. For example, agencies can verify that an arrested person, person of interest, or suspect's information is accurate.
- Compliance Verification – Prompt officers for the information they need so you can check reports before submission and save response time.
- Record Quality Control – Keep data clean by identifying, merging, and de-duplicating records automatically.
- Trusted Agency Sharing – Remain in control of your data when you share case information with other agencies.
- Judicial Case Sharing – Share validated evidence items with trusted judicial partners for use in court, with a verifiable chain of custody.
- Crime Predictions in Dashboard – Monitor activity and set threshold alerts to identify and address crime trends.
- Data Insights Reporting – Access critical insight with pre-built reports and dashboards to make data-driven decisions.

DIGITAL EVIDENCE MANAGEMENT



CommandCentral Evidence's digital evidence management tools streamline collecting, securing, and managing multimedia evidence. These tools simplify how a secure digital evidence library is built by incorporating data from multiple sources into a unified evidence storage framework. Users can upload digital evidence from a variety of sources to quickly build cases. Evidence stored within the tool is easy to search, correlate, and review alongside other case-related information from your CAD or RMS database. Relevant content can be marked and intelligently sorted to quickly locate critical information from a central touchpoint. This unified storage framework allows personnel to make informed decisions from an organized and complete case evidence view, while offering an access control system to allow only authorized personnel to view sensitive information.

STORE AND MANAGE

CommandCentral Evidence simplifies building a secure digital evidence library by incorporating data from multiple sources into a unified evidence storage framework. Users can upload digital evidence files from a variety of sources to build cases. Products from Motorola Solutions, such as body-worn cameras, in-car cameras, the mobile field response application, and other CommandCentral software, automatically transmit data to Digital Evidence Management. This saves the time and effort needed to manually upload files. Once the content is securely stored, content management is more efficient.

Digital Evidence Management streamlines content management workflows, with tags and metadata that make it easier to correlate, search, and manage evidence. The application automatically links evidence based on the tags and metadata attached to those files, helping users find additional contextual information on an incident and build cases quickly. Users can search and filter content to locate additional relevant data to link to a case or incident. To quickly access evidence items that they frequently need to reference, users can group or bookmark files within the interface.

CommandCentral Evidence provides unlimited storage for events captured by the WatchGuard video systems where the applied data retention period does not exceed one year for non-evidentiary recordings or 10 years for evidentiary recordings (recordings associated with a case). Additionally, the video recording policy must be event-based (policies that require officers to record their entire shift will not qualify for this plan). For non-camera data storage (data not captured by the body camera and/or in-car system), agencies receive 50GB of storage per device, per month, pooled across all devices in the program.

OPTIONAL INTERFACE

CommandCentral Evidence includes an optional interface that uses different mechanisms (DB polling, REST, file polling) to extract required data fields. The interface maps data fields to a corresponding format accepted by CommandCentral Evidence, and sends them to the respective applications service.

Please see the pricing section for the specific interfaces included in this proposal.

INTERFACE SERVER REQUIREMENTS

A customer-provided virtual machine is required to support the interface. The virtual machine must meet the following minimum specifications:

- 2 vCPU.



- 8GB RAM.
- 40GB Hard Drive.
- VMWare 5.5U2 1 CPU License or Hyper-V License.
- Access to Customer-Provided Internet.

The customer-provided virtual machine will allow CloudConnect to be installed to enable CommandCentral cloud applications to connect to on-premises applications, like CAD/RMS systems.



COMMANDCENTRAL EVIDENCE PLUS STATEMENT OF WORK

OVERVIEW

The Statement of Work (SOW) defines the principal activities and responsibilities of Motorola Solutions, Inc. ("Motorola Solutions") and the Customer. Motorola Solutions and the Customer will work to complete their respective responsibilities in accordance with the mutually agreed upon governing schedule. Any changes to the governing schedule will be mutually agreed upon via the change provision of the Agreement.

AGENCY AND USER SETUP

The Customer's agency(s) and CommandCentral users must be provisioned within the CommandCentral cloud platform using the CommandCentral Admin tool. The provisioning process allows the agency(s) to define the specific capabilities and permissions of each user.

Motorola Solutions Responsibilities

- Use the CommandCentral Admin tool to establish the Customer and the Customer's agency(s) within the CommandCentral cloud platform. This activity is completed during the order process.
- Provision agency's CommandCentral initial users and permissions.

Customer Responsibilities

- Identify a System Administrator(s).
- Ensure all System Administrators complete the CommandCentral Admin training.
- Use the CommandCentral Admin tool to setup CommandCentral administration and user passwords, and provision agency's CommandCentral users and permissions.

Completion Criteria

Initial agencies and users have been configured.

COMMUNITY INTERACTION TOOL

Motorola Solutions enables the Community Interaction Tool during the order process.

Motorola Solutions Responsibilities

- Refer to Agency and User Setup section of SOW.
- Connect Customer incident data ingest.

Customer Responsibilities

- Provision policies and procedures, tags, retention periods, and user permissions.
- Configure Community Interaction Tool settings (location of agency pin, shape of agency, keywords, agency page, URL, which forms to deploy).
- Provide access to Motorola Solutions' team to connect incident data ingest.



Completion Criteria

Community Interaction Tool subscription enabled.

RECORDS MANAGEMENT

This document describes the activities required to ensure access to the subscription software and the Customer's provisioning activities.

Records Management features preconfigured Incident Forms and standard Workflows. As a result, minimal configuration work is required prior to operation.

Motorola Solutions Responsibilities

- Refer to the Agency and User Setup section of SOW.

Customer Responsibilities

- Provision all required custom Offence Codes using the CommandCentral user interface.

Completion Criteria

Records Management enabled and offence codes provisioned.

DIGITAL EVIDENCE MANAGEMENT

Motorola Solutions will discuss industry best practices, current operations environment, and subsystem integration in order to determine the optimal configuration for Digital Evidence Management. Motorola Solutions enables the subscription during the order process.

Note that while Digital Evidence Management is capable of interfacing with a variety of data sources, any additional interfaces are not included in this implementation.

Motorola Solutions Responsibilities

- Refer to the Agency and User Setup section of SOW.
- Connect Customer incident data ingest.
- If a hybrid on-premise and cloud solution is included, configure Evidence Library to Digital Evidence Management interface(s) to support the functionality described in the Solution Description.
- Integrate Records Management with Digital Evidence Management.

Customer Responsibilities

- Provision policies, procedures, and user permissions.
- Configure Digital Evidence Management settings.
- Provide access to Motorola Solutions' team to connect incident data ingest.

Completion Criteria

Digital Evidence Management subscription enabled. Configured to provide the end-to-end solution for the Customer.



FIELD RESPONSE APPLICATION

The Field Response Application provides Android / iOS multimedia capture allowing a smartphone to send data to Digital Evidence Management .

Motorola Solutions Responsibilities

- None.

Customer Responsibilities

- Download “CommandCentral Capture” Application from App Store.
- Determine if video can be uploaded to Digital Evidence Management via WiFi and cellular network or WiFi only.
- Set confirmation parameters in Digital Evidence Management Admin.
- Determine specific video resolution or a range of resolutions.

Completion Criteria

Work is considered complete upon Customer successfully installing application. The Field Response Application is configured and data is being received in Digital Evidence Management.

THIRD-PARTY INTERFACES

The delivery, installation, and integrations of interfaces may be an iterative series of activities depending upon access to third-party systems. If proposed, interfaces will be installed and configured in accordance with the schedule.

Connectivity will be established between CommandCentral systems and the external and/or third-parties to which they will interface. Motorola Solutions will configure CommandCentral systems to support each contracted interface. The Customer is responsible for engaging third-party vendors if and as required to facilitate connectivity and testing of the interface(s).

Motorola Solutions Responsibilities

- Develop interface(s) in accordance with the Solution Description.
- Establish connectivity to external and third-party systems.
- Configure interface(s) to support the functionality described in the Solution Description.
- Perform functional validation to confirm each interface can transmit and or receive data in accordance with the Interface Feature Description (IFD).

Customer Responsibilities

- Act as liaison between Motorola Solutions and third-party vendors or systems as required to establish connectivity with Digital Evidence Management.
- Provide personnel proficient with and authorized to make changes to the network and third-party systems to support Motorola Solutions’ interface installation efforts.
- Provide network connectivity between Digital Evidence Management and the third-party systems.
- Provide requested information on API, SDKs, data schema, and any internal and third-party documents necessary to establish interfaces with all local and remote systems and facilities within 10 days of the Interface Engagement Meeting.
- Adhere to the requirements presented in the IFD.



Motorola Solutions Deliverables

Contracted Interface(s).

Completion Criteria

Connectivity is established between CommandCentral systems and the external and/or third-parties using said interface.

Unknown circumstances, requirements, and anomalies at the time of initial design can present difficulties in interfacing CommandCentral Vault to some third-party applications. These difficulties could result in a poorly performing or even a non-functional interface. At such time that Motorola Solutions is provided with information and access to systems, we will be able to mitigate these difficulties. If Motorola Solutions mitigation requires additional third-party integration, application upgrades, API upgrades, and/or additional software licenses those costs will need to be addressed through the change provision of the contract.

TRAINING

CommandCentral online training is made available to you via Motorola Solutions Software Enterprise Learning eXperience Portal (LXP). This subscription service provides you with continual access to our library of online learning content and allows your users the benefit of learning at times convenient to them. Content is added and updated on a regular basis to keep information current. All Motorola Solutions tasks are completed remotely and enable the Customer to engage in training when convenient to the user.

LXP Administrators are able to add/modify users, run reports, and add/modify groups within the panorama.

Motorola Solutions Responsibilities

- Initial setup of Panorama and addition of administrators.
- Provide instruction to the Customer LXP Administrators on:
- Adding and maintaining users.
- Adding and maintaining Groups.
- Assign courses and Learning Paths.
- Running reports.

Customer Responsibilities

- Go to <https://learningservices.motorolasolutions.com> and request access if you do not already have it.
- Complete LXP Administrator training.
- Advise users of the availability of the LXP.
- Add/modify users, run reports and add/modify groups.

Completion Criteria

Work is considered complete upon conclusion of Motorola Solutions-provided LXP Administrator instruction.



Panorama – A panorama is an individual instance of the LXP that provides autonomy to the agency utilizing.

Groups – A more granular segmentation of the LXP that are generally utilized to separate learners of like function (dispatchers, call takers, patrol, firefighter). These may also be referred to as clients within the LXP.

Learning Path – A collection of courses that follow a logical order, may or may not enforce linear progress.

Customer Responsibilities

- Supply a suitably configured classroom with a workstation for the instructor and at least one workstation for every two students.
- Designate training representatives who will work with the Motorola Solutions trainers in the development and delivery of training.

Motorola Solutions Deliverables

- Classroom Training Materials, Attendance Rosters.

Completion Criteria

Work is considered complete upon conclusion of Motorola Solutions provided Train the Trainer training.

Motorola Solutions offers many training courses pertaining to the Customer's solution. Motorola Solutions will provide specific training courses in the welcome email provided after implementation.

TRANSITION TO SUPPORT AND CUSTOMER SUCCESS

Following the completion of the activation of CommandCentral components, implementation activities are complete. The transition to the Motorola Solutions' support organization completes the implementation activities.

Customer Success is the main point of contact as you integrate this solution into your agency's business processes. Our team will work with you to ensure CommandCentral Evidence has met your expectations and that the solution satisfies your goals and objectives. Contact Customer Success at CommandCentralCS@motorolasolutions.com.

Our Customer Support team will be the point of contact for technical support concerns you might have and can be reached either by phone at 1-800-MSI-HELP (option x4, x4, x3) or by emailing support-commandcentral@motorolasolutions.com.

Motorola Solutions Responsibilities

- Provide the Customer with Motorola Solutions support engagement process and contact information.
- Gather contact information for the Customer users authorized to engage Motorola Solutions support.



Customer Responsibilities

- Provide Motorola Solutions with specific contact information for those users authorized to engage Motorola Solutions' support.
- Engage the Motorola Solutions support organization as needed.

Completion Criteria

Conclusion of the handover to support and the implementation is complete.



VIDEO EVIDENCE STATEMENT OF WORK

Overview

In accordance with the terms and conditions of the Agreement, this Statement of Work (“SOW”) defines the principal activities and responsibilities of all parties for the delivery of the Motorola Solutions, Inc. (“Motorola”) system as presented in this offer to the Customer (hereinafter referred to as “Customer”). For the purposes of this SOW, Motorola may include our affiliates, subcontractors, and third-party partners, as the case may be.

Deviations and changes to this SOW are subject to mutual agreement between Motorola and the Customer and will be addressed in accordance with the change provisions of the Agreement.

Unless specifically stated, Motorola work will be performed remotely. Customer will provide Motorola resources with direct network access sufficient to enable Motorola to fulfill its delivery obligations.

The number and type of software or subscription licenses, products, or services provided by or on behalf of Motorola are specifically listed in the Agreement and any reference within this SOW, as well as subcontractors’ SOWs (if applicable), does not imply or convey a software or subscription license or service that is not explicitly listed in the Agreement.

AWARD, ADMINISTRATION, AND PROJECT INITIATION

Project Initiation and Planning will begin following execution of the Agreement.

Following the conclusion of the Welcome/IT Call, Motorola project personnel will communicate additional project information via email, phone call, or additional ad- hoc meetings.

Motorola utilizes Google Meet as its teleconference tool. If Customer desires a different teleconference tool, Customer may provide a mutually agreeable alternate tool at Customer expense.

PROJECT MANAGEMENT TERMS

The following project management terms are used in this SOW. Since these terms may be used differently in other settings, these definitions are provided for clarity.

Deployment Date(s) refers to any date or range of dates when implementation, configuration, and training will occur. The deployment date(s) is subject to change based on equipment or resource availability and Customer readiness.

COMPLETION CRITERIA

Motorola Integration Services are complete upon Motorola performing the last task listed in a series of responsibilities or as specifically stated in the deployment checklist. Certain Customer tasks, such as hardware installation activities identified in Section 1.9 of this SOW, must be completed prior to Motorola commencing with its delivery obligations. Customer will provide Motorola written notification that it does not accept the completion of Motorola responsibilities or rejects a Motorola service deliverable within five business days of task completion or receipt of a deliverable, whichever may be applicable.



Service completion will be acknowledged in accordance with the terms of the Agreement and the Service Completion Date will be memorialized by Motorola and Customer in a writing signed by both parties.

PROJECT ROLES AND RESPONSIBILITIES OVERVIEW

MOTOROLA PROJECT ROLES AND RESPONSIBILITIES

A Motorola team, made up of specialized personnel, will be assigned to the project under the direction of the Motorola Project Manager. Team members will be multi-disciplinary and may fill more than one role. Team members will be engaged in different phases of the project as necessary.

In order to maximize efficiencies, Motorola's project team will provide services remotely via teleconference, web-conference, or other remote method in fulfilling its commitments as outlined in this SOW.

The personnel role descriptions noted below provide an overview of typical project team members. One or more resources of the same type may be engaged as needed throughout the project. There may be other personnel engaged in the project at the discretion of and under the direction of the Project Manager.

Motorola's project management approach has been developed and refined based on lessons learned in the execution of hundreds of system implementations. Using experienced and dedicated people, industry-leading processes, and integrated software tools for effective project execution and control, we have developed and refined practices that support the design, production, and testing required to deliver a high-quality, feature-rich system.

Project Manager

A Motorola Project Manager will be assigned as the principal business representative and point of contact for Motorola. The Project Manager's responsibilities include the following:

- Host the Welcome/IT Call.
- Manage the Motorola responsibilities related to the delivery of the project.
- Coordinate schedules of the assigned Motorola personnel and applicable subcontractors/supplier resources.
- Manage the Change Order process per the Agreement.
- Maintain project communications with the Customer.
- Identify and manage project risks.
- Collaborative coordination of Customer resources to minimize and avoid project delays.
- Conduct remote status meetings on mutually agreed dates to discuss project status.
- Provide timely responses to issues related to project progress.

System Technologists

The Motorola System Technologists (ST) will work with the Customer project team on system provisioning. ST responsibilities include the following:

- Provide consultation services to the Customer regarding the provisioning and operation of the Motorola system.
- Provide provisioning and training to the Customer to set up and maintain the system.
- Complete the provisioning ownership handoff to the Customer.



- Complete the project-defined tasks as defined in this SOW.
- Confirmation that the delivered technical elements meet contracted requirements.
- Engagement throughout the duration of the delivery.

Technical Trainer / Instructor

The Motorola Technical Trainer / Instructor provides training either on-site or remote (virtual) depending on the training topic and deployment type purchased. Responsibilities include:

- Review the role of the Learning eXperience Portal (“LXP”) in the delivery and provide Customer Username and Access Information.

CUSTOMER PROJECT ROLES AND RESPONSIBILITIES OVERVIEW

The success of the project is dependent on early assignment of key Customer resources. In many cases, the Customer will provide project roles that correspond with Motorola’s project roles. It is critical that these resources are empowered to make decisions based on the Customer’s operational and administration needs. The Customer’s project team should be engaged from project initiation through beneficial use of the system. The continued involvement in the project and use of the system will convey the required knowledge to maintain the system post-completion of the project. In some cases, one person may fill multiple project roles. The project team must be committed to participate in activities for a successful implementation. In the event the Customer is unable to provide the roles identified in this section, Motorola may be able to supplement Customer resources at an additional price.

Project Manager

The Project Manager will act as the primary Customer point of contact for the duration of the project. The Project Manager is responsible for management of any third-party vendors that are the Customer’s subcontractors. In the event the project involves multiple locations, Motorola will work exclusively with a single Customer-assigned Project Manager (the primary Project Manager). The Project Manager’s responsibilities include the following:

- Communicate and coordinate with other project participants.
- Manage the Customer project team, including timely facilitation of efforts, tasks, and activities.
- Maintain project communications with the Motorola Project Manager.
- Identify the efforts required of Customer staff to meet the task requirements in this SOW and identified in the Welcome/IT Call.
- Consolidate all project-related questions and queries from Customer staff to present to the Motorola Project Manager.
- Approve a deployment date offered by Motorola.
- Monitor the project to ensure resources are available as required.
- Attend status meetings.
- Provide timely responses to issues related to project progress.
- Liaise and coordinate with other agencies, Customer vendors, contractors, and common carriers.
- Review and administer change control procedures, hardware and software certification, and all related project tasks required to meet the deployment date.
- Ensure Customer vendors’ readiness ahead of the deployment date.
- Assign one or more personnel who will work with Motorola staff as needed for the duration of the project, including at least one Application Administrator for the system and one or more representative(s) from the IT department.



- Identify the resource with authority to formally acknowledge and approve change orders, completion of work, and payments in a timely manner.
- Provide building access to Motorola personnel to all Customer facilities where system equipment is to be installed during the project. Temporary identification cards are to be issued to Motorola personnel, if required for access to facilities.
- Ensure remote network connectivity and access to Motorola resources.
- Provide reasonable care to prevent equipment exposure to contaminants that cause damage to the equipment or interruption of service.
- Ensure a safe work environment for Motorola personnel.
- Identify and manage project risks.
- Point of contact to work with the Motorola System Technologists to facilitate the training plan.

IT Support Team

The IT Support Team (or Customer designee) manages the technical efforts and ongoing tasks and activities of their system. Manage the Customer-owned provisioning maintenance and provide required information related to LAN, WAN, wireless networks, server, and client infrastructure. They must also be familiar with connectivity to internal, external, and third-party systems to which the Motorola system will interface.

The IT Support Team responsibilities include the following:

- Participate in overall delivery and training activities to understand the software, interfaces, and functionality of the system.
- Participate with the Customer subject matter experts during the provisioning process and training.
- Authorize global provisioning choices and decisions, and be the point(s) of contact for reporting and verifying problems and maintaining provisioning.
- Obtain inputs from other user agency stakeholders related to business processes and provisioning.
- Implement changes to Customer owned and maintained infrastructure in support of the Evidence Management System installation.

Subject Matter Experts

The Subject Matter Experts (SME or Super Users) are the core group of users involved with delivery analysis, training, and the provisioning process, including making global provisioning choices and decisions. These members should be experienced users in the working area(s) they represent (dispatch, patrol, etc.), and should be empowered to make decisions related to provisioning elements, workflows, and department policies related to the Evidence Management System.

General Customer Responsibilities

In addition to the Customer Responsibilities stated elsewhere in this SOW, the Customer is responsible for the following:

- All Customer-provided equipment, including hardware and third-party software, necessary for delivery of the System not specifically listed as a Motorola deliverable. This will include end user workstations, network equipment, camera equipment and the like.
- Configuration, maintenance, testing, and supporting the third-party systems the Customer operates which will be interfaced to as part of this project.
- Communication between Motorola and Customer's third-party vendors, as required, to enable Motorola to perform its duties.



- Active participation of Customer SMEs in project delivery meetings and working sessions during the course of the project. Customer SMEs will possess requisite knowledge of Customer operations and legacy system(s) and possess skills and abilities to operate and manage the system.
- Electronic versions of any documentation associated with the business processes identified.
- Providing a facility with the required computer and audio-visual equipment for training and work sessions.
- Ability to participate in remote project meeting sessions using Google Meet or a mutually agreeable, Customer-provided, alternate remote conferencing solution.

PROJECT PLANNING

A clear understanding of the needs and expectations of both Motorola and the Customer are critical to fostering a collaborative environment of trust and mutual respect. Project Planning requires the gathering of project-specific information in order to set clear project expectations and guidelines, and set the foundation for a successful implementation.

WELCOME/IT CALL - TELECONFERENCE/WEB MEETING

A Project Planning Session teleconference will be scheduled after the Agreement has been executed. The agenda will include the following:

- Review the Agreement documents.
- Review project delivery requirements as described in this SOW.
- Provide shipping information for all purchased equipment.
- Discuss deployment date activities.
- Provide assigned technician information.
- Review IT questionnaire and customer infrastructure.
- Discuss which tasks will be conducted by Motorola resources.
- Discuss Customer involvement in provisioning and data gathering to confirm understanding of the scope and required time commitments.
- Review the initial project tasks and incorporate Customer feedback.
- Confirm CJIS background investigations and fingerprint requirements for Motorola employees and/or contractors. Required fingerprints will be submitted on Motorola provided FBI FD-258 Fingerprint cards.
- Review the On-line Training system role in project delivery and provide Customer User Name and Access Information.
- Discuss Motorola remote access requirements (24-hour access to a secured two-way Internet connection to the Motorola system firewalls for the purposes of deployment, maintenance, and monitoring).
- Discuss Customer obligation to manage change among the stakeholder and user communities.
- Review deployment completion criteria and the process for transitioning to support.

Motorola Responsibilities

- Host Welcome/IT Call.
- Request the attendance of any additional Customer resources that are instrumental in the project's success, as needed.
- Review Motorola's delivery approach and its reliance on Customer-provided remote access.
- Provide Customers with steps to follow to register for Online Training.
- Request user information required to establish the Customer in the LXP.



Customer Responsibilities

Complete the Online Training registration form and provide it to Motorola within ten business days of the Project Planning Session.

- Review the received (as part of order) and completed IT questionnaire.
- Provide a customer point of contact for the project.
- Provide data for completing the policy validation form.
- Provide LXP user information as requested by Motorola.
- Verify Customer Administrator(s) have access to the LXP.

Motorola Deliverables

- Welcome Call presentation and key meeting notes
- Send an email confirming deployment date and ST assigned email
- Communicate with the Customer via email confirming shipment and tracking information.
- Instruct the Customer on How to Register for Training email.
- Provide and review the Training Plan.

SOLUTION PROVISIONING

Solution provisioning includes the configuration of user configurable parameters (unit names, personnel, and status codes). The system will be provisioned using Motorola standard provisioning parameters and will incorporate Customer-specific provisioning.

IN-CAR VIDEO PROVISIONING SCENARIO

If in-car video is a part of the system, the Motorola Application Specialist will complete the following provisioning tasks.

Motorola Responsibilities

- Conduct a remote review of the standard provisioning database with the Customer prior to the start of provisioning.
- Provide and review the Provisioning Export Worksheets with the Customer.
- Conduct a conference call with the Customer to review the completeness of the Provisioning Export Worksheets prior to the start of provisioning.

BODY WORN CAMERA PROVISIONING SCENARIO

If body worn cameras are a part of the system, the provisioning of the in-car system will generally follow the completion of the base in-car video provisioning.

Motorola Responsibilities

Configure transfer stations for connectivity to the evidence management server.

- Configure devices within the evidence management system.
- Check out devices and create a test recording.



- Verify successful upload from devices after docking back into the transfer station or USB dock.

SOFTWARE INSTALLATION

ON-SITE SOFTWARE INSTALLATION

Client software will be installed on one workstations and up to 5 mobile devices to facilitate provisioning training to Customer personnel. Customer will complete software installation on the remaining workstations and cameras.

Motorola Responsibilities

- Verify system readiness.
- Request client software.
- Deliver the pre-installation preparation checklist.
- Provide instruction on client software installation and install client software on one workstation and up to five mobile devices.
- Total of training overview sessions shall not exceed 4 hours.
- Provide instruction on client software deployment utility.

Customer Responsibilities

- Provide and install workstation/mobile device hardware in accordance with specifications.
- Assign personnel to observe software installation training.
- Complete installation of client software on remaining workstations and mobile devices.
- Attend onsite deployment training sufficient to enable user proficiency.
- Complete online training.

Motorola Deliverables

- Provide a pre-installation preparation checklist.
- Provide installation guide.
- Provide training overviews on hardware/software and system administration for customers during deployment dates.

INFRASTRUCTURE VALIDATION

Hardware will be installed on the network to facilitate provisioning, testing, and will be used to provide instruction to Customer personnel after the complete software installation.

Motorola Responsibilities

- Verify that the server is properly racked and connected to the network.
- Verify that access points are properly installed and connected to the network.
- Verify that transfer stations are connected to the network and configured.

Customer Responsibilities



- Verify that the server network has access to the internet for software installation and updates.
- Verify that the network routing is correct for the transfer stations and access points to communicate with the server.
- Verify that the client computers can access the server on the required ports.

HARDWARE INSTALLATION

Physical installation of hardware (i.e. servers, cameras, Access Points, WiFi docs, etc.) is not included in the standard scope of the solution. If a custom quote for installations is included in this purchase, Motorola will manage the subcontractor and their deliverables as part of this SOW. Customers who perform or procure their own installations assume all installation responsibilities including cost, oversight and risk.

SYSTEM TRAINING

Motorola training consists of both computer-based (online) and instructor-led (on-site or remote). Training delivery methods vary depending on course content. Self-paced online training courses, additional live training, documentation, and resources can be accessed and registered for on the Motorola's LXP.

ONLINE TRAINING

Online training is made available to the Customer via Motorola's LXP. This subscription service provides the Customer with continual access to our library of online learning content and allows users the benefit of learning at times convenient to them. Content is added and updated on a regular basis to keep information current. This training modality allows the Customer to engage in training when convenient.

A list of available online training courses can be found in the Training Plan.

Motorola Responsibilities

- Designate a LXP Administrator to work with the Customer.
- Establish an accessible instance of the LXP for the Customer.
- Organize content to align with the Customer's selected technologies.
- Create initial Customer user accounts and a single Primary Administrator account.
- During on-boarding, assist the Customer with LXP usage by providing training and job aids as needed.
- Create and maintain user role Learning Paths defined by the Customer.
- Install security patches when available.
- Provide technical support for user account and access issues, base system functionality, and Motorola Solutions-managed content.
- Monitor the Learning Subscription server. Provide support for server incidents.

Customer Responsibilities

- Provide user information for the initial creation of accounts.
- Provide network and internet connectivity for the Customer's users to access the LXP.
- The customer's primary LXP administrator should complete the following self-paced training: LXP Introduction online course (LXP0001), LXP Primary Site Administrator Overview online course (LXP0002), and LXP Group Administrator Overview (LXP0003)
- Advise agency learners of the availability of training via the LXP.
- Ensure users complete LXP training in accordance with the Project Schedule.



- Order and maintain subscriptions to access Motorola's LXP.
- Contact Motorola Solutions to engage Technical Support when needed.

Motorola Deliverables

- LXP Enable

INSTRUCTOR-LED TRAINING (ONSITE AND REMOTE)

A list of Instructor-Led and Virtual Instructor-Led courses can be found in the Training Plan.

Motorola Responsibilities

- Deliver User Guides and training materials in electronic .PDF format.
- Perform training in accordance with the Training Plan.
- Provide Customer with training Attendance Rosters and summarize any pertinent observations that may impact end user training.

Customer Responsibilities

- Supply classrooms with a workstation for the instructor (if Onsite) and at least one workstation for every student based on the requirements listed in the Training Plan.
- Designate training representatives who will work with the Motorola trainers in the delivery of training.
- Conduct end user training in accordance with the Project Schedule.

Motorola Deliverables

- Electronic versions of User Guides and training materials.
- Attendance Rosters.
- Technical Training Catalog.

FUNCTIONAL VALIDATION AND PROJECT CLOSURE

The objective of Functional Validation is to demonstrate the features and functions of the system in the Customer's provisioned environment. The functional demonstration may not exercise all functions of the system, if identified as not being applicable to the Customer's operations or for which the system has not been provisioned. The functional demonstration is a critical activity that must occur following the completion of provisioning.

Motorola Responsibilities

- Conduct a power on functional demonstration of the installed system per the deployment checklist
- Manage to resolution any documented punch list items noted on the deployment checklist.
- Provide trip report outlining all activities completed during the installation as well as outstanding follow up items
- Provide an overview of the support process and how to request support.
- Walk through support resources, web ticket entry and escalation procedures.
- Provide a customer survey upon closure of the project.

Customer Responsibilities



- Witness the functional demonstration and acknowledge its completion via signature on the deployment checklist.
- Participate in prioritizing the punch list.
- Coordinate and manage Customer action as noted in the punch list.
- Provide signatory approval on the deployment checklist providing Motorola with final acceptance.
- Complete Customer Survey.





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: _____



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Police Department

ITEM TYPE: Resolution

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

SUBJECT: **Resolution R-23-088:** Resolution awarding a contract to East Coast Emergency Lighting, Inc. for outfitting of police patrol vehicles in accordance with NJ State Coop Contract pricing

ATTACHMENTS:

[Item 01 Resolution - Outfitting of Police Vehicles- East Coast Emergency Lighting.pdf](#)
[East Coast 4 patrol car builds.pdf](#)
[Signed Certification of Funds East Coast Emergency Lighting- Pending Adoption of Budget.pdf](#)

RESOLUTION AWARDING A CONTRACT TO EAST COAST EMERGENCY LIGHTING, INC. FOR OUTFITTING OF POLICE PATROL VEHICLES IN ACCORDANCE WITH NJ STATE COOP CONTRACT PRICING

April 12, 2023

WHEREAS, N.J.S.A. 40A:11-10 permits municipalities to award public contracts without public bidding when the vendor is an approved vendor of joint purchasing alliance with other municipalities and the municipality participates in a cooperative pricing system; and,

WHEREAS, the Township requires outfitting of four (4) Police patrol vehicles; and

WHEREAS, the Township wishes to award a contract to East Coast Emergency Lighting, Inc. located at 200 Meco Drive, Millstone Township, NJ 07535, pursuant to Quotation number 35959, dated March 28, 2023, and the products and labor listed are covered under State Cooperative Purchasing Contracts 17-Fleet-00761, 17 Fleet-00719, and 17 Fleet-00768; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account number 01-201-44-902-101 in the amount of \$75,181.76 to cover the cost of goods and services.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Montclair, in the County of Essex, hereby authorizes execution of an agreement, voucher, and/or purchase order for the above-mentioned goods and services, with Northeast Communications, Inc. pending approval from the Chief Financial Officer.

East Coast Emergency Lighting, Inc

732-940-2211
200 Meco Drive
Millstone Twp, NJ 08535

Estimate

Date	Estimate #
3/28/2023	35959

Name / Address
Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 ATT: Purchasing/Accounts Payable

Ship To
INSTALL

P.O. No.	FOB	Rep	Created By:
		RMC	RC

Item	Description	Qty	Cost	Total
	2023 FORD PIU - PATROL			
	WHELEN NEW JERSEY STATE CONTRACT 17-FLEET-00761			
EB2SP3J	LEGACY WCX 54" D/E/D/E PROMO	4	3,400.00	13,600.00
MKAJ105	ADJ LIGHTBAR MOUNT KIT #105	4	0.00	0.00
C399	CENCOM CORE WCX CONTROL CENTER	4	0.00	0.00
CCTL6	Whelen WeCanX KNOB/SLIDE CONTROL HEAD	4	0.00	0.00
C399K7	WHELEN: 2021 Ford F-150, 2022 Ford F-150 Lightning, 2020-2022 Ford Interceptor Utility and 2021 Ford Mustang Mach-E Installation Kit for C399 (Not for use with Core-R™ and Core-S™)	4	0.00	0.00
SAK1	SA-315 MOUNT KIT UNIVERSAL	4	0.00	0.00
SA315P	SA315P SPEAKER, BLACK PLASTIC	4	0.00	0.00
SAK1	SA-315 MOUNT KIT UNIVERSAL	4	0.00	0.00
SA315P	SA315P SPEAKER, BLACK PLASTIC	4	211.14	844.56
CY2V	VEHICLE-TO-VEHICLE SYNC MODULE	4	190.08	760.32
CEM16	WeCanX 16 OUTPUT EXPANSION MOD	4	180.05	720.20
CHWLFE29	WCX LO FREQ SIREN AMP EXPLORER	4	388.26	1,553.04
36-2125	Westin Push Bumper Elite for Police Interceptor Utility 2020-2021	4	343.67	1,374.68
36-6005W2	Westin Elite Light Channel for Push Bumper - 2 Whelen Ion	4	31.46	125.84
36-2125PB	PIT Bar Elite	4	327.94	1,311.76
I2D	DUO LINEAR ION RED/WHITE BLK	8	105.30	842.40

Total

East Coast Emergency Lighting, Inc

732-940-2211
 200 Meco Drive
 Millstone Twp, NJ 08535

Estimate

Date	Estimate #
3/28/2023	35959

Name / Address
Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 ATT: Purchasing/Accounts Payable

Ship To
INSTALL

P.O. No.	FOB	Rep	Created By:
		RMC	RC

Item	Description	Qty	Cost	Total
I2E	DUO LINEAR ION BLUE/WHITE BLK [PUSH BAR LIGHTING]	8	105.30	842.40
TLI2D	ION T-SERIES LINEAR DUO R/W	8	102.06	816.48
TLI2E	ION T-SERIES LINEAR DUO B/W	8	102.06	816.48
TIONBKT1	ION T-SERIES UNIVERSAL MOUNT [FRONT FENDER WRAP / SIDE PUSH BAR]	8	9.72	77.76
LINSV2R	SURFACE MT LINZ V-SERIES RED	4	158.22	632.88
LINSV2B	SURFACE MT LINZ V-SERIES BLUE	4	158.22	632.88
LSVBKT54	LINSV MIRROR MT KIT 2021 TAHOE [UNDER MIRROR]	4	17.82	71.28
PSJ02FCR	STRIPLITE+ DUO FLASHER RED/BLU	8	111.24	889.92
PSBKT90	STRIP-LITE+ 90 DEG MT KIT [SIDE CARGO]	8	16.20	129.60
ETTFUT-16	SoundOff Signal ETTFUT-16 Flashback Alternating Taillight Solid State Flashers For Ford PI Utility 2016-2021, Provides An Additional Output For Deck Lights [TAIL LIGHT FLASHER]	4	120.00	480.00
BS508	I-E RST WCX 8-LT S/D UTILITY	4	718.74	2,874.96
ISDK	INNER EDGE FST/RST DUO RED/AMB	16	31.86	509.76
ISDM	INNER EDGE FST/RST DUO BLU/AMB [REAR WINDOW]	16	31.86	509.76
TLI2D	ION T-SERIES LINEAR DUO R/W	4	102.06	408.24
TLI2E	ION T-SERIES LINEAR DUO B/W [LICENSE PLATE]	4	102.06	408.24

Total

East Coast Emergency Lighting, Inc

732-940-2211
 200 Meco Drive
 Millstone Twp, NJ 08535

Estimate

Date	Estimate #
3/28/2023	35959

Name / Address
Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 ATT: Purchasing/Accounts Payable

Ship To
INSTALL

P.O. No.	FOB	Rep	Created By:
		RMC	RC

Item	Description	Qty	Cost	Total
TLIR	ION T-SERIES LINEAR LT RED	4	88.02	352.08
TLIB	ION T-SERIES LINEAR LT BLUE [OPEN HATCH]	4	88.02	352.08
PSCOMPH	STRIP-LITE+ COMPARTMENT LT HI	4	89.64	358.56
C-VS-1012-INUT	HAVIS NEW JERSEY STATE CONTRACT 17-FLEET-00719 HavisHigh Angled Console For 2020-2023 Ford Interceptor Utility	4	391.30	1,565.20
C-ARM-102	Side Mount Armrest	4	61.10	244.40
CUP2-1001	Self-Adjusting Double Cup Holder	4	43.55	174.20
C-EB40-CCS-1P	Havis 1-Piece Equipment Mounting Bracket, 4" Mounting Space, Fits Whelen Cencom CCSRN, CCSRNTA, MPC03	4	0.00	0.00
C-LP2-USB-BL2	HAVIS; 2" Console Accessory Bracket With 2 Lighter Plug Outlets, 1 USB-C & USB Type A Dual Port Charger And 2 Blanks For Rectangular Accessories	4	101.40	405.60
C-MCB	Microphone Clip Bracket	12	12.35	148.20
MMSU-1	Magnetic Mic Single Unit	8	35.00	280.00
CG-X	Chargeguard-Select	4	69.55	278.20
PKG-TTP-INUT-1201-4	HAVIS Premium Package – Raised Fold-Up Equipment Tray & Cargo Plate With 200 Lbs Lift Struts For 2020-2023 Ford Interceptor Utility	4	1,287.65	5,150.60
PROKIT-2	Adapter Kit For Pro-Gard Partition To Havis TTP Or Storage Drawer Mount In 2020-2023 Ford Interceptor Utility LIST: \$30.97	4	21.45	85.80

Total

East Coast Emergency Lighting, Inc

732-940-2211
 200 Meco Drive
 Millstone Twp, NJ 08535

Estimate

Date	Estimate #
3/28/2023	35959

Name / Address
Township of Montclair 205 Claremont Avenue Montclair, NJ 07042 ATT: Purchasing/Accounts Payable

Ship To
INSTALL

This estimate shall be valid for 60 Days. Any verbal changes to the estimate are not binding unless agreed to by all parties in writing.

P.O. No.	FOB	Rep	Created By:
		RMC	RC

Item	Description	Qty	Cost	Total
C-DMM-3115	Heavy-Duty Dash Mount For 2020-2023 Ford Interceptor Utility Vehicle	4	348.40	1,393.60
PKG-KBM-105-1	Premium Chiclet Style Keyboard Mount Package	4	690.95	2,763.80
	PRO-GARD NEW JERSEY STATE CONTRACT 17-FLEET-00768			
P1000UINT20AOSB	2020-2021 FORD UTILITY; single compartment, Pro-cell (includes: 1/2 Partition; Passenger Side Transport Seat; Floor Pan, Pair Window Armor, Lower Extension Panel, Poly Divider, Poly Window Barrier & Outboard Seat Belts)	4	2,600.00	10,400.00
LOFT-PIU20-GV	20+ Ford Police Utility/Explorer Loft weapon Storage Tray - Interior Dimension 16.5" x 40" LOFT-PIU20-GV Includes Standard Gun Lock, Muzzle Bracket Assembly, Momentary Push Button Switch. (Optional Accessories Available)	4	754.00	3,016.00
T52217B	2020-2022 Ford Police Interceptor Utility With IronBand Driver's Bucket - Black Tactical	4	195.00	780.00
Installation	INSTALLATION OF ABOVE LISTED EQUIPMENT PER NJ STATE CONTRACT	216	75.00	16,200.00

Total	\$75,181.76
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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: _____



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Health Department

ITEM TYPE: Resolution

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

SUBJECT: **Resolution R-23-089:** Resolution of support from Local Governing Body authorizing participation in the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program

ATTACHMENTS:

[Item 0J Montclair_SJ_PSEG_EEPP_Resolution.pdf](#)

R-23-089

TOWNSHIP OF MONTCLAIR

RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING PARTICIPATION IN THE 2023 SUSTAINABLE JERSEY-PSE&G ENERGY EFFICIENCY PARTNERSHIP PROGRAM

April 12,2023

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

WHEREAS, Montclair strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Montclair is participating in Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program to help increase energy efficiency for residents, businesses, and municipal facilities.

WHEREAS, the Mayor and the Council of the Township of Montclair has determined that Montclair should apply for the aforementioned 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program.

NOW THEREFORE, BE IT RESOLVED, Montclair, applying for the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program, will provide staff support for all activities related to the Sustainable Jersey-PSE&G Energy Efficiency Partnership Program, including outreach to help community members take advantage of energy efficiency incentive programs, and

BE IT FURTHER RESOLVED, that Mayor and Council of The Township of Montclair, State of New Jersey, authorizes submission of the aforementioned application to the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program.

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

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
CURRENT FUND			
99689 - Advanced Enterprises Recycling, Inc. dba DART 300 Frank W. Burr Blvd., Ste 39 Teaneck NJ 07666	PO 2300092 TYPE 13 NON-PROCESSIBLE WASTE - (BLANKE	4,560.99	4,560.99**
30 - AGL Welding Supply Co. PO Box 1707 Clifton NJ 07015-1707	PO 2300130 VARIOUS CHEMICALS & GASES - (BLANKET)	165.80	165.80**
1566 - AHPNJ 101 POOR FARM ROAD PRINCETON NJ 08540	PO 2300577 Program Registration fees March 2023 eve	25.00	25.00**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300177 Blanket PO Montclair Municipal Court (Ja	43.28	43.28**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300545 OFFICE SUPPLIES-FINANCE, PAYROLL, ACCOUN	232.46	232.46**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300727 Amazon & Staples - Sourcewell #012320-SC	33.62	33.62**
9664 - AMERICAN HOSE & HYDRAULICS CO., INC. PO Box 440 Elmwood Park NJ 07407	PO 2300709 REPAIRS TO DCS 63 LIFT TRUCK	1,907.36	1,907.36**
76 - AMERICAN ROYAL HARDWARE	PO 2300146 VARIOUS HARDWARE AND SUPPLIES FOR DCS -	59.80	

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
251 Park Street Montclair NJ 07043-0010			59.80**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300357 BLANKET: BUILDING MAINTENANCE/MISCELLANE	18.31	18.31**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300442 2023 Rec, Pools and Edgemont Supplies BL	38.20	38.20**
99869 - Anandani, Manjit 368 Crestmont Road Cedar Grove NJ 07009	PO 2300188 MILL WINTER CLASSES 2023	300.00	300.00**
8436 - ARCTIC FALLS SPRING WATER 58 SAND PARK ROAD CEDAR GROVE NJ 07009	PO 2300227 2023 WATER FEES	33.22	33.22**
9273 - AUTOMOTIVE BRAKE 314 RAILROAD AVENUE HACKENSACK NJ 07601	PO 2300170 VARIOUS PARTS AND REPAIRS - (BLANKET)	883.02	883.02**
2065 - BENDTSEN, SAM FIRE HEADQUARTERS ONE PINE STREET MONTCLAIR NJ 07042	PO 2300703 FD Boot Reimbursement	225.00	225.00**
9377 - BLACK LAGOON PO BOX 9031 HAMILTON NJ 08650	PO 2300149 REPAIRS TO FOUNTAIN OTTERBINES AT EDGEMO PO 2300604 REPAIRS TO OTTERBINE FOUNTAINS	1,956.00 566.30	2,522.30**

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
99931 - Boswell Engineering 330 Phillips Avenue South Hackensack NJ 07606	PO 2300690 2023 Q1 Blanket for Boswell Engineering	647.25	647.25**
99965 - Bruno, Vincent 289 Old Road Sewaren NJ 07077	PO 2300244 MILL WINTER CLASSES 2023	810.00	810.00**
211 - CAMERON ANIMAL HOSPITAL 417 BLOOMFIELD AVENUE MONTCLAIR NJ 07042-0001	PO 2300193 ANIMAL SHELTER VETERINARY SERVICES 2023	6,720.75	6,720.75**
9717 - CONNOLLY & HICKEY HISTORICAL ARCHITECTS, LLC 1 S. Union Avenue, 3rd floor Cranform NJ 07016	PO 2300249 2023 Q1 Historic Preservation Consultant	520.00	520.00**
10061 - COVETRUS NORTH AMERICA 400 METRO PLACE NORTH DUBLIN OH 43017-3378	PO 2300664 ANIMAL SHELTER MEDICATION	188.61	188.61**
100229 - Culturupt LLC 234 South Ridgewood Road South Orange NJ 07079	PO 2300774 WORK PLACE CLIMATE ASSESMENT	6,595.00	6,595.00**
1701 - CUSTOM BANDAG INC. 401 E. LINDEN AVENUE LINDEN NJ 07036-2411	PO 2300123 VARIOUS TIRES AND REPAIRS - (BLANKET)	2,434.80	2,434.80**
3249 - D & M INSTANT PRINTING 46 WATSON AVENUE WEST ORANGE NJ 07052-0001	PO 2300625 PRINTING: DOMESTIC VIOLENCE FORM	165.00	165.00**

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
7792 - DAVID WEBER OIL COMPANY INC 601 INDUSTRIAL ROAD CARLSTADT NJ 07072	PO 2300651 HYDRAULIC AND ENGINE OILS	4,314.42	4,314.42**
100148 - Delorenzi, Jennifer 5 Cortland Street Roseland NJ 07068	PO 2300241 WINTER MILL CLASSES 2023	500.00	500.00**
13821 - DIAL PEST CONTROL, INC. 13 Eagle Rock Ave. E. Hanover NJ 07936	PO 2300546 Blanket PO - FD Pest Control April - Jun	330.00	330.00**
1578 - ELEVATOR MAINTENANCE CORP. 580 ELM STREET KEARNY NJ 07032	PO 2300748 2022 Elevator Service - 205 Claremont Av	560.00	560.00**
12873 - ESSEX REGIONAL HEALTH COMSSN 204 HILLSIDE AVENUE LIVINGSTON NJ 07039	PO 2201663 PROFESSIONAL SERVICE AGMENT TO PROVIDE S	30,229.83	30,229.83**
99188 - EZ Pass Attn: Alpa Shah 375 McCarter Highway Newark NJ 07114	PO 2300726 EZ PASS REPLENISHMENT	150.00	150.00**
99314 - Fabian, Pierre 16 Van Breemen Court Montclair NJ 07043	PO 2300272 MILL WINTER CLASSES 2023	900.00	900.00**
475 - FIRE & SAFETY SERV LTD 200 RYAN STREET SOUTH PLAINFIELD NJ 07080	PO 2300701 FD Blanket PO - Repair & Maintenance of	4,649.44	

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
			4,649.44**
372 - FLAGSHIP DENTAL PLANS PO BOX 24011 NEWARK NJ 07101-0406	PO 2300229 2023 Dental Premiums	644.52	
			644.52**
496 - FOLEY INCORPORATED PO Box 787132 PHILADELPHIA PA 19178-7132	PO 2300331 VARIOUS PARTS & REPAIRS FOR CATS - (BLA	2,312.31	
			2,312.31**
99884 - Freeman, Lewis 10 Crestmont Road Apt. 3B Montclair NJ 07042	PO 2300190 MILLL WINTER CLASSES 2023	315.00	
			315.00**
508 - Gann Law Books 550 Broad Street Suite 906 newark NJ 07102	PO 2300685 2023 EDITION NJ TITLES 40 & 40A PO 2300725 2023 NJ Open Public Records and Public M	225.00 175.00	
			400.00**
8372 - GEESE CHASERS NORTH JERSEY PO BOX 282 GREAT MEADOW NJ 07838	PO 2300437 HAZING OF GEESE @ YANTACAW PARK & EDGEMO	3,888.44	
			3,888.44**
99640 - General Security 971 Lehigh Avenue Union NJ 07083	PO 2300804 ADDITIONAL PANIC BUTTON ADDED TO DCS OFF	371.00	
			371.00**
2511 - GENOVA BURNS LLC 494 BROAD STREET NEWARK NJ 07102	PO 2300684 LEGAL SERVICES AS LABOR/EMPLOYMENT COUNS	3,722.31	
			3,722.31**
100046 - Godoy, Katterine 273 Hope Avenue	PO 2300191 MILL WINTER CLASSES 20203	750.00	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
Passaic NJ 07055			750.00**
9667 - Griffith-Allied Trucking LLC PO Box 392 Manville nj 08835	PO 2300094 GASOLINE DELIVERY - (BLANKET)	13,056.82	
			13,056.82**
7596 - HILL'S PET NUTRITION , INC. C/O HILLS SCIENCE DIET PO BOX 842257 DALLAS TX 75284-2257	PO 2300663 ANIMAL SHELTER FEED	1,006.50	
			1,006.50**
1341 - INT'L HEALTHCARE SERVICE - DMC LOCKBOX 9102 PO BOX 70280 PHILADELPHIA PA 19176-0280	PO 2300231 2023 Dental Premiums, Grps GJ2168 & GJ21	416.12	
			416.12**
100268 - Ivusich, Wayne Joseph 675 Towne Center Drive Joppa MD 21085	PO 2300705 2023 Pool Operator Certification	350.00	
			350.00**
100093 - Jaramillo, Marco Munoz 18 Charles Street Montclair NJ 07042	PO 2300273 MILL WINTER CLASSES 2023	1,350.00	
			1,350.00**
7812 - KONICA MINOLTA BUSINESS SOLTNS DEPT. AT 952823 ATLANTA GA 31192-2823	PO 2300417 KONICA COPIER USAGE - BLDG #2 - (BLANKE	226.65	
			226.65**
99316 - La Freccia Azzurra LLC 16 Park Terrace Montclair NJ 97943	PO 2300242 MILL WINTER CLASSES 2023	720.00	
			720.00**
100203 - LADDEY, CLARK & RYAN, LLP	PO 2300675 ARBITRATOR SERVICES IN THE MATTER OF MAT	1,190.00	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
60 BLUE HERON RD, STE 300 SPARTA NJ 07871			1,190.00**
7692 - LANGUAGE LINE SERVICES PO BOX 202564 DALLAS TX 75320	PO 2300110 Blanket Translation Services (January -	242.05	242.05**
99183 - Law Office Of Christopher J. Kane, LLC 643 Grant Avenue Maywood NJ 07607	PO 2300747 SUBSTITUTE PROSECUTOR	600.00	600.00**
8575 - Let's Think Wireless, LLC PO Box 628 Pine Brook NJ 07058	PO 2300599 Emergency - MPD Access Control System Se	18,427.21	18,427.21**
13714 - LEXIS NEXIS RELX INC. DBA LEXISNEXIS PO BOX 9584 NEW YORK NY 10087-4584	PO 2300589 BLANKET PO FOR ACCESS TO LEGAL RESEARCH	353.00	353.00**
13680 - LOMBARDY DOORS SALES & SERVICE CORP. 734 BELLEVILLE AVENUE BELLEVILLE NJ 07109	PO 2300291 VARIOUS DOOR REPAIRS AT 219 N.FULLERTON	460.00	460.00**
8109 - M & D AUTOMOTIVE DBA P&A AUTO PARTS 1278 BROAD STREET BLOOMFIELD NJ 07003	PO 2300125 VARIOUS PARTS & SUPPLIES - (BLANKET) PO 2300125 VARIOUS PARTS & SUPPLIES - (BLANKET)	500.87 1,760.33	2,261.20**
1297 - MAGLIARO, ROBERT C/O MTC COMMUNITY SERVICE 219 N. FULLERTON AVE MONTCLAIR NJ 07042	PO 2300764 2023 WORK BOOTS REIMBURSEMENT	150.00	150.00**

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
9646 - MAJOR HARDWARE SUPPLY LLC 589 POMPTON AVENUE CEDAR GROVE NJ 07009	PO 2300138 VARIOUS HARDWARE AND OTHER SUPPLIES - (153.91	153.91**
100036 - MCAA of NJ Spring Conference c/o Yara Bossolt, CMCA 152 Washington Ave, Belleville Crt Belleville NJ 07109	PO 2300788 MCAA of NJ Spring Conference Registratio	335.00	335.00**
6427 - MONTCLAIR AMBULANCE UNIT 95 WALNUT STREET MONTCLAIR NJ 07042-0001	PO 2300769 MEDICAL SUPPLIES	557.11	557.11**
5660 - MONTCLAIR ART MUSEUM 3 SOUTH MOUNTAIN AVENUE MONTCLAIR NJ 07042	PO 2300269 WINTER MILL CLASSES 2023	3,796.00	3,796.00**
99580 - National Business Furniture 770 S. 70th Street Milwaukee WI 53214	PO 2300693 HEALTH DEPT -	1,559.00	1,559.00**
2063 - NEW JERSEY FIRE EQUIPMENT 119-131 ROUTE 22 EAST DUNELLEN NJ 08812	PO 2202674 FD Adapters	352.00	352.00**
140 - NJ ENVIRONMENTAL HEALTH ASSOC ATTN: MARY LOU FALCO - MEMBSHP ONE DAG HAMMARSKJOLD BLVD. #6 FREEHOLD NJ 07728	PO 2300799 2023 MEMBERSHIP APPLICATION	150.00	150.00**
9257 - NORTH JERSEY MEDIA GROUP PO Box 630703 Cincinnati OH 45263-0703	PO 2300786 LEGAL ADVERTISEMENT FOR THE ANNUAL TAX L	31.89	31.89**

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
1091 - NORTHEASTERN ARBORIST SUPPLIES 50 NOTCH ROAD WOODLAND PARK NJ 07424-1960	PO 2300265 VARIOUS PARTS, ACCESSORIES, REPAIRS & EQ	59.95	59.95**
5542 - NOVER ENGELSTEIN & ASSOC, INC. 3000 ATRIUM WAY, SUITE 2203 MT. LAUREL NJ 08054-3910	PO 2300758 ANNUAL SOFTWARE MAINTENANCE FEE	2,525.00	2,525.00**
100135 - Phelan, Mark C. 200 Baldwin Road F-31 Parsippany NJ 07054	PO 2300246 WINTER MILL CLASSES 2023	400.00	400.00**
7399 - PHILLIPS PREISS GRYGIEL, LLC Attn: Paul Grygiel 70 Hudson Street, Suite 5B Hoboken NJ 07030	PO 2300739 Q1 2023 Professional Services to Revise	775.00	775.00**
2392 - PRINTING TECHNIQUES 48 FRANKLIN AVE NUTLEY NJ 07110	PO 2300676 BUISNESS CARDS HEALTH DEPT	55.00	55.00**
7990 - PROSTOCK AUTO PARTS MONTCLAIR AUTO PARTS 330 NORTH MIDLAND AVENUE SADDLEBROOK NJ 07663	PO 2300652 VARIOUS AUTO PARTS AND SUPPLIES - (BLAN PO 2300775 COOLANT HOSE FOR HD-7	16.92	34.95
8007 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2300741 ANIMAL SHELTER PSE&G INVOICE	1,985.21	1,985.21**
99521 - ReadyRefresh by Nestle Nestle Waters North America Inc. PO Box 856192	PO 2300284 Water Cooler Rental & Water Delivery Bla	42.75	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
Louisville KY 40285-6192			42.75**
1567 - Robert's and Son, Inc. P O BOX 110 GARFIELD NJ 07029	PO 2300163 VARIOUS PARTS AND REPAIRS - (BLANKET)	539.85	
			539.85**
99211 - Rothman, Margret 5 Roosevelt Place Apt 6-P Montclair NJ 07042	PO 2300245 WINTER MILL CLASSES 2023	300.00	
			300.00**
8438 - ROUTE 23 AUTO MALL 1301 RT 23 SOUTH BUTLER NJ 07405	PO 2300139 VARIOUS PARTS & REPAIRS - (BLANKET)	109.71	
			109.71**
9614 - SAFETY NJ LLC 33 WEST STREET SUITE 101 BLOOMFIELD NJ 07003	PO 2300706 2023 Supplies for Recreation Activities	666.11	
			666.11**
4181 - SANTARCANGELO LAW, LLC 80 PARK STREET SUITE 2A MONTCLAIR NJ 07042	PO 2300734 Blanket PO 2023 Vacant & Abandoned Prope	21,670.86	
			21,670.86**
1377 - SCHWAAB, INC PO Box 7070 Carol Stream IL 60197-7070	PO 2300636 SIGNNATURE STAMPS HEALTHH DEPT	146.47	
			146.47**
9993 - SF Mobiel Vision Inc. PO Box 74008996 Chicago IL 60674-8996	PO 2300743 FLASHBACK IN-CAR SYSTEM	375.00	
			375.00**
100087 - Shoreline Energy Advisors, LLC 648 Valley Road	PO 2202063 MICROGRID PHASE 2 -	14,000.00	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
Suite 2 Brielle NJ 08730			14,000.00**
1417 - Sirchie Acquisition Company LLC Dept. #6481 PO Box 11407 Birmingham AL 35246-6481	PO 2300700 INTEGRITY EVID. BAGS4X7-1/2/500	134.26	134.26**
7697 - SMITH MARAN ARCHITECTS 6 S. FULLERTON AVENUE SUITE 3 MONTCLAIR NJ 07042	PO 2300740 Q1 2023 Blanket for professional service	4,898.35	4,898.35**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2202200 Usage of Purchasing Cooperatives PO 2300655 Amazon & Staples - Sourcewell #012320-SC	307.54 381.41	688.95**
1481 - STORR TRACTOR CO 3191 RT 22 SOMERVILLE NJ 08876-0003	PO 2300194 VARIOUS PARTS & SUPPLIES FOR PARKS EQUIP	634.21	634.21**
2767 - SUPERIOR DISTRIBUTORS 4 MIDLAND AVE ELMWOOD PARK NJ 07407-0001	PO 2300129 VARIOUS PARTS & REPAIRS - (BLANKET)	115.95	115.95**
100244 - Szaferman, Lakind, Blumstein & Blader, P.C. 101 Grovers Mill Rd., Suite 200 Lawrenceville NJ 08648	PO 2300484 2023 Q1 Blanket - HPC Attorney - GENERAL	300.00	300.00**
7880 - TALLEY, JANICE C/O TOWNSHIP OF MONTCLAIR 205 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2300157 Reimbursement for NJML conference travel	526.71	526.71**
99824 - The Montclair Foundation	PO 2300271 MILL WINTER CLASSES 2023	600.00	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
21 Van Vleck Street Montclair NJ 07042			600.00**
7437 - TLP Climate Control Sysems, Inc. 400 Rike Drive Millstone Township NJ 08535	PO 2300350 HVAC REPAIRS FOR VARIOUS LOCATIONS - (B PO 2300356 BLANKET: BUILDING SERVICE/REPAIR PO 2300723 SERVICE CALL FOR THERMOSTATS (RECREATION PO 2300742 ANIMAL SHELTER CONTRACT #1501	617.00 537.50 420.00 84.26	1,658.76**
100269 - Tweed River Associates, LLC 744 White Birch Road Suite 200 Washington Twp. NJ 07676	PO 2300683 NEW VENDOR WINTER MILL CLASS	200.00	200.00**
100264 - UW Extended Campus Student Services 780 Regent Street, Suite 130 Madison WI 53715	PO 2300759 2023 Introduction to Parliamentary Proce	425.00	425.00**
99022 - Van Maerssen, Teresa Bury 65 Glenwood Road Montclair NJ 07043	PO 2300240 WINTER MILL CLASSES 2023	450.00	450.00**
8779 - VERIZON PO BOX 15124 ALBANY NY 12212-5124	PO 2300645 2021-2022 Recreation Pool Telephone& WIF	989.91	989.91**
8779 - VERIZON PO BOX 15124 ALBANY NY 12212-5124	PO 2300646 2023 Recreation Pool Telephones & WIFI S	219.98	219.98**
5601 - W.B. MASON CO., INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2300489 Blanket for WB Mason Water Cooler Code E	23.30	23.30**

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
9362 - W.B. MASON COMPANY INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2300085 2023 Blanket - Finance Department Water PO 2300266 FD Blanket PO - 2023 Hot & Cold Water Co	23.30 14.36	37.66**
99769 - WatchGuard, Inc. PO Box 677996 Dallas TX 75267-7996	PO 2201243 BLANKET: IN-CAR VIDEO CAMERAS	7,099.33	7,099.33**
4926 - WITMER PUBLIC SAFETY GROUP 104 INDEPENDENCE WAY COATSVILLE PA 19320	PO 2202691 FD Blanket PO - Firefighter Protective C	1,581.00	1,581.00**
DEDICATED TRUST			
99992 - Alpine Software Inc. PO Box 281 Pittsford NY 14534	PO 2300791 FD Annual Proprietary Software Maintenanc	11,460.33	11,460.33**
738 - BEATTIE PADOVANO, LLC ARTHUR M. NEISS, ESQ. 200 Market St., Suite 401 Montvale NJ 07645	PO 2300330 2023 Q1 Blanket Attorney for Planning B	2,836.69	2,836.69**
99931 - Boswell Engineering 330 Phillips Avenue South Hackensack NJ 07606	PO 2201261 Blanket #2 2022 ESCROW Boswell Engineeri	466.50	466.50**
9875 - CGP&H, LLC 1249 South River Road Suite 301 Cranbury NJ 08512	PO 2300768 2023 Affordable Housing Administrative A PO 2300794 Unpaid bills from 2022	2,966.70 4,314.19	7,280.89**
9717 - CONNOLLY & HICKEY HISTORICAL ARCHITECTS, LLC	PO 2300250 2023 Q1 Blanket HISTORIC PRESERVATION C	162.50	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
1 S. Union Avenue, 3rd floor Cranform NJ 07016			162.50**
9815 - KAESER & BLAIR, INC 3771 SOLUTIONS CENTER CHICAGO IL 60677-3007	PO 2300506 FD Blanket PO - Fire Prevention Giveaway	1,977.04	1,977.04**
100018 - Pitney Bowes PO Box 981039 Boston MA 02298-1039	PO 2300175 FD Blanket PO - 2023 Operational Costs &	159.98	159.98**
8581 - SOFIA PO BOX 674 MONTCLAIR NJ 07042	PO 2300376 Blanket PO - PY 2022 CDBG - S.O.F.I.A.	4,673.00	4,673.00**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2300390 Blanket PO - Fire Prevention Office Supp	606.19	606.19**
7630 - STUDIO 042 OF MONTCLAIR 423 BLOOMFIELD AVENUE MONTCLAIR NJ 07042	PO 2300503 Fire Prevention Child Fire Safety Colori	4,120.00	4,120.00**
CAPITAL			
100147 - 4 Clean-Up, Inc. PO Box 5098 North Bergen NJ 07047	PO 2202174 Mt. Hebron Road Improvements - 2020 NJDO	32,807.55	32,807.55**
9864 - COLONNELLI BROTHERS, INC. 409 SOUTH RIVER STREET HACKENSACK NJ 07601	PO 2300771 DRAINAGE REPAIR - UPPER MOUNTAIN AVENE	10,080.00	10,080.00**

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
1487 - DUJETS TREE EXPERTS 54 NOTCH ROAD WOODLAND PARK NJ 07424	PO 2300729 2023 Tree Removal Services	33,975.00	33,975.00**
1578 - ELEVATOR MAINTENANCE CORP. 580 ELM STREET KEARNY NJ 07032	PO 2300595 Additional Repair to the Elevator at 205	4,000.00	4,000.00**
1658 - FDR HITCHES 120 WEST WESTFIELD AVENUE ROSELLE PARK NJ 07204	PO 2300400 MAXON LIFT GATE FOR DCS 91	3,920.00	3,920.00**
7915 - MATRIX NEW WORLD ENGINEERING 26 COLUMBIA TURNPIKE FLORHAM PARK NJ 07932	PO 2201792 Environmental Services for NJDEP Site Re	13,333.51	13,333.51**
1091 - NORTHEASTERN ARBORIST SUPPLIES 50 NOTCH ROAD WOODLAND PARK NJ 07424-1960	PO 2300608 STIHL BR 800 X BACK PACK BLOWER MAGNUM	584.99	584.99**
7437 - TLP Climate Control Sysems, Inc. 400 Rike Drive Millstone Township NJ 08535	PO 2202456 BOILER MAINTENANCE @ 205 CLAREMONT AVE.	9,102.90	9,102.90**
Water Operating			
30 - AGL Welding Supply Co. PO Box 1707 Clifton NJ 07015-1707	PO 2300186 W-2 -- BLANKET for Monthly Cylinder Rent	51.96	51.96**
6902 - AGRA ENVIRONMENTAL & LAB SERV	PO 2300202 W-3 -- BLANKET for Laboratory Analysis S	162.00	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
90 1/2 WEST BLACKWELL STREET DOVER NJ 07801			162.00**
100113 - Airgas USA, LLC PO Box 734445 Chicago IL 60673-4445	PO 2300594 W-36 - Blanket for Monthly Cylinder Rent	129.95	129.95**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300221 W-22 -- BLANKET for Materials, Equipment	205.70	205.70**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300203 W-4 -- BLANKET for Hardware Items (WAT	66.55	66.55**
4343 - BORGATA ONE BORGATA WAY ATLANTIC CITY NJ 08401	PO 2300452 W-28 Hotel Stay for the NJ section of t	336.00	336.00**
9368 - CORE & MAIN LP PO BOX 28330 ST. LOUIS MO 63146	PO 2300431 W-24 -- 20x6 MJ Tee for Grove Street By-	1,355.00	1,355.00**
99820 - Eastern Pest Services 2 Industrial Road Suite 202 Fairfield NJ 07004	PO 2300207 W-8 -- BLANKET for Monthly Rodent Baitin	150.00	150.00**
502 - FRANKS TRUCK CENTER INC 325 ORIENT WAY LYNDHURST NJ 07071-0002	PO 2300659 W-39 -- Blanket for Vehicle Parts and Su	1,162.38	1,162.38**

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
3282 - GRAINGER, INC. DEPT 858312218 PALATINE IL 60038-0001	PO 2300210 W-11 -- BLANKET for Materials & Supplies	178.77	178.77**
9948 - GT MID ATLANTIC 629 S. PHILADELPHIA BLVD. ABERDEEN MD 21001	PO 2300779 W-42 - Second Blanket for Parts & Servic	1,769.00	1,769.00**
8128 - MIDLAND RADIATOR 420 MIDLAND AVENUE GARFIELD NJ 07026	PO 2300600 Blanket for Vehicle Parts and Supplies	295.00	295.00**
3327 - MONTCLAIR SUPPLY CORP. 97-99 MAPLE AVENUE MONTCLAIR NJ 07042	PO 2300213 W-15 -- BLANKET for Materials from Mtc.	51.39	51.39**
8489 - P & A AUTO & TRUCK PARTS 1278 BROAD STREET BLOOMFIELD NJ 07003	PO 2300300 W-17 -- BLANKET for Vehicle Parts & Supp	182.00	182.00**
8891 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2202258 O-29 -- Third Blanket - Electric/Gas Ser	31,818.45	31,818.45**
Water Capital			
99927 - Atlantic Environmental Services Consulting Services, LLC 20 Cottonwood Lane Warren NJ 07059	PO 2300716 P-40 - Licensed Site Remediation Profess	8,536.13	8,536.13**
6377 - Gannett Fleming, Inc. PO Box 829160	PO 2201577 P-6 -- Stakeholder Engagement for Enviro PO 2202761 Emergency Purchases for the Township of	3,909.33 5,108.84	

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Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
Philadelphia PA 19182-9160			9,018.17**
44 - RIO SUPPLY, INC. 100 ALLIED PARKWAY SICKLERVILLE NJ 08081	PO 2201728 P-27 - Fourth Blanket for Water Meters,	6,704.00	6,704.00**
2696 - SPEEDY SEWER & DRAIN SERVICE 25 ORANGE STREET BLOOMFIELD NJ 07003	PO 2202098 P-33 -- 2" Water Line Replacement in Hig	25,000.00	25,000.00**
	PARKING UTILITY		
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300644 2023 Parts and Supplies all locations	83.77	83.77**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300148 2023 Supplies and hardware	43.18	43.18**
2113 - GLENCO SUPPLY INC. PO Box 638 OAKHURST NJ 07755	PO 2300290 Signage and Hardware 2023	1,420.00	1,420.00**
8389 - IPS PO BOX 80500 CITY OF INDUSTRY CA 91716-8500	PO 2300672 2022-2023 Proprietary Support & Maintena	14,854.19	14,854.19**
8575 - Let's Think Wireless, LLC PO Box 628 Pine Brook NJ 07058	PO 2201457 2022 Maintenance of existing CCTV Camera	703.49	703.49**

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
914 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2300420 Electricity Bill 2023	4,835.30	4,835.30**
8438 - ROUTE 23 AUTO MALL 1301 RT 23 SOUTH BUTLER NJ 07405	PO 2300404 2023 Vehicle Maintenance and Part	177.98	177.98**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2300387 2023 Office Supplies	57.02	57.02**
8872 - VERIZON PO BOX 408 NEWARK NJ 07101-0408	PO 2300434 Upper Montclair Pay station Broadband Se	77.96	77.96**
955 - VERIZON BUSINESS PO Box 16801 Newark NJ 07101-6801	PO 2300433 2023 Landline/Wireless Monthly Service F	645.31	645.31**
Animal Control			
5645 - NJ DEPT OF HEALTH & SENIOR SRV INFECTIONS & ZONOTIC DISEASE PO BOX 369 TRENTON NJ 08625-0360	PO 2300800 MONTHLY DOG REPORT MARCH 2023	184.80	184.80**
Section 8			
5601 - W.B. MASON CO., INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2300720 BLANKET FOR YEAR 2023	0.95	0.95**

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
SEWER OPERATING			
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300223 R-1 -- BLANKET for Hardware Items from A	32.37	
			32.37**
TOTAL			----- 447,033.49

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

Total to be paid from Fund 01 CURRENT FUND	195,197.65
Total to be paid from Fund 03 DEDICATED TRUST	33,743.12
Total to be paid from Fund 04 CAPITAL	107,803.95
Total to be paid from Fund 06 Water Operating	37,914.15
Total to be paid from Fund 07 Water Capital	49,258.30
Total to be paid from Fund 09 PARKING UTILITY	22,898.20
Total to be paid from Fund 12 Animal Control	184.80
Total to be paid from Fund 16 Section 8	0.95
Total to be paid from Fund 22 SEWER OPERATING	32.37

	447,033.49

Checks Previously Disbursed

17516	PMA INSURANCE GROUP	PO# 2200409	Payments to Insurance Providers	4,620.00	3/23/2023
17517	THE AUBREY GROUP LLC	PO# 2300699		8,000.00	3/24/2023
17625	GARDEN STATE MUNICIPAL JIF	PO# 2300751		392,638.75	3/29/2023
3222301	PUBLIC SERVICE ELECTRIC & GAS		02/24/23 PSEG Recreation Bill Mast	15,487.56	3/22/2023
3242301	MONTCLAIR BOARD OF EDUCATION		BOW Capital Request - Parette Samo	2,300.00	3/24/2023
4032201	NORTH JERSEY DISTRICT WATER		2023-Q1 North Jersey District Wate	465,536.85	4/03/2023
4032301	DTCC		4.1.23 Debt Service Payment (Prin	308,050.00	4/03/2023
4032302	DTCC		4.1.23 Debt Service Payment (GO &	1,562,300.00	4/03/2023

List of Bills - (All Funds)

Meeting Date: 04/12/2023 For bills from 03/27/2023 to 04/06/2023

Paid to	Description	Payment	Check Total
5547825	MONTCLAIR BOARD OF EDUCATION	3/29/23 BOE Levy	5,200,000.00 3/29/2023
5547842	MONTCLAIR BOARD OF EDUCATION	4-4-23 BOE Levy	5,549,284.00 4/04/2023
32222302	PUBLIC SERVICE ELECTRIC & GAS	02.23.23 PSE&G Bill A/C 13-014-025	64,001.25 3/22/2023

			13,572,218.41

Totals by fund	Previous Checks/Voids	Current Payments	Total
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Fund 01 CURRENT FUND	12,796,331.56	195,197.65	12,991,529.21
Fund 03 DEDICATED TRUST		33,743.12	33,743.12
Fund 04 CAPITAL	2,300.00	107,803.95	110,103.95
Fund 06 Water Operating	773,586.85	37,914.15	811,501.00
Fund 07 Water Capital		49,258.30	49,258.30
Fund 09 PARKING UTILITY		22,898.20	22,898.20
Fund 12 Animal Control		184.80	184.80
Fund 16 Section 8		0.95	0.95
Fund 22 SEWER OPERATING		32.37	32.37
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BILLS LIST TOTALS	13,572,218.41	447,033.49	14,019,251.90
			=====



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Health Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the submission of a strategic plan for the Montclair Community Intervention Alliance Grant for fiscal year 2024 (Grant period: July 1, 2023-June 30, 2024)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Office of Information Technology

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing emergency purchase pursuant to N.J.S.A. 40A:11-6 to acquire goods and services for emergency repair of Township computer system

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Purchasing Office

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the use of competitive contracting to acquire goods and services for operation, Management or Administration of data processing services in connection with Township payroll, Human Resources Information System (HRIS) benefit, pension, time, and attendance, ACA compliance and other finance reporting services

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the use of competitive contracting for Consulting Services in connection with Township Professional Arborist

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution ratifying the emergency expenditure for the repair of the roadway on Bloomfield Avenue (at the intersection of Midland Avenue) due to a water main break

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution ratifying the emergency expenditure for the repair of a 6-inch main break on Glenridge Avenue (between Greenwood Avenue and North Willow Street)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution ratifying the emergency expenditure for the repair of a 12-inch water main break on Glenridge Avenue (between Greenwood Avenue and North Willow Street)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution awarding a fair and open contract to National Metering Services, Inc. for installation of water meters with Radio Frequency Meter Interface Units (RFMIU) (BID 23-04)

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Utilities

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution awarding contract for installation of water main bypass in Grove Street (near the Grove Street Pumping Station) with the PVWC-[BID #23-03]

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: April 12, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/APRIL 26, 2023 AGENDA ITEMS**

SUBJECT: Resolution accepting maintenance responsibility for new ADA curb ramps, signage, and crosswalk striping at the Watchung Avenue and Montclair Avenue intersection

ATTACHMENTS: