A Regular Meeting of The Mayor and The Borough Council of The Borough of Glen Ridge was held on Monday, September 24, 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 Morrow seconded by Councilor Murphy, that the Minutes of the Regular Meeting of The Mayor and Borough Council of The Borough of Glen Ridge that was held on Monday, August 13, 2018 and September 10, 2018 be approved as submitted.

August 13, 2018

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

September 10, 2018

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

Mayor Patrick called for the written communications.

A notice from NJ Transit regarding service and scheduling adjustments effective October 14, 2018.

A notice from Passaic Valley Sewerage Commission with regards to the Public Hearing for the City of Newark's appeal to the assessment of third and fourth quarter user charges for 2018.

A letter from Robert Kasuba, Esq., representative of Glen Ridge Developers, requesting the Borough to designate the Entity as the redeveloper of the Baldwin Street Redevelopment Area.

Mayor Patrick called for comments of the public.

No comments were made.

RESOLUTION NO. 122-18

Offered	By Councilor	<u>HUGHES</u>
Seconded	By Councilor	LISOVICZ

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

CURRENT FUND	\$201,352.08
FEDERAL & STATE GRANT FUND	\$4,346.66
GENERAL CAPITAL FUND	\$5,015.75
WATER OPERATING FUND	\$19,830.56
WATER CAPITAL FUND	\$0.00
POOL OPERATING FUND	\$4,475.35
POOL CAPITAL FUND	\$0.00
GENERAL TRUST FUND	\$0.00
PAYROLL AGENCY	\$15,815.01
STATE UNEMPLOYMENT INSURANCE TRUST FUND	\$0.00
DOG LICENSE / ANIMAL CONTROL TRUST	,
FUND	\$0.00
TAX TITLE LIEN REDEMPTION FUND	\$0.00

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 October 1, 2018.

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

Ordinance No. 1685 entitled:

An Ordinance to Rescind Chapter 2.20 Joint Municipal Tax Assessor was presented for final reading. The Ordinance title was read by Councilor Hughes. 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 Hughes, seconded by Councilor Lisovicz that Ordinance No. **1685** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, Murphy and Morrow voting aye and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

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

Ordinance No. 1686 entitled:

AN ORDINANCE ESTABLISHING TITLES FOR NON-UNION AND OTHER EMPLOYEES OF THE BOROUGH OF GLEN RIDGE AND FIXING THE 2018 MAXIMUM ANNUAL SALARIES AND OTHER COMPENSATIONS FOR THOSE TITLES

was presented for final reading. The Ordinance title was read by Councilor Hughes. 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 Hughes, seconded by Councilor Lisovicz that Ordinance No. **1686** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, Murphy and Morrow voting aye and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

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

Ordinance No. 1687 entitled:

AN ORDINANCE ESTABLISHING TITLES FOR EMPLOYEES OF THE BOROUGH OF GLEN RIDGE FIXING THE MAXIMUM SALARIES AND OTHER COMPENSATIONS FOR THOSE TITLES

was presented for final reading. The Ordinance title was read by Councilor Hughes. 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 Hughes, seconded by Councilor Lisovicz that Ordinance No. **1687** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, Murphy and Morrow voting aye and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

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

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

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

Ordinance No. 1689 entitled:

BOND ORDINANCE PROVIDING FOR THE PREPARATION AND IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN FOR THE SANITARY SEWER COLLECTION 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 Hughes. 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 Hughes, seconded by Councilor Lisovicz that Ordinance No. **1689** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Lefkovits, Murphy and Morrow voting aye, noes none and Mans abstaining. Mayor Patrick declared that this Ordinance is finally adopted.

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

Ordinance No. 1690 entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER SYSTEM IN AND BY THE BOROUGH OF GLEN RIDGE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$2,380,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,380,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

was presented for final reading. The Ordinance title was read by Councilor Hughes. 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 Hughes, seconded by Councilor Lisovicz that Ordinance No. **1690** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Lefkovits, Murphy and Morrow voting aye, noes none and Mans abstaining. Mayor Patrick declared that this Ordinance is finally adopted.

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

Ordinance No. 1691 entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS SANITARY SEWER IMPROVEMENTS IN AND BY THE BOROUGH OF GLEN RIDGE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,920,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,920,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

was presented for final reading. The Ordinance title was read by Councilor Hughes. 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 Hughes, seconded by Councilor Lefkovits that Ordinance No. **1691** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Lefkovits, Murphy and Morrow voting aye, noes none and Mans abstaining. Mayor Patrick declared that this Ordinance is finally adopted.

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

RESOLUTION NO. <u>123 - 18</u>

Offered	By	Counselor	<u>HUGHES</u>
Seconded	Вy	Counselor	LISOVICZ

WHEREAS, Ordinance No. 1686, an Ordinance adopted September 24, 2018 adopted titles for the exempt employees of The Borough Of Glen Ridge and fixed maximum salaries and other compensations for those titles.

NOW, THEREFORE, BE IT RESOLVED, by The Mayor and Council of The Borough Of Glen Ridge, that the following positions shall receive the listed compensations for the year 2018, or until revised by Ordinance or Resolution, as follows:

DEPARTMENT TITLE MAXIMUM ANNUAL SALARY

A. ADMINISTRATIVE & EXECUTIVE

1.	Borough Administrator/Clerk/Engineer/QPA/CPWM	\$ 107,485.51
	Emergency Management Coordinator	\$ 2,163.78
	Water Utility Administrator of Accounts	\$ 53,744.92

Total		\$ 163,394.21
. 2. Assistant to the Administrator		\$ 52,549.92
Office Supervisor	\$	2,524.23
Deputy Clerk	\$	5,000.00
Deputy Registrar	\$	2,474.74
Total	\$	62,548.20
D. FINANCE DEPARTMENT		
1. Chief Financial Officer/Treasurer	\$	4,993.92
D. ASSESSMENT OF TAXES		
1. Assessor	\$	35,993.04
E. COLLECTION OF TAXES AND WATER		
UTILITY RENTS		
1. Tax/Water Utility Rents Collector		\$ 79,322.79
F. PUBLIC WORKS DEPARTMENT / PLANNING / INSPECTIO	NS	
1. Director of Development & Planning/Deputy Administrator	r	\$ 120,691.18
. Deputy Borough Administrator (Stipend)		\$ 15,360.79
Total		\$ 136,051.97
2. Public Works Supervisor	\$	88,932.63
Longevity	\$	8,893.26
Stipends & Merit Step	\$	1,800.00
T -4-1	ф	00.005.00
	\$	99,625.89
3. Technical Administrative Assistant	\$	47,697.37
4 Construction Official/Building Subcode Official & Inspecto	or\$	45,900.00

	5. Plumbing Subcode Official/Inspector	\$ 23,614.34
	6. Electrical Subcode Official/ Inspector	\$ 23,614.34
G.	MUNICIPAL COURT	
	1. Judge	\$ 34,118.27
	2. Court Administrator	\$ 70,000.00
	Longevity	\$ 5,600.00
	Total	\$ 75,600.00
	3. Municipal Prosecutor	\$ 25,112.43
	4. Public Defender	\$ 5,953.37
Н.	PUBLIC SAFETY DEPARTMENT	
	1. Captain	\$ 145,677.00
	Longevity	\$ 5,827.08
	Education Stipend	\$ 1,525.00
	Clothing Allowance	\$ 1,300.00
	Total	\$ 154,329.08
	2. Lieutenant	\$ 138,740.00
	Longevity	\$ 5,549.60
	Education Stipend	\$ 1,225.00
	Clothing Allowance	\$ 1,300.00
	Total	\$ 146,814.60
	3. Confidential Assistant	\$ 42,734.43

I. RECREATION

1.	Recreation Director	\$ 86,567.03
2.	Recreation Supervisor	\$ 36,720.00

SECTION 1. The rates of compensation or salaries herein above fixed for the various titles named shall be considered to be the maximum rate in effect as of January 1, 2018, and shall remain in effect until amended or supplemented by Ordinance. Said compensation or salaries shall be paid in semi-monthly installments.

SECTION 2. Officers and employees of The Borough of Glen Ridge may also be eligible for one-time payments for past service or performance. The officer or employee, the job title, and the one-time payment amount will appear on an authorizing resolution, which must be adopted by a majority vote of the Borough Council. Said payment is to be made in a lump sum and does not become part of the employee's Annual Base Salary.

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

RESOLUTION NO. <u>124 - 18</u>

Offered	By	Counselor	HUGH	<u>IES</u>
Seconded	By	Counselor	LISO	VICZ

- WHEREAS, Ordinance No. 1686, an Ordinance adopted September 24, 2018 adopted titles for the exempt employees of The Borough Of Glen Ridge and fixed maximum salaries and other compensations for those titles.
- **NOW, THEREFORE, BE IT RESOLVED,** by The Mayor and Council of The Borough Of Glen Ridge, that the following positions shall receive the listed compensations for the year 2018, or until revised by Ordinance or Resolution, as follows:

PUBLIC SAFETY DEPARTMENT

1. Crossing Guard	\$14.75/hr.
2. Crossing Guards working at Post 1	\$15.75/hr.

SECTION 1. The rates of compensation or salaries herein above fixed for the various titles named shall be considered to be the maximum rate in effect as of September 1, 2018, and shall remain in effect until amended or supplemented by Ordinance. Said compensation or salaries shall be paid in semi-monthly installments.

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

Ordinance No. 1692 entitled:

AN ORDINANCE TO AMEND CHAPTER 10.32 PARKING RESTRICTIONS ON DESIGNATED STREETS

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 Murphy that Ordinance No. **1692** be finally adopted. The Motion was adopted by an aye and no vote; Councilors Hughes, Lisovicz, Mans, Lefkovits, Murphy and Morrow voting aye and noes none. Mayor Patrick declared that this Ordinance is finally adopted.

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

RESOLUTION NO. <u>125 - 18</u>

Offered	By Counselor	<u>LISOVICZ</u>
Seconded	By Counselor	MURPHY

BE IT RESOLVED, that The Mayors' appointment of **Chaz Nguyen** as a **POLICE OFFICER** be and the same is hereby approved and confirmed effective September 17, 2018.

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

RESOLUTION NO. <u>126 - 18</u>

Offered By Councilperson LISOVICZ Seconded By Councilperson MURPHY

BE IT RESOLVED, that the Mayor's appointment of Michael J. Rohal

as the Borough's Emergency Management Coordinator for a three (3) year term effective November 23, 2018 is hereby approved and confirmed.

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

RESOLUTION NO. <u>127 - 18</u>

Offered	By Counselor	LISOVICZ
Seconded	By Counselor	LEFKOVITS

WHEREAS, The Borough Of Glen Ridge has a need to acquire consultant services for the N.J.S.A.C.O.P. Accreditation of the Police Department as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; **and**,

WHEREAS, *The Rodgers Group* has submitted a proposal indicating they will provide the consultant services not to exceed \$39,900.00; **and**,

WHEREAS, *The Rodgers Group* has completed and submitted a Business Entity Disclosure Certification which certifies that *The Rodgers Group* has not made any reportable contributions to a political or candidate committee in The Borough Of Glen Ridge in the previous one year, and that the contract will prohibit *The Rodgers Group* from making any reportable contributions through the term of the contract; **and**,

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that The Borough Of Glen Ridge authorizes the Borough Administrator to enter into a contract with The Rogers Group as described herein; **and**,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; **and**,

BE IT FURTHER RESOLVED, that a notice of the adoption of this Resolution shall be published in The Glen Ridge Paper.

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

RESOLUTION NO. 128 - 18

Offered By Counselor LISOVICZ Seconded By Counselor MURPHY

- WHEREAS, the Mayor and Borough Council considers public safety one of its most important responsibilities; and
- **WHEREAS**, the safe and efficient movement of traffic is a key element of public safety for residents and visitors; and
- WHEREAS, there have been 99 accidents at Bay Avenue and Ridgewood Avenue over a nineyear period; and
- WHEREAS, at least 26 accidents were caused by a driver not seeing the red light; and
- WHEREAS, during the same period there were 50 accidents at Washington Avenue and Ridgewood Avenue; and
- WHEREAS, 23 accidents were caused by a driver not seeing the red light; and
- Whereas, The Borough of Glen Ridge contains a National, State and Locally designated Historic Preservation District and the Mayor and Council strive to make all traffic safety improvements implemented in a historically sensitive manner; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the Borough of Glen Ridge hereby requests the County of Essex to implement safety upgrades to the traffic signals at both locations.

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

RESOLUTION NO. 129 - 18

Offered	By Councilor	LISOVICZ
Seconde	d By Councilor	HUGHES

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 Congregational Church for a Social Affair Permit for the Chili Cookoff event to be held on October 7, 2018 at The Glen Ridge Congregational Church, Glen Ridge, N. J.

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

Councilor Lefkovits, Chair of the Public Works Committee reported that Public Works crews have been out preparing and maintaining the athletic fields per the fall sports schedule. They have also been cleaning tree debris and catch basins. The staff has been working with the Borough Forester and Shade Tree Commission. The fall tree removal contract is out to bid. Additionally, the tree planting project is out to bid as well. We anticipate having seventy new trees planted by Fall's end.

Councilor Murphy, Chair of the Parks and Recreation Committee reported the Freeman Tennis courts will remain open through October – weather permitting. Hurrell Field and Carteret Field are both showing signs of wear and tear this sports season. The Singer Songwriter series will start up again on September 28th at the Glen Ridge Train Station and will once again feature local musicians. Lastly, information on the Glen Ridge Seniors programs can be obtained by calling the Recreation Office at 973-748-2924.

RESOLUTION NO. 130-18

Offered	By	Councilor	MORROW
Seconded	By	Councilor	<u>MURPHY</u>

WHEREAS, the following matter (the "Essex County Declaratory Judgment Action") has been pending in the Superior Court of the State of New Jersey, Law Division/Essex County:

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)

Docket No. ESX-L-4173-15; and

WHEREAS, the Essex County Declaratory Judgment Action was commenced by various Essex County municipalities (other than Glen Ridge) in response to the New Jersey Supreme Court's decision in *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 Council on Affordable Housing's jurisdiction to administer and approve municipalities' affordable housing plans and determined that the New Jersey

courts would reassert primary jurisdiction over the same, said various Essex County municipalities (other than Glen Ridge) seeking a declaration in the Essex County Declaratory Judgment Action 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, and entered by the court in the related matter

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,

the adjudicating court classified the above litigation as a "builder's remedy" proceeding and consolidated it with the Essex County Declaratory Judgment Action, thereby making Glen Ridge Borough a party thereto for the limited purpose of determining Glen Ridge Borough's fair share obligation of very low, low and moderate income housing only; and

WHEREAS, by Order dated March 7, 2016, Elizabeth McKenzie was court-appointed to serve as Special Master (the "**Special Master**") for Glen Ridge Borough in the Essex County Declaratory Judgment Action, as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS. on multiple occasions, Glen Ridge Borough and interested party Fair Share Housing Center ("**FSHC**") appeared before Judge Robert H. Gardner, J.S.C., in the Essex County Declaratory Judgment Action and also participated in the court-ordered mediation process with the Special Master; and

WHEREAS, Glen Ridge Borough hopes to enter into an amicable settlement agreement with the FSHC so as to amicably resolve Glen Ridge Borough's broader obligations under the Mount Laurel Doctrine; and

WHEREAS, in furtherance of the foregoing, Glen Ridge Borough engaged a consulting planner to prepare a borough-wide Housing Element and Fair Share Plan (the "**Borough-wide Housing Element and Fair Share Plan**"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Special Master has given her preliminary approval of the Borough-wide Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-I3, the Glen Ridge Planning Board held a public hearing on the Borough-wide Housing Element and Fair Share Plan on August 15, 2018 and adopted the Borough-wide Housing Element and Fair Share Plan on that same day; and

WHEREAS in an attempt to arrive at a settlement of its Mount Laurel obligations, the Mayor and Council of Glen Ridge Borough now seek to adopt the Borough-wide Housing Element and Fair Share Plan (and to hereafter amend to the extent necessary) to satisfy its "fair share" of the regional need for very low, low and moderate income housing pursuant to the "Mount Laurel doctrine", with the hope that such plan may be presented to the appropriate court with jurisdiction for review and approval, Glen Ridge Borough recognizing that the such Borough-wide Housing Element and Fair Share Plan must be reviewed by the court at a fairness hearing (the "**Fairness Hearing**") in accordance with the requirements of *Morris County Fair Housing Council v. Boonton Township*, 197 N.J. Super. 359, 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 such plan, the Court must find that it adequately protects the interests of lower-income persons for whom the affordable units proposed by the plan are intended; and

WHEREAS, upon its approval by the Mayor and Council, the Borough-wide Housing Element and Fair Share Plan will be hereafter presented to FSHC for its approval; and

WHEREAS, as part of the Fairness Hearing Glen Ridge Borough will simultaneously seek a protective order providing Glen Ridge Borough immunity from all exclusionary zoning lawsuits through 2025; and

WHEREAS, the Mayor and Council of Glen Ridge Borough endorse the Borough-wide Housing Element and Fair Share Plan and wish to seek approval of the Borough-wide Housing Element and Fair Share Plan from the Court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Glen Ridge, County of Essex, New Jersey as follows:

- 1. That it hereby endorses the Borough-wide Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, as adopted by the Glen Ridge Planning Board on August 15, 2018.
- 2. That it authorizes and directs its professionals to file with the Court (i) the Borough-wide Housing Element and Fair Share Plan, (ii) the resolution the Borough of Glen Ridge Mayor and Council endorsing the Borough-wide Housing Element and Fair Share Plan and (iii) any additional documents the representatives deem necessary or desirable.
- 3. That it authorizes its professionals to seek Court approval of the Borough-wide Housing Element and Fair Share Plan at a properly noticed Fairness Hearing.
- 4. That it reserves the right to amend the Borough-wide Housing Element and Fair Share Plan, should that be necessary.

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

RESOLUTION NO. 131-18

Offered By Councilor MORROW Seconded By Councilor LISOVICZ

WHEREAS, on July 27, 2015, Glen Ridge Developers, LLC (the "Builder") commenced a builder's remedy lawsuit (the "Baldwin Street Litigation") against Glen Ridge Borough and the Glen Ridge Planning Board in the Superior Court of New Jersey, Law Division, Essex County, under Docket No. ESX-L-5308-15, involving the 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**");

WHEREAS, on the commencement date of the Baldwin Street Litigation, the following matter (the "**Essex County Declaratory Judgment Action**") was independently pending:

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, 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 decision in *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 Council on Affordable Housing's jurisdiction to administer and approve municipalities' affordable housing plans and determined that the New Jersey courts would reassert primary jurisdiction over the same, said various Essex County municipalities (other than Glen Ridge) seeking a declaration in the Essex County Declaratory Judgment Action 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 classified the Baldwin Street 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 very low, low and moderate income housing only; and

WHEREAS, by Order dated March 7, 2016, Elizabeth McKenzie was court-appointed to serve as Special Master (the "**Special Master**") for Glen Ridge Borough and the Builder in both the Baldwin Street Litigation and the Essex County Declaratory Judgment Action; and

WHEREAS, as it relates to Glen Ridge Borough and the Builder:

WHEREAS, on multiple occasions, Glen Ridge Borough and the Builder appeared before Judge Robert H. Gardner, J.S.C., in the Essex County Declaratory Judgment Action and also participated in the court-ordered mediation process with the Special Master; and

WHEREAS, pursuant to the terms successfully negotiated by Glen Ridge Borough and the Builder through the court-ordered mediation process with the Special Master, Glen Ridge Borough and the Builder have agreed to settle the Baldwin Street Litigation premised upon the Builder's securing the right to construct 110 residential rental units on the Baldwin Street Properties, including a set-aside of approximately fifteen percent (15%) of the units (that is, 17 rental units) affordable to the region's very low, low and moderate income households in accordance with Uniform Housing Affordability Controls, <u>N.J.A.C.</u> 5:80-26.1 *et seq.* ("UHAC") and other applicable laws, together with a garage facility providing 188 parking spaces to be built thereon (the "Inclusionary Development"), the terms and conditions of the foregoing settlement being substantially in the form set forth on Exhibit A attached hereto (the "Settlement Agreement"); and

WHEREAS, to ensure that the Inclusionary Development generates affordable housing credits to be applied to Glen Ridge Borough's affordable housing obligations, the affordable units within the Inclusionary Development shall be developed in accordance with UHAC and shall be deed restricted for a period of at least 30 years from the date of the first occupancy of an affordable unit until Glen Ridge Borough takes action to release the affordability controls; and

WHEREAS, the terms and conditions of the Settlement Agreement have been approved and recommended by the Special Master; and

WHEREAS, Glen Ridge Borough hopes to also enter into an amicable settlement agreement with the Fair Share Housing Center ("**FSHC**") on terms to be approved and recommended by the Special Master, which is intended to amicably resolve Glen Ridge Borough's broader obligations under the Mount Laurel Doctrine; and

WHEREAS, Glen Ridge Borough and the Builder have agreed to present the Settlement Agreement to Judge Robert H. Gardner, J.S.C. (or other court with jurisdiction) in the Baldwin Street Litigation for review, the parties recognizing that the Settlement Agreement must be reviewed by the court at a fairness hearing (the "Fairness Hearing") in accordance with the requirements of *Morris County Fair Housing Council v. Boonton Township*, 197 N.J. Super. 359, 364 (Law Div. 1984), aff'd o.b., 209 <u>N.J. Super</u>. 108 (App. Div. 1986) and *East/West Venture v. Borough of Fort Lee*, 286 <u>N.J. Super</u>. 311, 328 (App. Div. 1996), and that, in order to approve this Agreement, the Court must find that it adequately protects the interests of lower-income persons for whom the affordable units proposed by this Agreement are to be built; and

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Ridge, County of Essex, State of New Jersey, as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute the Settlement Agreement in the form annexed hereto, subject to non-substantive changes recommended and agreed to by Glen Ridge's counsel.

The Borough Clerk is directed to forward two (2) executed copies of the Redevelopment Agreement to the Borough Attorney so that he may retain one (1) copy for his records and forward one (1) copy to counsel for the Redeveloper.

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

RESOLUTION NO. 132-18

Offered By Councilor MORROW Seconded By Councilor LISOVICZ

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF GLEN RIDGE, COUNTY OF ESSEX, STATE OF NEW JERSEY DESIGNATING GLEN RIDGE DEVELOPERS URBAN RENEWAL ENTITY LLC AS THE REDEVELOPER OF BLOCK 72, LOTS 2, 3, 4, 9 and 10 (TO BE HEREAFTER CONSOLIDATED AS BLOCK 72, LOT 3).

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") The Borough Of Glen Ridge (the "Borough") designated as Block 72, Lots 2, 3, 4, 9 and 10 as an "area in need of redevelopment" by way of Resolution approved on October 10, 2017; and

WHEREAS, the Borough adopted an ordinance on July 16, 2018, approving a redevelopment plan entitled the "Baldwin Street Redevelopment Plan as Amended" for

certain properties within The Borough pursuant to the Redevelopment Law, located at Block 72, Lots 2, 3, 4, 9 and 10 (to be hereafter consolidated as Block 72, Lot 3); and

WHEREAS, Glen Ridge Developers, LLC, or its privy GlenRidge ReDevelopers Urban Renewal Entity LLC (an entity sharing common ownership with Glen Ridge Developers, LLC) is the owner of the properties located at Block 72, Lots 2, 3, 4, 9 and 10 (to be hereafter consolidated as Block 72, Lot 3), which is located within the redevelopment area; and

WHEREAS, the Borough's Mayor and Council have determined that it is in the best interest of The Borough to designate GlenRidge ReDevelopers Urban Renewal Entity LLC and/or its assigns as permitted by the Borough as the redeveloper of Block 72, Lots 2, 3, 4, 9 and 10 (to be hereafter consolidated as Block 72, Lot 3) and that the development of the site is subject to all the requirements of the Redevelopment Law and the Redevelopment Plan, including but not limited to the execution of a redevelopment agreement between the Borough and GlenRidge ReDevelopers Urban Renewal Entity LLC, and/or its assigns as permitted by the Borough; and

WHEREAS, GlenRidge ReDevelopers Urban Renewal Entity LLC by letter dated September 21, 2018 has requested that the Borough Council designate said entity as redeveloper for the Baldwin Street Redevelopment Plan as Amended (the "<u>Redevelopment Site</u>"), for the purpose of developing an apartment complex and parking structure; and

WHEREAS, GlenRidge ReDevelopers Urban Renewal Entity LLC has demonstrated that it has the resources and personnel to implement the Plan.

NOW, THEREFORE, BE IT RESOLVED, by The Mayor and Council of the Borough Of Glen Ridge that the Borough designates GlenRidge ReDevelopers Urban Renewal Entity LLC as the redevelopment entity to redevelop the Redevelopment Site for the purposes set forth in the Plan, subject to the following conditions:

A Redevelopment Agreement is executed by all parties no later than 90 days after the Resolution designating the Redeveloper is adopted by the Borough Council.

The above "WHEREAS" paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

GlenRidge ReDevelopers Urban Renewal Entity LLC and/or its assigns as permitted by the Borough is hereby designated as the redeveloper of Block 72, Lots 2, 3, 4, 9 and 10 (to be hereafter consolidated as Block 72, Lot 3), subject to the provisions of the Redevelopment Law, the Redevelopment Plan, and the Redevelopment Agreement to be concluded between the developer and the Borough Council, acting as the redevelopment entity. If any part(s) of this resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this Resolution.

All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

The Mayor and Borough Clerk are hereby authorized to execute the Redevelopment Agreement in the form annexed hereto

This Resolution shall take effect in accordance with applicable law.

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

RESOLUTION NO. 133-18

Offered	By	Councilor	MORROW
Seconded	By	Councilor	LISOVICZ

RESOLUTION AUTHORIZING MAYOR AND BOROUGH CLERK TO THE EXECUTE A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE BOROUGH OF GLEN RIDGE AND GlenRidge ReDevelopers Urban Renewal Entity LLC

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, on May 22, 2017, the Borough Council of the Borough of Glen Ridge adopted Resolution No. 79-17 which authorized the Borough of Glen Ridge Planning Board (the "Board") to undertake a preliminary investigation to determine whether or not certain lands should be designated as an "Area in Need of Redevelopment" in accordance with N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"); and

WHEREAS, the study area consists of Block 72, Lots 2, 3, 4, 9 and 10 which encompasses approximately 2.1 acres on Baldwin Street (the "Study Area").

WHEREAS, after the conclusion of the public hearing before the Board described above, the Board adopted, on September 27, 2017 (the "Board Resolution") finding and concluding that Block 72, Lots 2, 3, 4, 9 and 10 of the Study Area should be designated as a "non-condemnation" area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on October 10, 2017, the Borough Council adopted Resolution No. 130-17 which designated Block 72, Lots 2, 3, 4, 9 and 10 as a "non-condemnation" area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6 of the Redevelopment Law and directed the Board to prepare a Redevelopment Plan for Block 72, Lots 2, 3, 4, 9 and 10 pursuant to N.J.S.A. 40A:12A-7.f of the Redevelopment Law; and

WHEREAS, on June 20, 2018, the Board recommended adoption of the Baldwin Street Redevelopment Plan as Amended Ordinance to the Borough Council by Resolution; and

WHEREAS, the Borough Council of the Borough of Glen Ridge adopted Ordinance No. 1684 on July 16, 2018 approving a Redevelopment Plan for the Baldwin Street Properties in accordance with N.J.S.A. 40A:12A-7 (the "Redevelopment Plan");

WHEREAS, the Redeveloper or its privy Glen Ridge Developers, LLC (an entity having common ownership with the Redeveloper) is the owner of the Baldwin Street Properties; and

WHEREAS, the Redeveloper submitted a proposal to the Borough Council for the redevelopment of the Baldwin Street Properties, which includes the demolition of existing structures and the construction thereon of an apartment complex of 110 residential rental units, including a set-aside of approximately fifteen percent (15%) of the units (that is, 17 rental units) affordable to the region's very low, low and moderate income households in accordance with Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. and other applicable laws, together with a garage facility providing 188 parking spaces to be built thereon; and

WHEREAS, the Board approved the Site Plan of the Project on August 15, 2018 which Resolution was memorialized on September 12, 2018; and

WHEREAS, the Historic Preservation Commission approved the elevation plans on September 5, 2018; and

WHEREAS, on September 24, 2018 the Borough Council of the Borough of Glen Ridge adopted Resolution No. 128 - 18 designating GlenRidge ReDevelopers Urban Renewal Entity LLC as the Redeveloper to redevelop the Baldwin Street Properties in accordance with Ordinance No. 1684; and

WHEREAS, the Borough has determined that the Project is consistent with and meets the goals of the Redevelopment Plan and is in the best interest of the community; and

WHEREAS, the Act authorizes the Borough to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or redevelopment work in a redevelopment area; and

WHEREAS, the Borough and the Redeveloper have engaged in negotiations, and the Borough has determined that in furtherance of the Borough's goals and objectives to implement the Redevelopment Plan, it is in the Borough's best interest to enter into a redevelopment agreement (the "Redevelopment Agreement") with the Redeveloper to redevelop the Project Site (as defined in the Redevelopment Agreement) in the form annexed hereto.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Ridge, County of Essex, State of New Jersey, as follows:

- 2. The Mayor and Borough Clerk are hereby authorized to execute the Redevelopment Agreement in the form annexed hereto, subject to non-substantive changes recommended and agreed to by Glen Ridge's counsel.
- 3. The Borough Clerk is directed to forward two (2) executed copies of the Redevelopment Agreement to the Borough Attorney so that he may retain one (1) copy for his records and forward one (1) copy to counsel for the Redeveloper.

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

Ordinance No. 1693 entitled:

ORDINANCE OF THE BOROUGH OF GLEN RIDGE, COUNTY OF ESSEX, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH GlenRidge ReDevelopers Urban Renewal Entity LLC

was read by title and introduced by Councilor Morrow. Councilor Morrow moved that Ordinance No. **1693** be passed on first reading, the motion was seconded by Councilor Lefkovits. Mayor Patrick referred the Ordinance to Municipal Clerk Rohal for the purposes of statutory publication and posting.

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

RESOLUTION NO. <u>134 - 18</u>

Offered	By Counselor	<u>MORROW</u>
Seconded	By Counselor	<u>LISOVICZ</u>

WHEREAS, in accordance with the Long Term Exemption Law, the Entity filed an application (the "**Exemption Application**") with the Borough for approval of a long term tax exemption (the "**Long Term Tax Exemption**") for the Project; and

(19) **WHEREAS**, the Borough Council has reviewed the Exemption Application and has made the following findings:

(a) Benefits of Project v. Costs.

(1) The development and construction of the Project, as set forth in the Redevelopment Agreement and Redevelopment Plan, will be beneficial to the overall community; will provide additional quality affordable and market rate rental housing; will achieve the goals and objectives of the Redevelopment Plan; will help revitalize the Project Site; will improve the quality of life for the community; will serve as a catalyst for further private investment in areas surrounding the Project Site and will enhance the economic development of the Borough.

(2) It is anticipated that the development of the Project will create approximately 150 full-time equivalent construction jobs over the duration of the construction of the Project, as well as approximately 50 full-time permanent jobs in connection with the operation of the Project.

(3) In 2017, the Property, including the improvements thereon, generated approximately \$85,914 in total real estate taxes to all government units, including \$18,904 to the Borough. Pursuant to this Agreement, in addition to the provision of affordable rental housing within the Borough, the Project is projected to generate revenue for the Borough in the first year of approximately \$450,000, well in excess of the municipal revenue generated by ad valorem taxes in 2017. The benefits to the Borough accruing as a result of the Project, including the provision of affordable housing, the generation of jobs, the revitalization of the Project Site, and the generation of municipal revenues, will substantially outweigh any incremental costs to the Borough resulting from the Long Term Tax Exemption granted herein.

(b) <u>Importance of Long Term Tax Exemption.</u> The Borough Council's approval of the Long Term Tax Exemption set forth herein is essential to the success of the Project because:

(1) The relative stability and predictability of the Annual Service Charge (as defined below) associated with the Project will make it more attractive to financial institutions whose participation is necessary in order to finance the Project.

(2) The relative stability and predictability of the Annual Service Charge will allow the Entity to provide a high level of maintenance for the Project Site and will have a positive impact on the surrounding area and community. (3) The financial benefit conferred by the Long Term Tax Exemption assists in the undertaking of public improvements associated with the Project.

(4) The financial benefit conferred by the Long Term Tax Exemption supports the inclusion of seventeen affordable rental units on terms affordable to a mix of households with very low, low and moderate income.

NOW THEREFORE BE RESOLVED, the Borough Council approves the Exemption Application, provided that all legal prerequisites are met and subject to the terms and conditions of the Financial Agreement.

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

Administrator Rohal reported that The Friends of the Library will be hosting their 3rd Annual Town-Wide Yard Sale on Saturday, September 29, 2018. Any unsold items may be left at the curb for freecycle pickup.

Chief Byron-Lagattuta reported that the Borough is currently experiencing a power outage where approximately 57 homes are without power. The Chief requested to schedule the swearing in of the two new officers to be held on Monday, October 22, 2018 at 7:00 PM. Also, new neighborhood watch teams are being established on Mead Terrace and Highland and Sherman Avenues. The police department will meet with and assist any neighborhood that would like to establish a neighborhood watch in their area.

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

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

RECORDED VOTE:	Ay	es	Na	ays	Abstained		Abs	sent
(Insert last name)	Hughes		None		None		Lisovicz	
	Murphy						Mans	
	Morrow						Lefkovits	

Mayor Patrick declared that this meeting is hereby adjourned.

The Council adjourned at 8:32 p.m.

Michael J. Rohal