

1/3/2017 - Minutes

1. SALUTE TO THE AMERICAN FLAG

The Chair led all assembled in a Salute to the American flag. Mayor De Luca indicated and introduced Boy Scout Pack 19 sponsored by Morrow Memorial Church who will lead us in the Salute to the American Flag this evening.

2. STATEMENT

"Pursuant to Section 5, Chapter 231. P.L. 1975 this is to state for the record that adequate notice of this meeting has been provided to the public by posting and maintaining the annual notice of regular meetings on the Bulletin Board of the Municipal Building, by mailing the annual notice of regular meetings for 2017 to the News-Record and Star Ledger in December 2016 and by filing said notice in the office of the Township Clerk.

3. ROLL CALL

Mr. Victor De Luca, Ms. Nancy J. Adams, Deputy Chair, Mrs. Larrier, Mr. Lembrich, Mr. McGehee.

ALSO PRESENT: Elizabeth J. Fritzen, Township Clerk, Roger J. Desiderio, Township Attorney, Joseph Manning, Township Administrator and Sonia Alves-Viveiros, Assistant Township Administrator.

ABSENT: None.

The Township Clerk read the Following:

WHEREAS, Chapter 231. P.L. 1975 commonly known as the "Open Public Meeting Act," requires that all meetings of Public Bodies be open to the public; and

WHEREAS, Section 7.a. provides that the Governing Body has the discretion to permit, prohibit or regulate the active participation of the public at any meeting; and

WHEREAS, it is the desire of the Governing Body to comply with the provisions of this act and at the same time conduct its business in an orderly and expeditious manner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Maplewood that does hereby prohibit, except as set forth in the formal agenda, active participation in the deliberations of the Governing Body by the public and except as otherwise prescribed by law, does limit the public to observation of the actions and discussions of the Governing Body at all its regular and special meetings.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

4. MAYORS INTRODUCTION

Mayor De Luca, gave an overview of the evening's agenda. Mayor De Luca, welcomed everyone to the Township's first regular meeting of 2017 and wanted to welcome again the Township Committee's newest member Mr. Frank McGehee. Mr. McGehee will be presenting his first proclamation this evening on Human Trafficking Awareness Day and after that public comment. We will have a Board of Health meeting, then have a discussion with members of the Historic Preservation Commission on a Grant to study historic designations status for Maplewood Village. The Township's first vote would be on Resolution 3-17 and it is a resolution expressing Maplewood's commitment to equal, respectful and dignified treatment of all people, regardless of their immigration status.

Then we will be making appointments to Boards and Committees for 2017. There are two ordinances that the Township Committee will be introducing; one is to permit cold weather enclosures in Maplewood Village and the second is dealing with leashed and unleashed dogs in basketball, tennis courts or paddle tennis courts in Maplewood Parks. Then there will be a discussion item for Support for Assembly Bill A222 and Senate Bill S2171 which is the New Jersey Library Construction Bond Act. There are thirteen items on the Consent Agenda; appointing various Counsels and Consultants for the year and also adopting a Cash Management Plan, closing a roadway improvement program, approving bills and claims, and approving closed minutes for December 20, 2016. There will be a second public comment period, have administrative reports, and then reports from Elected Officials and then the meeting will adjourn.

5. PROCLAMATION - Designating January 11, 2017 As Human Trafficking Awareness Day

Proclamation - Designating January 11, 2017 as Human Trafficking Awareness Day.

Proclamation was read and presented by Mr. McGehee.

Michelle Bobrow, received the proclamation and stated that she would like to commend the Township Committee past, present and hopefully the future for their involvement and interest in this horrible situation that occurs. The New Jersey Coalition on Human Trafficking was formed in 2011 and one of the things they did which they are very proud of was work with the Attorney General's Office to make every January 11 of each year Human Trafficking Awareness Day and Human Traffic Prevention Month is January every year. Ms. Bobrow, stated that they worked very hard to get educational awareness through the Prosecutor's Office of each County to raise awareness on the part of law enforcement to know that these victims must be rescued. There is training available and there are events available to bring attention to this. On January 11th there will be a special program at Robert Wood Johnson Hospital in New Brunswick on the subject of human trafficking and is open to all that are interested. Ms. Bobrow stated thank you very much for your concerns, for your efforts and she does seriously appreciate it.

6. PUBLIC COMMENT - AGENDA ITEMS ONLY

Gideon Roman, 32 Headley Place, Maplewood, stated that there are a lot of power outages in his neighborhood. Power was out last weekend for four or five hours. It seems like it is the Headley Place and Kendal area. Mr. Roman is wondering if the Township has any connection with PSE&G to see if they can do an upgrade in his area.

Mayor De Luca, stated to Mr. Roman that the Township will ask PSE&G and that the Township does have a Community Affairs person who is assigned to Maplewood and they will be contacted.

Ms. Adams, stated that in the College Hill neighborhood there was a similiar issue on outages. Ms. Adams indicated that it always helps to get neighbors to call PSE&G as well. PSE&G has addressed some of the outage issues in College Hill and the power outages are less than they were before. The Township will do their part and it might help to also have have a little bit of public pressure on PSE&G.

Mr. McGehee, stated to Mr. Roman that most companies have social media platforms so if Mr. Roman and fellow neighbors used the FaceBook Page to show your discontent for that situation that will bring alarm to PSE&G as well.

Chris McCoy, 17 Ball Terrace, Maplewood, stated that he wanted to speak about the Immigration status resolution. Mr. McCoy stated that he graduated from Columbia High School in 2014 and lived in Maplewood pretty much his entire life and whenever Mr. McCoy tells people about the Town that he is from he is filled with such pride. Much of Mr. McCoy's values have been fundamentally shaped by the lessons learned here in Maplewood and by the people here in Maplewood. It is the people here in Maplewood that really make Maplewood the amazing Town it is. A Town that values differences; it doesn't fear them, it seeks opportunity for everyone not just for some and it welcomes those in need, it doesn't seek to cast them out. Those are the values that Mr. McCoy knows but they have come under threat recently from forces outside of the Maplewood Community. Refugees and Immigrants have been blamed for a lot of problems but Mr.

McCoy knows better, we know better that the Maplewood Community is strengthened by new comers not weakened. Take Columbia High School and the whole public school system here in Maplewood, Mr. McCoy went to school with people from all over the world many of whom had just gotten here. We were all enriched with that experience and it made the Maplewood Community better.

Chris McCoy, 17 Ball Terrace, Maplewood, has taken his values from Maplewood to college and beyond and has worked with refugees around Boston and this past summer in Austria. He has seen in them the same values Maplewood has. Mr. McCoy supports Resolution 3-17 to make sure Maplewood stands up and protects all Maplewoodians regardless of where they are from or what their immigration status is.

Ian Grodman, 483 Prospect Street, Maplewood, stated that he did want to thank everyone for moving forward with Resoluion 3-17 and realized that it may need to be tweaked a little. Mr. Grodman wanted to commend the Mayor and Township Committee in these difficult political times when very often people are motivated by political feelings for keeping the focus on the individuals that this resolution is meant to protect. That is what we are all about in Maplewood. Mr. Grodman is proud that he assisted in the drafting of this resolution to make sure that all people are treated equally and fairly with the dignity that they deserve.

Mayor De Luca, stated seeing no one further, closed the first public comment.

7. BOARD OF HEALTH MEETING

Held and adjourned.

8. DISCUSSION - With Ginny Kurshan, Chair Of Historic Preservation Commission

Discussion with Virginia Kurshan, Chair of Historic Preservation Commission and discussing the Maplewood Village designation status.

Virginia Kurshan, Chair of Historic Preservation Commission and Patricia Chrisman, Vice Chair of Historic Preservation Commission.

Virginia Kurshan, Chair of Historic Preservation Commission, stated that the Township Committee asked the Historic Preservation Commission to explain their Grant proposal. Every year the State Historic Preservation Commission puts out a Request for Proposals from Commissions that are certified Local Government Commissions and that there are certain standards which the Maplewood Historic Preservation Commission is certified and they would like to apply for these grants because it is actually Federal money that comes through the State Historic Preservation Office to the Local Communities.

Ms. Kurshan, stated that they have been very successful in the Historic Preservation Commission's application to these grants in the past. The grants have been used several times to do architectural surveys of different parts of the town and used to revamp the Historic Preservation of the Element of the Master Plan for the CLG Grants. This year the Historic Preservation wants to apply for this grant again and what the Historic Preservation Commission is proposing is to hire consultants to create a nomination for a National Register Nomination for the Maplewood Village Commercial Center of Maplewood. In 2012 the Historic Preservation Commission used that grant to hire consultants to do an architectural survey of the same area. When they did the architeturual survey in 2012 the consultants then stated their recommendation and that was that this area would be eligible for listing in the National and the New Jersey Register's of Historic Places. This is basically a follow-up on that. And getting something listed on the Register's is a very long and involved process and requires a lot of research and writing and a particular format that they require and is a many months process. The grant money would be used for that process and if something were to be listed in the National Register it is a very big honor for the community. There are only two properties listed; the Municipal building and Memorial Park.

Patricia Chrisman, Vice Chair of Historic Preservation Commission, stated that it can be confusing because of Local Designation, National and State Designation. The National Register of Historic Places is primarily the list of places in the United States that are important for various reasons which are architectural, cultural, historical and it does not have any impact on private properties owners. It is not regulatory, it is a

consultation process and it provides for some review and protection for Federally funded or licensed projects. It does provide protection and is a regulatory process for Municipally owned properties, County owned properties and State owned properties. So for the Municipal Building and Memorial Park when something happens when there is a project in the works it not only comes to the Commission for their comments but it does go down to the State Historic Preservation Office for review. In terms of National Register listings it is an honor and there are many communities that have historic districts in their downtown areas such as Madison, Chatham, and Morristown.

Virginia Kurshan, Chair of Historic Preservation Commission, stated that she has a list of the places such as Bloomfield, East Orange, Glen Ridge, Montclair has three different districts, Summit, Elizabeth and all those towns have National Register districts.

Patricia Chrisman, Vice Chair of Historic Preservation Commission, stated that it can be a real focus for positive activities. South Orange has a district Montrose which South Orange has made very good use of in all of South Orange's projects. The other thing is that listing in the National Register does have some benefits for some income producing properties and in that if whatever work private property owners wants to do on that particular building if it follows the Secretary of Exterior Standards for Historic Preservation it can qualify for 20 percent tax credit.

Virginia Kurshan, Chair of Historic Preservation Commission, stated that some States have the tax credit and New Jersey almost had one and maybe someday New Jersey will get that tax credit. They are hopeful that in the future it will pass in New Jersey. If there are grants available from the New Jersey Historic Trust listing in the National Register qualifies a building project for grant money. It has positive benefits and really very little downsides. For private owners there is no downsides, no regulations or review on anything they want to do, buildings can be demolished by their owners under National Registers listings.

Mrs. Larrier asked as a for instance in Memorial Park which is listed in the National Register, to put up that sign with the roots and the mileage and the historic information we would be asking you to approve the design of the sign. How is that different then a private owner in the Village indicating oh I would like to change my St. James Gate sign to something else; why does the Historic Preservation Commission not approve that?

Virginia Kurshan, Chair of Historic Preservation Commission, stated that the National Register listing the Historic Preservation Commission does not comment and does not do anything for privately owned properties. If it was locally designated they would have to come to the Historic Preservation Commission with an application but not for the National Register.

Patricia Chrisman, Vice Chair of Historic Preservation Commission, stated that is the big difference; designation is regulatory and the National Register is not.

Mrs. Larrier asked Memorial Park and Town Hall are both?

Patricia Chrisman, Vice Chair of Historic Preservation Commission, stated that they are both National, State and Local and publically owned and that is why it goes through a more stringent process and goes to the State.

Virginia Kurshan, Chair of Historic Preservation Commission, stated this is what the Historic Preservation Commission thought would be a reasonable thing to start with and to do the National Register and get people comfortable with the idea that they have hidden historically important buildings.

Ms. Adams, stated that every property within the designated historic district is not considered historic necessarily but it falls under the guidelines?

Virginia Kurshan, Chair of Historic Preservation Commission, stated that buildings within the district are either considered contributing or noncontributing.

Ms. Adams, stated that the new building will be considered noncontributing. What about since the public

space is more regulated for example; Ricalton Square or any street furniture and if the Township were to do any public project would the Township be able to do even a street scape project or pavers for the sidewalk?

Patricia Chrisman, Vice-Chair of Historic Preservation Commission, stated that she thinks that it would need to go for review. So many of those things are approved at the staff level.

Ms. Adams, asked what type of process does the Township need to go through as a municipality if the Township wanted to buy benches, do improvements, add fencing, parking lot improvements, how realistic is it?

Virginia Kurshan, Chair of Historic Preservation Commission, stated that it is the same process for the Park and for the Municipal building.

Mayor De Luca, stated as a public building here (Town Hall) how does the process work and for Memorial Park across the street?

Mr. Manning, Township Administrator, stated as the Historic Preservation Commission says basically the Township gets a concept or idea of what we would like to do, we put it together in some sort of narrative and visual, we ask that the Historic Preservation Commission look at it or entertain it at their next meeting. The Historic Preservation Commission typically has comments, suggestions and things to change and the Historic Preservation Commission gives the Township a letter of support to go to proceed and from there it has typically been approved.

Mayor De Luca, asked as an example to say this was in the Burgdorff Center and we were making some changes inside for lighting for production or a permanent lighting grid, or to change the path at the Ricalton Square how would this be viewed?

Virginia Kurshan, Chair of Historic Preservation Commission, stated if there are things that are going to be changed like a temporary lighting then she thinks that is a very performa result for something like that.

Virginia Kurshan, Chair of Historic Preservation Commission stated that the Commission has met several time with the Maplewood Village Alliance making a presentation to the Village Alliance Board, and have sent a letter to all the property owners during the week before Christmas and asked that they get back to the Historic Perservation Commission at the beginning of the year and have heard nothing from anybody so far. Ms. Kurshan stated that she talked with John James, MVA, about continuing the dialogue after the proposal goes in and coming to the Alliance meetings again and also having a public meeting that would be open for anybody with questions and discussions. The Historic Preservation Commission is looking to continue the discussion.

Mr. McGehee, stated that he is pleased that the Historic Preservation Commission is moving forward with the process and at the same time that the Historic Preservation Commission is not trying to force the issue. Mr. McGehee likes the idea that the Historic Preservation Commission is proactively reaching out asking for the lines of communication to be open during the process. Mr. McGehee supports the idea.

Virginia Kurshan, Chair of Historic Preservation Commission, stated what the Historic Preservation Commission is asking the Township Committee for is a resolution of support that the Historic Preservation Commission needs to process this application that is due on January 20, 2017. Once the proposal is in the Commission would then be continuing to work with the Village Alliance.

Mayor De Luca, stated that the Township has had instances where the Township's Code Enforcement Property Maintenance people have gone in there and have ordered repairs immediately because of dangerous issues. If the Township sees something that is a problem is there some way to expedite it?

Virginia Kurshan, Chair of Historic Preservation Commission, stated if it is a question of danger, construction issues; yes you just go ahead and do it.

Mayor De Luca, stated if the Township ordered someone to do something and there wasn't enough time would they have to go through the process?

Virginia Kurshan, Chair of Historic Preservation Commission, stated if it wasn't an emergency. And if it is an individual there is no process.

Mayor De Luca, stated that the Historic Preservation Commission is asking the Township Committee to approve the grant application for the 2017 New Jersey Historic Preservation funding for not more than \$20,000.00.

Virginia Kurshan, Chair of Historic Preservation Commission, stated that the Historic Preservation Commission was talking about \$20,000.00.

Mayor De Luca seconded by Ms. Adams, motion to authorize the grant for up to \$20,000.00 and if awarded to execute the Grant Agreement with the State for that amount of the grant.

RESOLUTION NUMBER 16-17

RESOLUTION IN SUPPORT OF THE APPLICATION FOR A 2017 NEW JERSEY HISTORIC PRESERVATION FUND CERTIFIED LOCAL GOVERNMENT GRANT

Mr. Lembrich, stated that the Historic Preservation Commission sent a letter on December 21, 2016 to the Maplewood Village Property Owners and have you received any feedback in response to that notice?

Virginia Kurshan, Chair of Historic Preservation Commission, stated that she has not received anything.

The Resolution was adopted on a call of ayes and nays as follows:

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nay: None

Motion carries.

9. RESOLUTION NUMBER 3-17

The Township Clerk read by title.

VD/GL RESOLUTION NUMBER
RESOLUTION NUMBER 3-17

RESOLUTION EXPRESSING MAPLEWOOD'S COMMITMENT TO EQUAL, RESPECTFUL AND DIGNIFIED TREATMENT OF ALL PEOPLE, REGARDLESS OF THEIR IMMIGRATION STATUS

Mayor De Luca, stated that this resolution has been worked on between last meeting and this meeting. Mr. Grodman and Mr. Desiderio, Township Attorney and Mayor De Luca met with Chief Cimino, Chief of Police and Captain Cummis, Captain of Police to go over some of the language and make sure that the Police were okay with the language. It was a very interesting conversation because there were some concerns on the part of the Police Department and the Township wanted to make sure that this resolution could not be used either to get somebody out of an arrest that they claimed that they were arrested for and should not have been arrested under this resolution. Mayor De Luca published the proposed text of the Resolution on various electronic sites yesterday and got a lot of feedback and some good comments. Some people think it was great, some people thought it did not go far enough, it wasn't strong enough and some people were concerned that the Township should have just used the word sanctuary city. Others were glad the Township didn't use sanctuary city; that this was just a positive statement on the Towns values and they were pleased.

Mayor De Luca thinks there were a couple of good points and hearing the comments and reading the resolution again thinks in the first clause and the whereas's were fine. No department, employee or official of the Township of Maplewood shall condition the provision of Township services or benefits on matters related to citizenship or immigrant status. Mayor De Luca, stated honestly when they all looked at this we don't condition anything on citizenship or immigration status now and there is no statute or Federal regulations or court decision that make us do that and so we ought to cut that out and make it clear that no department, employee, or official of the Township of Maplewood shall condition the provision of Township services or benefits on matters related to citizenship or immigration status. Mayor De Luca, stated that one thing he was thinking about is as an employer we have to follow the regulations and completion of a I-9 and it is a form that every employee must fill out and have to show two forms of identification. The other thing that surprised Mayor De Luca was that we had not written that way but think that some people are interrupting it that way and that is the 11th clause where we talk about monitoring Federal efforts to withhold or withdraw Federal funding that the Township would take action to defend our actions. Mayor De Luca, thinks that some people think that this is a reverse and he would suggest that they take that out of the resolution. Also and that there is no reason to have clause 11th in the resolution. Mayor De Luca, also wants to change in the 9th clause make it 90 days instead of 45 days. Mayor De Luca, stated that Mrs. Larrier made a suggestion in the 5th clause to initiate investigations, inquiries or actions instead of the word of replace it with into any immigration. Mayor De Luca, stated that the changes that they have made so far is cutting out that last phrase and first changing the 45 to 90 in 9th clause.

Mr. Lembrich, stated that he had about eight edits to discuss or propose editions that he would like to discuss. One of the things that has been said consistently is that we should try to make the resolution as close to the San Francisco law as possible. A lot of people have reached out and to make it clear that the Township is taking steps and that it is not just a statement of the Township's values but the Township is affirmatively directing policy.

Mr. Lembrich stated that he had a questions proposed to him and does not know what it means and the question was "is this making Maplewood a Sanctuary City or a Sanctuary Community" and Mr. Lembrich stated that he looked at other ordinances and statutes and laws that communities have passed like San Francisco and sees a lot of the same elements and does not see anything substitutive in those laws that the Township doesn't have. Mr. Lembrich would tend to say yes the Township doesn't use the term Sanctuary but when you look at the term sanctuary it has under US law Mr. Lembrich found no legal term to it and under International Law it means something completely different then what the Township is doing which is truly sanctuary that if someone who is in a embassy of a soveign nation or their being granted sanctuary or asylum in a house of worshipper or something like that.

Mr. Lembrich does thinks that this does put the Township into the category of cities like Newark, like New York, like San Francisco, like Chicago and others and if people want to say that this is a sanctuary community he thinks in that respect they would be correct. Mr. Lembrich does not think that the Township needs to use that word to necessarily communicate what it means but will also have no objection to using that word. Mr. Lembrich, stated that in terms of his actual comments he would like to add to the title of the resolution where the Township says expressing Maplewood's Commitment to Equal, Respectful and Dignified Treatment of All People regardless of their Immigration Status and Mr. Lembrich would like to add the words after that and to remain a welcoming community because some of the things that the Township has in the resolution in terms of racially influenced Policing and saying that the Township won't report individuals based on religion for example aren't really necessarily at immigration status. Mr. Lembrich thinks that the term welcoming community is one that the Township has used a lot and thinks putting that in the title would be worthwhile. The second is in the fourth and is really just to try to clean up the language. Mr. Lembrich goes on to read a section of the resolution and Mr. Lembrich thinks that in order for the Township to be consistant with that statement it should say that "and not to administer Federal Immigration Laws as opposed to and does not administer Federal Immigration Law because we are talking about the overriding mission and thinks that is just a language change.

Mayor De Luca, stated to Mr. Lembrich on his first one "and to remain a welcoming community" is everyone okay with that?

Mr. MeGehee stated that he was fine with it.

Ms. Adams, stated that she would also remove the comma after people.

Mayor De Luca, stated your fourth is to cut out the does and say "it serves and not to administer".

Mr. Lembrich, stated yes and that his third does not see why the Township needs to include the words "soul and singular" and see why the Township can say "for the purpose of conducting enforcement and Federal Immigration Law".

Mr. Desiderio, Township Attorney, added that was at Chief Cimino's request to put that in the resolution.

Mr. McGehee, stated that if Mr. Lembrich makes it more firm then Mr. McGehee will agree with him.

Mrs. Larrier, stated that she can't agree to that.

Mayor De Luca, stated he would not be able to agree either because this was the language that was negotiated with Chief Cimino, Maplewood Police Chief.

Mr. Lembrich, asked could they replace soul and singular to primary purpose?

Mrs. Larrier, stated that from her own part thinks that Chief Cimino has been very cooperative with the Township Committee and thinks that the Township negotiated, the Chief negotiated with Mr. Lembrich and with Mr. Desiderio, Township Attorney, and Mayor De Luca in good faith.

Mr. Desiderio, Township Attorney, then added that Mr. Grodman stated that his recollection with Chief Cimino was correct.

Mr. Lembrich, stated that he can live with primary purpose but does not like soul and singular.

Mr. Desiderio, Township Attorney, stated in his opinion he does not see the difference.

Mr. Lembrich, stated that he would like to give more guidance and goes on to read the San Francisco examples and has redrafted them to make them for Maplewood for what Mr. Lembrich proposes to add to the resolution. Mr. Lembrich, stated that there are certain things that are in San Francisco and not in the Maplewood resolution, and was not broad as San Francisco's and that is what Mr. Lembrich is trying to address.

Mr. McGehee, stated that the example that Mr. Lembrich provided is a scenario and it doesn't mean that it will be an actual. Mr. McGehee does like what Mr. Lembrich is presenting and would like to take out a term as well and ask initially, what is more firm and feels like the Township needs to be more firm and make the operational plan available to be public.

Mr. Lembrich, asked would that operational plan be public?

Mayor De Luca, stated to Mr. Lembrich that he does not know and to be honest does not think the Township Police Department has operational plans that are public.

Mr. Lembrich, thinks that given the tremendous amount of public interest in this issue and in this particular resolution that saying the Township is going to turn it over to the Chief of Police and let Chief Cimino put it in a plan of operation which will not be public isn't really in keeping with the transparency that the Township wants to have on this and that the public wants.

Mr. McGehee, stated that he agrees with Mr. Lembrich that if Chief Cimino's plan is not going to be made public; let the resolution be more firm, more direct, and lets make a stand.

Mrs. Larrier, thinks that soul and singular is firm.

Mr. Lembrich, stated for the sake of clarity and also getting consensus on this can Mr. Lembrich propose to eliminate 5th and make obviously 6th and 7th will become 5th and 6th because the current 7th can maybe become "The Township of Maplewood, its department employee's and officials including its departments, employee's and official's shall not expend Township funds or resources".

Mayor De Luca, stated that in the Attorney General Directive if you make an indictable crime then the officer is supposed to ask about the arrestee's citizenship nationality or immigration status.

Mr. Lembrich, stated could the Township Committee eliminate 5th and make 6th unchanged into 5th and 7th be "The Township of Maplewood including its departments, employees and officials and keep the rest as is. The other thing that Mr. Lembrich wants to add in the 11th the word respect "that we shall take action to protect the funding" and would like to do the same with respect what is currently 7th and what will become 6th. Mr. Lembrich's proposal would be to add at the end of what is currently 7th after guidelines of the New Jersey Attorney General would be to add "The Township of Maplewood employees and officials shall monitor any efforts that require the Township to expend Township funds or resources as to enforce Federal Immigration Laws and shall take action to oppose or challenge any such requirement".

Mayor De Luca, stated to Mr. Lembrich why not just make that 11th.

Mr. Lembrich, stated that if putting it into 11th would make more sense, then he is fine with that.

Mrs. Larrier, stated that the Township Committee should add "unless required by Federal or State Statute regulation Court decision also?

Mayor De Luca, stated that the word appeal should be put in also and make it a separate clause.

Mr. Lembrich, stated the last thing to be consistent with the rest, we say in 10th nothing in this resolution shall be construed or implemented to conflict with any obligation imposed by Federal or New Jersey State Law and all applicable regulations. Mr. Lembrich would like to be consistent with on how the Township Committee phrased it elsewhere is say "to conflict with any obligations imposed upon by State or Federal statute, Federal Regulations and Directives of the New Jersey Attorney General and the Essex County Prosecutor. The main reason why Mr. Lembrich wants to avoid reference to Federal Law is because there are interpretations of Federal Law that would include Executive Orders that haven't been approved by the Legislature or gone through administrative rule making. The main thing to Mr. Lembrich is specifying your Federal Statutes opposed to State of Federal Law.

Mayor De Luca, stated that Resolution Number 3-17 will be put back on for the January 17, 2017 Township Committee meeting agenda and not voted on this evening.

10. BOARDS AND COMMITTEES APPOINTMENTS FOR 2017

Mayor De Luca, wanted to put forth the following appointments:

Mayor De Luca, reads the Township Committee appointments:

Board of Adjustment:

1. Jennifer Steig Strugger, through 12/31/20 2.
Clyde Otis, Alternate Member, through 12/31/18

Affordable Housing Board:

Carrie Puglisi, through 12/31/19 1.
Susan Joseph, through 12/31/19 2.

Environmental Advisory Committee:

Richard Wener, through 12/31/19 1.
2.

Elizabeth Verhoff, through 12/31/19

Green Team Executive Committee:

Tracey Woods, through 12/31/19

Kristy Ranieri, through 12/31/19

1.
2.

Historic Preservation Commission:

Gary Nelson, through 12/31/20

Susan Newberry, through 12/31/20

Lorraine Storch, Alternate Member, through 12/31/18

Daniel Wright, Alternate Member, through 12/31/18

1.
2.
3.
4.

Recreation Advisory Committee:

Bardin Levavy, through 12/31/19

1.

Rent Leveling Board:

Robert Thomsen, through 12/31/18

Fischer, through 12/31/18

1.
2. Saul

Mayor De Luca moved, seconded by Mrs. Larrier, move the appointments.

The appointments were all approved on a call of ayes and nays as follows:

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

Motion carries.

11. INTRODUCTION OF NEW ORDINANCE

The Township Clerk read by title.

NA/IL INTRODUCTION OF NEW
ORDINANCE

ORDINANCE NUMBER 2845-17

AN ORDINANCE PERMITTING COLD WEATHER ENCLOSURES WITHIN MAPLEWOOD VILLAGE

"Interpretive Statement"

(This ordinance will permit during specific periods of time, cold weather enclosures to be used on public sidewalks within Maplewood Village.)

Ms. Adams, seconded by Mrs. Larrier, move the passage of this ordinance on first reading its publication according to law in the Maplewood/South Orange News-Record and a hearing to be held on January 17, 2017.

Mayor De Luca, asked were there any discussion?

Ms. Adams, asked does the Township need a definition of cold weather enclosures within this ordinance or somewhere else in the code?

Mr. Desiderio, Township Attorney, stated that it is not defined so no need and Mr. Desiderio's suggestion is

to consider this without that definition because of the time of year it is. Amendments can be made thereafter.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

Motion carries.

12. INTRODUCTION OF NEW ORDINANCE

NA/IL INTRODUCTION OF NEW
ORDINANCE

ORDINANCE NUMBER 2846-17

AN ORDINANCE AMEND CHAPTER 113 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "DOGS, CATS AND OTHER ANIMALS"

"Interpretive Statement"

(This ordinance will prohibit dogs, leashed or unleashed, from access to any basketball, tennis courts or paddle tennis courts within the Township of Maplewood.)

Ms. Adams, seconded by Mrs. Larrier, move the passage of this ordinance on first reading its publication according to law in the Maplewood/South Orange News-Record and a hearing to be held on January 17, 2017.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

Motion carries.

13. DISCUSSION ITEMS

1. Support for Assembly Bill A222 and Senate Bill S2171 - NJ Library Construction Bond Act/VD

Mayor De Luca, stated that he did send the Township Committee some information about this and it would be to authorize \$125 Million Dollars in general obligation bonds to finance capital projects in public libraries and it requires a one to one match from the municipality. Co-Sponsors are Assembly Woman Jasey and Assemblyman McKeon and this would certainly be a huge help as the Township thinks about expanding the Maplewood Library.

RESOLUTION NUMBER 15-17

RESOLUTION SUPPORTING ASSEMBLY BILL A222 AND SENATE BILL S2171 "NEW JERSEY LIBRARY CONSTRUCTION BOND"

Mayor De Luca, seconded by Mrs. Larrier, move the passage of Resolution Number 15-17.

The Resolution was adopted on a call of ayes and nays as follows:

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

Motion carries.

14. CONSENT AGENDA

Mr. Lembrich, seconded by Mrs. Larrier, move the adoption of the consent agenda.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee approve the consent agenda except for abstaining on item number 13, and Mayor De Luca.

Nays: None

Motion carries.

15. PUBLIC COMMENT - ANY SUBJECT MATTER

Dave Helmkamp, 571 Prospect Street, Maplewood, stated Happy New Year everyone and thanks for the very nice reorganization meeting on Sunday, January 1, 2017. Mr. Helmkamp, wanted to take one more moment to talk about the open hearing at the Planning Board and the dumpster's and grease traps concerning the Clarus building in Maplewood Village. Mr. Helmkamp's primary purpose is to share with the Township Committee an opinion piece that Mr. Helmkamp sent to the News Record and would imagine it will be published on Thursday. Mr. Helmkamp, stated having heard the testimony at the Planning Board hearing he believes more strongly than back in September that the proposal for the restaurant, the grease trap, and for the dumpsters is really bad and that it needs more work.

Mayor De Luca, stated seeing no one further, closed the second public comment period.

16. REPORTS FROM DEPARTMENTS

No reports.

17. ADMINISTRATIVE REPORTS

Mr. Manning, Township Administrator, stated the Township has a personnel request by the Police Department coming up during the Budget meeting. The Chief of Police is asking and requesting to extend the current Captains list which will expire shortly. The Chief of Police is asking for an extension for 90 days until April 22, 2017. Chief Cimino has gotten a verbal and will be getting a letter agreeing to the extension by the PBA and the Superior Officer's.

Ms. Adams, stated that she did not understand what Mr. Manning, Township Administrator meant by extend the list.

Mr. Manning, Township Administrator, stated to Ms. Adams that they have a promotional process and then there is a list establishing employees and the order which they can be promoted to the next rank.

Mr. Desiderio, Township Attorney, stated that the list expires every two years and there is generally a provision to extend the list for a period of time and the Township Committee has done it before for Police and Fire promotions. The PBA is in agreement with the extension of the current list.

Mayor De Luca, stated to Mr. Manning, Township Administrator that this will be decided at the next meeting?

Mr. Manning, Township Administrator, stated the Township Committee will have a resolution on the agenda and are just waiting on an actual letter of approval from the PBA and the Superior Officer's

Association.

Mayor De Luca, stated to Mr. Manning, Township Administrator, do you know how many officers are on the list?

Mr. Manning, Township Administrator, stated that he knows of at least one and does not know of any others.

Mr. Desiderio, Township Attorney, no report.

Ms. Fritzen, Township Clerk, no report.

18. REPORTS FROM ELECTED OFFICIALS

Mrs. Larrier, no report.

Ms. Adams, no report, Happy New Year and welcome Frank McGehee.

Mr. Lembrich, stated that he would also like to welcome Mr. McGehee and also like to thank the public in Maplewood and South Orange who consistently keep the Township Committee on their toes and thinks in this case really helped Mr. Lembrich to understand some of the issues about the resolution the Township Committee was doing. Mr. Lembrich also wanted to thank his Colleagues for the thorough discussion over the past several meetings and thinks that the Township has a document that the community can really be proud of.

Mayor De Luca, stated that his office hour is Tuesday night January 10, 2017 from 7 pm until 8 pm.

Mayor De Luca, stated second, at the Township's next meeting were going to have a presentation from SOMA for Two Towns for all ages.

Mayor De Luca reported that this Saturday, January 7, 2017 at 10:30 am at the Hilton Branch Library there is going to be the opening of the Time Capsule found in the cornerstone at the Hilton United Methodist Church. This was a time capsule that was put in the cornerstone. The ceremony to open up the time capsule is going to be held on Saturday, January 7, 2017 at the Hilton Branch of the Maplewood Library.

Mr. McGehee, stated his office hours for 2017 and what he plans to do is to have office hours at some of the Township's small businesses and cafe's in town preferably on weekends and will actually be at Palmer's Sweetery on Sunday, January 8, 2017 from 10 am until 11 am for office hours. Come and patronize and lets talk.

19. ADJOURNMENT

Adjourned at 9:35 p.m. To meet again on Tuesday, January 17, 2017 at 7 p.m. at the Maplewood Municipal Building, 574 Valley Street, Maplewood N.J.