

A Regular Meeting of The Mayor and The Borough Council of The Borough of Glen Ridge was held on Monday, October 22, 2018 in the Council Chamber of The Municipal Building, Glen Ridge, New Jersey at 7:30 p. m.

Mayor Patrick led The Council and the citizens in attendance in a Salute to the Flag and read a prepared statement that adequate notice of this meeting has been provided to the public as required by statutes.

Present: Councilors Hughes, Lisovicz, Mans, Lefkovits, Murphy and Morrow

Absent: None

The following Borough Officers were in attendance: Chief Byron-Lagattuta and Borough Attorney Malyska.

It was moved by Councilor Lisovicz seconded by Councilor Lefkovits, that the Minutes of the Regular Meeting of The Mayor and Borough Council of The Borough of Glen Ridge that was held on Monday, October 9, 2018 be approved as submitted.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None		Murphy		None	
	Lisovicz	Morrow						
	Mans							

**Mayor Patrick presented the following proclamations:**

**WORLD POLIO DAY**

**WHEREAS**, Rotary International, founded on February 23, 1905 in Chicago, Illinois USA, is the world’s first and one of the largest non-profit service organizations; and

**WHEREAS**, there are over 1.2 million Rotary club members comprised of professional and business leaders in over 35,000 clubs in 200 countries and geographic areas; and

**WHEREAS**, the Rotary motto “Service Above Self” inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

**WHEREAS**, Rotary in 1985 launched Polio Plus and spearheaded the Global Polio Eradication Initiative, which today includes the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF and the Bill & Melinda Gates Foundation to immunize the children of the world against polio; and

**WHEREAS**, polio cases have dropped by 99.9 percent since 1988 and the world stands on the threshold of eradicating the disease; and

**WHEREAS**, to date, Rotary has contributed more than US\$1.7 billion and countless volunteer hours to the protection of more than two billion children in 122 countries; and

**WHEREAS**, Rotary is currently working to raise an additional \$150 million, which – if realized will be tripled by the Bill & Melinda Gates Foundation for a total of up to \$450 million over the next three years; and

**WHEREAS**, these efforts are providing much needed operational support, medical personnel, laboratory equipment and educational materials for health workers and parents; and

**WHEREAS**, in addition, Rotary has played a major role in decisions by donor governments to contribute more than \$8 billion to the effort; and

**WHEREAS**, the Rotary Club of Glen Ridge sponsors service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities and abroad.

**NOW THEREFORE**, I, Stuart K. Patrick, Mayor of the Borough of Glen Ridge do hereby proclaim October 22, 2018 as World Polio Day, and encourage all citizens to join myself and Rotary International in the fight for a polio-free world.

#### **Domestic Violence Awareness Month**

**WHEREAS**, home should be a place of warmth, unconditional love and tranquility; **and**

**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; **and**

**WHEREAS**, domestic violence is widespread and affects over 10 million Americans each year; **and**

**WHEREAS**, one in three American women and one in four American men have experienced some form of physical violence by an intimate partner in their lifetime; **and**

**WHEREAS**, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average and are more likely to become victims or offenders as adults; **and**

**WHEREAS**, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; **and**

**WHEREAS**, a coordinated community effort is an effective tool with which to stop this heinous crime; **and**

**WHEREAS**, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and shows support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

**NOW, THEREFORE**, in recognition of the important work done by domestic violence programs, I, Stuart K. Patrick, Mayor, do hereby proclaim the month of October as

### **DOMESTIC VIOLENCE AWARENESS MONTH**

in the Borough of Glen Ridge and urge our citizens to work together to eliminate domestic violence from our community.

#### **Mayor Patrick called for comments of the public.**

Mr. Ravi Mehotra of 192 Midland Avenue thanked the Mayor and Council for the proclamation on World Polio Day.

Ms. Kristen O'Neil of 63 Midland Avenue spoke in favor of installing a 100% cork-based turf field at Hurrell Field.

Mr. Jim O'Grady of 104 Clark Street spoke about the proposed ordinance extending the commuter parking area due to the required yellow curbs recently installed. Mr. O'Grady is in favor of reducing the number commuter parking spaces in order to ease up on congestion throughout the area.

Dr. James Lee Jr. of 532 Ridgewood Avenue would like the Borough to investigate the fiscal issue and how it relates to the prevention of injury associated with turf fields vs. grass fields when considering renovating the fields.

Mr. John Boyle of 24 Wildwood Terrace expressed this thoughts on Ms. O'Neils proposal. In response Councilor Murphy expressed his support of installing turf at Hurrell Field and Councilor Lefkovits and Hughes spoke in regards to the cost comparison and the outcomes of the previous referendums. Councilor Mans requests contact information for the members of the group in support of installing turf at Hurrell Field.

Ms. Beth Lowe of 65 Midland Avenue spoke to the urgency of turf installation to prevent injuries of the students using the fields for various activities. Her opinion is to not put the issue to vote by referendum and have council make the appropriate decision.

Ms. Sandra Lefkovits expressed her support of a referendum vote for turf installation and allow the council time to study the turf options.

Mr. Brad Lieber of 508 Belleville Avenue spoke in regards to the cost comparison of turf installation and practice schedule and availability of the fields.

Mr. James Carlion of 42 Hillside Avenue expressed his opinion of installing turf without a voter referendum.

Mr. John Murphy of 200 Linden spoke about the increased risk of injury in the absence of turf.

Ms. Beth Lowe approached the council with an analogy of pot holes and installing turf.

Mrs. Trevinen of 443 Ridgewood Avenue expressed his concerns of the impact of communicating the need for turf to the entire population in order to get an accurate vote at a referendum.

Glen Ridge Head Football Coach spoke of his experiences in other town who successfully installed turf and how it impacted the community.

Mr. Peter Seymour expressed his concern for members of the blind community accessing streets.

**RESOLUTION NO. 141-18**

Offered By Councilor **HUGHES**  
Seconded By Councilor **LISOVICZ**

**BE IT RESOLVED, that** the following **CLAIMS** be approved and WARRANTS be drawn for the same:

<b>CURRENT FUND</b>	<b>\$2,872,559.19</b>
<b>FEDERAL &amp; STATE GRANT FUND</b>	<b>\$666.76</b>
<b>GENERAL CAPITAL FUND</b>	<b>\$10,402.58</b>
<b>WATER OPERATING FUND</b>	<b>\$14,642.55</b>
<b>WATER CAPITAL FUND</b>	<b>\$1,200.00</b>
<b>POOL OPERATING FUND</b>	<b>\$1,642.35</b>
<b>POOL CAPITAL FUND</b>	<b>\$0.00</b>
<b>GENERAL TRUST FUND</b>	<b>\$404.78</b>
<b>PAYROLL AGENCY</b>	<b>\$25,991.11</b>
<b>STATE UNEMPLOYMENT INSURANCE TRUST FUND</b>	<b>\$0.00</b>
<b>DOG LICENSE / ANIMAL CONTROL TRUST FUND</b>	<b>\$0.00</b>

and, **BE IT RESOLVED**, that the Chief Financial Officer / Treasurer of The Borough of Glen Ridge is hereby authorized to issue the payroll for the Employees of the Borough of Glen Ridge for the Pay Dates of November 1, 2018.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None				None	
	Lisovicz	Murphy						
	Mans	Morrow						

**RESOLUTION NO. 142-18**

Offered By Councilor **LISOVICZ**  
 Seconded By Councilor **MURPHY**

**BE IT RESOLVED**, that in accordance with N.J.S.A. 33:74.1, et. seq., The Mayor & Borough Council approves The Division of Alcoholic Beverage Control application submitted by the Glen Ridge Athletic Association for a Social Affair Permit for a fundraiser to be held on November 17, 2018 at the Glen Ridge Train Station, 224 Ridgewood Avenue, Glen Ridge, N. J.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None				None	
	Lisovicz	Murphy						
	Mans	Morrow						

Ordinance No. **1694** entitled:

**“AN ORDINANCE AMENDING SECTION 10.35.030.B OF GLEN RIDGE CODE CHAPTER 10.35 ENTITLED "ON-STREET PARKING AREAS"**

was presented for final reading. The Ordinance title was read by Councilor Lisovicz. Municipal Clerk Rohal reported that the Ordinance has been published and posted as required by statutes. Mayor Patrick declared the meeting open for a public hearing on the Ordinance. No one wished to be heard on the Ordinance. Mayor Patrick declared the Public Hearing closed. It was moved by Councilor Lisovicz, seconded by Councilor Lefkovits that Ordinance No. **1694** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, and Morrow voting aye, Murphy abstaining and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None		Murphy		None	
	Lisovicz	Morrow						
	Mans							

Ordinance No. **1695** entitled:

**AN ORDINANCE OF THE BOROUGH OF GLEN RIDGE AMENDING CHAPTER 10.32, "PARKING RESTRICTIONS ON DESIGNATED STREETS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN RIDGE TO ADD A HANDICAPPED PARKING SPACE TO HILLSIDE AVENUE**

was presented for final reading. The Ordinance title was read by Councilor Lisovicz. Municipal Clerk Rohal reported that the Ordinance has been published and posted as required by statutes. Mayor Patrick declared the meeting open for a public hearing on the Ordinance. No one wished to be heard on the Ordinance. Mayor Patrick declared the Public Hearing closed. It was moved by Councilor Lisovicz, seconded by Councilor Lefkovits that Ordinance No. **1695** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, and Morrow voting aye, Murphy abstaining and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None		Murphy		None	
	Lisovicz	Morrow						
	Mans							

Councilor Lefkovits, Chairman of The Public Works Committee reported that Public Works Crews have been out preparing and maintaining the athletic fields for fall sports. In order to maintain the flow of storm water, the crews have been out vacuuming catch basins and removing silt built up in our cobblestone gutters. Additionally, the road crew replaced broken slate sidewalk slabs along Bloomfield Avenue.

Ordinance No. **1688** entitled:

**BOND ORDINANCE PROVIDING FOR THE PREPARATION AND IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN AND GIS MAPPING FOR THE WATER SYSTEM IN AND BY THE BOROUGH OF GLEN RIDGE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**

was presented for final reading. The Ordinance title was read by Councilor Lefkovits. Municipal Clerk Rohal reported that the Ordinance has been published and posted as required by statutes. Mayor Patrick declared the meeting open for a public hearing on the Ordinance. No one wished to be heard on the Ordinance. Mayor Patrick declared

the Public Hearing closed. It was moved by Councilor Lefkovits, seconded by Councilor Mans that Ordinance No. **1688** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, and Morrow voting aye, Murphy abstaining and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None		Murphy		None	
	Lisovicz	Morrow						
	Mans							

**RESOLUTION NO. 143 – 18**

Offered By Counselor **LEFKOVITS**  
 Seconded By Counselor **MORROW**

**WHEREAS**, The Borough Of Glen Ridge sought the removal of Borough trees & stump grinding; **and**,

**WHEREAS**, that in accordance with N.J.S.A. 40A:11, et. seq., The Borough Of Glen Ridge used a fair and competitive process to solicit proposals for the aforesated service; **and**,

**WHEREAS**, on October 18, 2018 **Eli Timberland Tree Services**, of PO Box 2272, Livingston, NJ 07039 submitted the lowest responsible base proposal in the amount of **\$29,600.00**.

**NOW, THEREFORE, BE IT RESOLVED** by The Mayor and Council of the Borough of Glen Ridge that **Eli Timberland Tree Services** be awarded the 2018 Tree Removal & Stump Grinding Contract; **and**,

**BE IT FURTHER RESOLVED**, that the Administrator and Deputy Administrator are hereby authorized to sign the contract documents necessary to effectuate the award of this contract.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None				None	
	Lisovicz	Murphy						
	Mans	Morrow						

**RESOLUTION NO. 144-18**

Offered By Councilor **MORROW**  
 Seconded By Councilor **MURPHY**

Approving and Authorizing a Settlement Agreement between the Borough of Glen Ridge  
and  
Fair Share Housing Center, Regarding the Matters Entitled

Glen Ridge Developers, LLC, vs. Borough of Glen Ridge, et al.  
Superior Court of the State of New Jersey  
Law Division/Essex County  
Docket No. ESX-L-5308-15;

and

In all Declaratory Judgment Actions filed by Various Municipalities, County  
of Essex, Pursuant to the Supreme Court's Decision in *In re Adoption of*  
*N.J.A.C. 5:96*, 221 N.J. 1 (2015)  
Superior Court of the State of New Jersey, Law Division/Essex County  
Docket No. ESX-L-4173-15; and

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court decided *In re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015) ("**Mount Laurel IV**") which terminated the jurisdiction of the New Jersey Council on Affordable Housing ("COAH") to administer and approve municipalities' affordable housing plans, determined that the New Jersey courts would reassert primary jurisdiction over the same and directed interested municipalities to petition the appropriate New Jersey court for immunity while constitutionally compliant housing plans were prepared;

**WHEREAS**, on July 27, 2015, Glen Ridge Developers, LLC (the "**Builder**") commenced the aforementioned litigation pending under Docket No. ESX-L-5308-15 (the "**Builder's Remedy Litigation**") against Glen Ridge Borough and the Glen Ridge Planning Board;

**WHEREAS**, the Builder's Remedy Litigation seeks to develop an inclusionary rental project, to be known as Clarus Glen Ridge, on approximately 2.1 contiguous acres designated as Tax Block 72/Lot 2 (a/k/a 283 Baldwin Street), Tax Block 72/Lot 3 (a/k/a 277 Baldwin Street), Tax Block 72/Lot 4 (a/k/a 273 Baldwin Street), Tax Block 72/Lot 9 (a/k/a 275 Baldwin Street) and Tax Block 72/Lot 10 (a/k/a 289 Baldwin Street), all to be consolidated as Tax Block 72, Lot 3, and all in Glen Ridge, Essex County, New Jersey (collectively, the "**Baldwin Street Properties**") and Builder is the owner of all of the parcels comprising the Baldwin Street Properties; and

**WHEREAS**, on the commencement date of the Builder's Remedy Litigation, the aforementioned litigation bearing Docket No. ESX-L-4173-15 (the "**Essex County Declaratory Judgment Action**") was independently pending; and

**WHEREAS**, the Essex County Declaratory Judgment Action had been commenced by various Essex County municipalities (other than Glen Ridge) in response to the New Jersey Supreme Court's directive in Mount Laurel IV and sought a declaration



that such municipalities were in compliance with the obligations required by the Fair Housing Act of 1985, N.J.S.A. 53:27D-301 *et seq.*, in accordance with Mount Laurel IV, the aforesaid obligations hereinafter collectively the “**Mount Laurel Doctrine**”; and

**WHEREAS**, by Order dated March 7, 2016, the adjudicating court formally classified the Builder’s Remedy Litigation as a “builder’s remedy” proceeding and consolidated it with the Essex County Declaratory Judgment Action for the limited purpose of determining Glen Ridge Borough’s fair share obligation of low and moderate income housing only; and

**WHEREAS**, Fair Share Housing Center (“**FSHC**”) has been deemed an interested party intervener in both the Builder’s Remedy Litigation and the Essex County Declaratory Judgment Action; and

**WHEREAS**, the Builder and Glen Ridge have settled the Builder’s Remedy Litigation as authorized by Resolution 131-18 adopted on September 24, 2018; and

**WHEREAS**, the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households; and

**WHEREAS**, in furtherance of the foregoing, the Borough and FSHC have themselves agreed to settle the Essex County Declaratory Judgment Action as it relates to Glen Ridge by entering into the attached Settlement Agreement (the “**Agreement**”) and requesting that the Superior Court, Essex County, find that such Agreement, and the approach to meeting the Borough’s Prior Round (1987-1999) and Third Round (1999-2025) Mount Laurel obligations, as detailed therein (including the details relating to the settlement of the Builder’s Remedy Litigation), are fair to the interests of lower-income New Jerseyans and entitle the Borough to protection from Mount Laurel litigation until July 6, 2025, from the Order entered by the court approving this Settlement Agreement; and

**WHEREAS**, all parties recognize that this Agreement must be reviewed by the court in accordance with the requirements of Morris County Fair Housing Council v. Boonton Borough, 197 N.J. Super. 369, 364 (Law Div. 1984), *aff’d o.b.*, 209 N.J. Super. 108 (App. Div. 1986) and East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328 (App. Div. 1996), and that, in order to approve the settlement, the court must find that it adequately protects the interests of lower-income persons for whom the affordable units proposed by the settlement are to be built; and

**WHEREAS**, the Borough has identified, or will, identify specific sites and mechanisms that present a realistic opportunity for the development of housing affordable to lower-income households, including families, people with special needs and very-low-income households including very-low-income families; and

**WHEREAS**, at this time and at this particular point in the process resulting from the Supreme Court’s Mount Laurel IV decision, when fair share obligations have yet to be definitively determined it is appropriate for the parties to arrive at a settlement of those obligations using a mutually agreed upon process for determining those obligations in the context of a settlement rather than litigating a full resolution of those obligations.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Glen Ridge, County of Essex, State of New Jersey, that

1. Glen Ridge hereby approves the Settlement Agreement between the Borough of Glen Ridge and Fair Share Housing Center in the form attached hereto, subject to final review and approval by the Borough Attorney; and
2. That the Mayor and the Borough Clerk are authorized to execute this Agreement on behalf of the Borough of Glen Ridge.
3. The Borough Attorney is authorized to present the Agreement for review and approval by the Superior Court of New Jersey, upon notice to all interested parties.
4. This Resolution shall take effect immediately.

RECORDED VOTE:	Ayes		Nays		Abstained		Absent	
(Insert last name)	Hughes	Lefkovits	None				None	
	Lisovicz	Murphy						
	Mans	Morrow						

Borough Administrator reported the Dept. of Transportation has begun the restoration of the Bridge on Bloomfield Avenue at the Glen Ridge Montclair border and residents should be aware of traffic changes during construction.

Lt. Timothy Faranda reported on behalf of Chief Byron-Lagattuta. He thanked the Mayor and Council for swearing in the Police Departments newest member tonight before the council meeting.

Mayor Patrick called for comments of the public. No comments were made.

It was moved by Councilor Hughes, seconded by Councilor Morrow that this meeting be adjourned. The Motion was adopted by an aye and no vote.

Mayor Patrick declared that this meeting is hereby adjourned.

The Council adjourned at 9:04 p. m.

Michael J. Rohal

*Michael J. Rohal*  
Municipal Clerk