

3/7/2017 - Minutes

1. SALUTE TO THE AMERICAN FLAG

The Chair led all assembled in a Salute to the American flag.

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 meeting 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. India Larrier, Mr. Greg Lembrich, Mr. Frank McGehee.

ALSO PRESENT: Elizabeth J. Fritzen, Township Clerk, Joseph Manning, Township Administrator, Roger J. Desiderio, Township Attorney 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. Starting off with two proclamations. The first will be Arbor Day and the second is Women's History Month, then make appointments to two (2) committee's; one is the Recreation Advisory Committee and the other is the Green Team. Then the first public comment and I would ask if anyone wants to speak about the leaf blower issue please hold off and we will have you come up to the microphone and speak later on. Mayor De Luca stated they will consolidate the leaf blower talk until the Township Committee gets to that discussion. There will be a presentation to the Governing Body by Robert Boneberg on the Slave Free Community Project, then the monthly Board of Health Meeting.

Mayor De Luca, stated after that there will be the introduction of two new ordinances, one is the modification of the "No Turn On Red" on Baker Street and Valley Street, and the second is to introduce amendments to the rental registration. There are ten (10) discussion items, the leaf blower ban is the first one, then talk about a proposed ordinance for POD's, discussing the capital budget, pricing changes for The Woodland and the Burgdorff Cultural Center for Performing Arts, talking about the 2017 pool season - proposed fees and use of pool parking lot by NJ Transit & Avalon Bay, boards and committees and limiting the appointment process to one board or committee and also selecting chairs for these boards and committees. There is going to be a report from the Finance Committee 2017 talking about the operating budget, the sewer fee for 2017 and Moodys 2017 annual review. Talking about joining Sustainable Jersey in an application for a Solar Grant, and consider engaging in a Professional Planner in the Redevelopment Area 2 Plan to permit assistant living - adult day cares and medical services. Then we will be talking about a new parking lot the Township has acquired; parking lot # 11 which is 1848-1852 Springfield Avenue. Then the consent agenda and on the consent agenda there is a resolution to award a contract for Hauling and Disposal of Leaves 2017, a resolution opposing heavier and longer trucks, a contract extension for recycling, will be passing a temporary emergency appropriations budget, authorizing refund of tax overpayments, then approving bills and claims and minutes of previous meetings.

Mayor De Luca, stated that after all that business, the second public comment, administrative reports, reports from elected officials and then adjourned. Mayor De Luca, stated before the Township Committee gets into the proclamations there is a point of privilege the Mayor would like to announce. A couple of Sunday's ago the Township had the First Annual Chilli Cook-off at The Woodland and the Mayor just wanted to report that he won the consumption portion of the Chilli contest beating his colleague Committeeman Frank McGehee. Mayor De Luca consumed 4 bowls of chili and Mr. McGehee consumed 3 bowls..... and both are still suffering. Mayor De Luca, stated that it was a great event and the caldron will be placed in Town Hall yearly. \$5,000.00 was raised for the Rent Party, which helps children and families who are facing hunger issues in Maplewood and South Orange.

5. PROCLAMATION - Arbor Day

Proclamation - Arbor Day - read by Mayor De Luca.

6. PROCLAMATION - Woman's History Month

Proclamation - Woman's History Month - Deputy Mayor Adams read the proclamation but first invites all the Women present to join her at the podium.

7. BOARDS AND COMMITTEES

Boards and Committees

Mr. McGehee asked Brandon Edling and Hans Hummell to introduce themselves to the Governing Body and express their interest in appointment.

A. Recreation Advisory Committee

1. Brandon Edling - thru 12/31/2019

B. Green Team

1. Hans Hummell - thru 12/31/2017

Mr. McGehee, seconded by Mr. Lembrich, a motion that Mr. Hummell as well as Mr. Edling be appointed to their respective committees.

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

Nays: None

Motion carries.

Mr. Edling and Mr. Hummell were congratulated on their appointment.

8. PUBLIC COMMENT - AGENDA ITEMS ONLY

Hans Hummell, 19 Girard Place, Maplewood, stated that he drove around 5:45 pm past the pool parking lot today and roughly 50 cars give or take are parked in the lot, and he noted that there was definitely a mix of Avalon Bay contractors, the New Jersey Transit people and the residents in those apartments in that lot and he thinks it is critical that Maplewood residents and pool members get priority this summer over the Avalon Bay construction workers for parking; and especially now since the construction has been delayed. Also with New Jersey Transit using the pool lot there is going to be serious crowding this summer for parking at the pool. Mr. Hummell also thinks that there has been a lot of wear and tear on the parking lot from the Avalon Bay construction equipment and trucks and there were some heavy pieces of equipment in the lot this afternoon. There has been many afternoons when Mr. Hummell has seen multiple trucks in the lot and it is something for the Township Committee to consider.

Mayor De Luca stated to Mr. Hummell that all the agreements expire before the pool season starts. The Mayor further stated that Avalon Bay has been made that they can use the pool parking lot but any damage that Avalon Bay causes, they are going to have to repair and take care of it. There is an Agreement in place.

Coleman Smith, Mendham, NJ and Monica Magan, 43 Dunnell Road, Maplewood, Mr. Smith, stated that Monica has been living in Maplewood for 23 years and they recently got engaged and put a deposit on an apartment in the Clarus. When they went to go and sign the lease the other day they found out that they would only receive one (1) parking space with the apartment. The realtor had told them that they would receive two (2) spaces with the apartment; one (1) inside the garage and one (1) outside of the garage. They have two (2) vehicles. They went to the Township Clerk's office and spoke with Ms. Fritzen today about the parking situation. Ms. Fritzen indicated that there are 24 hour overnight spaces available at The Woodland, but only three (3) or four (4) remain at this time. There are none allocated specifically to the Clarus or its residents. Ms. Magan stated that this greatly affects their decision about moving to the Clarus which they are so excited about moving into.

Mayor De Luca stated to Mr. Smith and Ms. Mangan, that first congratulations on your engagement and what the Realtor told Mr. Smith and Ms. Mangan at the Clarus is wrong. They have no other parking other than the one spot per unit under the building per unit. The Township does have overnight parking that is available and it is a first come first serve basis for people who are residing in the Village.

Mr. Smith thanked Mayor De Luca for the information and parking option.

Mayor De Luca, stated that he just wanted to recognize Liaison to Maplewood from Essex County, Ms. Jeanette Paige-Hawkins. Last meeting the Township Committee asked Ms. Paige-Hawkins to set up a meeting with the County Engineer and Ms. Paige-Hawkins has done that. Mayor De Luca wanted to thank Ms. Paige-Hawkins for that. The Township Committee will be contacting the Essex County Engineer with the Maplewood Engineer and set something up but thanks for following up on that.

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

9. PRESENTATION TO THE GOVERNING BODY

Presentation to the Governing Body - by Robert Boneberg on Slave Free Community Project.

Mr. Boneberg spoke as follows:

I am Robert Boneberg, a Maplewood resident, and the Coordinator of the Slave-Free Community Project. Slavery continues to exist and an estimated 45,000,000 people are enslaved around the world. The effects of slavery might be found even in Maplewood, perhaps in the presence of women who are trafficked into Maplewood sex slaves, perhaps in goods whose international supply chains may begin with enslaved workers, such as electronic goods and chocolate.

The Slave-Free Community Project seeks to eradicate the effects of slavery from Maplewood as well as South Orange, Millburn and Short Hills. The Slave-Free Community Project encourages the Township of Maplewood to declare itself to be a slave-free town, and to explore ways by which the Township, and its various departments can act in a coordinated way to ensure that all the effects of modern slavery are eradicated from Maplewood.

A discussion then followed with questions and comments from Mayor De Luca and the Governing Body.

No decision made but Mr. Boneberg was thanked for his presentation.

Mayor De Luca asked Mr. Boneberg to provide a sample Proclamation that the Township Committee could consider regarding participation in some way.

10. BOARD OF HEALTH MEETING

Held and Adjourned.

11. INTRODUCTION OF NEW ORDINANCE

The Township Clerk read by title.

NA/VD INTRODUCTION OF NEW
ORDINANCE

ORDINANCE NUMBER 2848-17

AN ORDINANCE TO MODIFY THE "NO TURN ON RED" ON BAKER STREET AT ITS INTERSECTION WITH VALLEY STREET

"Interpretive Statement"

(This ordinance will modify the restriction of "No Turn on Red" on Baker Street at Valley Street, by limiting the restriction to 6:00 a.m. to 8:00 p.m. daily.)

Ms. Adams, seconded by Mayor De Luca, moved 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 March 21, 2017.

Ms. Adams, stated that since the State allowed turning on red at traffic lights there was a turn on red for many years at the corner of Baker Street and Valley Street. At this intersection there was a right turn on red permitted and then a few years back it became a no turn on red and has caused some difficulties with traffic congestion on Baker Street. Ms. Adams stated that this is going to be studied further but for now the Township's Engineer stated that the Township can limit the restriction into 6 am until 8 pm meaning after 8 pm and through the night when you are coming back from wherever you been you don't have to wait at a long light when there is virtually no traffic on Valley Street to turn.

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

Nays: Mr. McGehee

Abstentions: none

Motion carries.

12. INTRODUCTION OF NEW ORDINANCE

The Township Clerk read by title.

IL/NA INTRODUCTION OF NEW ORDINANCE
ORDINANCE NUMBER 2849-17

AN ORDINANCE TO AMEND CHAPTER 209 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "RENTAL PROPERTIES"

'Interpretive Statement'

(This ordinance will define "family" and "senior citizens" as used within the provisions of the Rental Registration requirements and will specifically set forth penalties for violations.)

Mrs. Larrier, seconded by Ms. Adams, 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 March 21, 2017.

Mayor De Luca, asked was there any discussion on this. None.

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

Nays: None.

Motion carries.

13. DISCUSSION ITEMS

1. Leaf Blower Ban/NA

Mayor De Luca, stated that the Township Committee is going to ask anyone who wants to come up and make some comments about the Leaf Blower ban. Mayor De Luca thought it would be useful before the Township Committee heard the comments that the Township Committee members give some indication of where they stand on the issue so that we can get to a decision.

Mayor De Luca went over the proposal items and wanted to thank everyone for their input. The Township Committee received a lot of comments at the last Township Committee meeting and Mayor De Luca wanted to thank everyone for that. The Township Committee also received emails from residents who supported the idea and received emails against it. And then subsequent to the meeting the Township Committee received 3 or 4 different proposals from individual landscapers and also from couple of Landscaping Associations. Mayor De Luca thought it would be very helpful to have everyone say what they were thinking. Mayor De Luca, wanted to make sure everyone was on the same page on this topic.

Mayor De Luca reported that he went on the Township's DPW website and saw that the Township starts collecting leaves on October 16th and thinks this has to do when the ban is going to be in place. The proposal is to have the ban from May 15 to October 15th. Mayor De Luca, stated that he was okay on the first part of it; the May 15 but thinks the October 15th date is a little long and would like to see that pushed back closer to October 1st or September 30th.

Mayor De Luca, stated that there have been some proposals to allow one leaf blower during that period and Mayor De Luca does not agree with that and believes leaf blower's should be banned between May 15th and September 30th. Mayor De Luca, stated that he had a question about paving contractor's, tree contractor's and gutter cleaning contractor's. Mayor De Luca legally had a tree removed and had gotten a permit and watched the debris that gets created with tree removal, and was not sure how they could have cleaned it up without having a leaf blower. Mayor De Luca, stated that he does not support the limitation on blowers outside of that period because the Township has some very big lots and does not think the Township can limit the number of pieces of equipment coming out there and just thinks that they are not going to need to use more equipment than they need and thinks that limiting it to just two or three is picking a number.

Mayor De Luca, stated that he does agree with the restrictive hours and does think the Sundays that the Township has to permit residents for Sundays because there are people who observe religious services on Saturdays that would not be able to do their leaf blowing and so Sundays Mayor De Luca would allow that for residents and not for landscapers. Mayor De Luca, stated the workers wearing safety equipment he absolutely agrees with that. It is a good question of who is responsible, is it the owner or the worker and who gets the fine or who gets the warning. One landscaper suggested that the Township give out warnings and Mayor De Luca is not sure how to track that but does think that they ought to say that you have to have safety gear and say the fine should be in increments of \$500.00, \$1,000.00 and \$1,500.00. Mayor De Luca, asked Mr. Desiderio, Township Attorney that the Township has three categories and then does it go to the Judge after that.

Mr. Desiderio, Township Attorney, stated that there is a limitation on what the maximum fine can be. The maximum fine for a violation is \$2,000.00 and basically we step them one, two or three or whatever the Township wants to do and usually say any three and subsequent violation is the same.

Mayor De Luca, stated that he would do \$5,000.00, \$1500.00 and going back to Sunday and would recommend the hours for residents as 11 am until 5 pm. Mayor De Luca did think that it needs to be an emergency waiver because the Township can have hurricanes and storms in the summer and also things like mosquitos. Mayor De Luca, stated that the Township Committee may need to put in things that someone can declare an emergency whether it is the Township Administrator or the Health Officer or something like that. Mayor De Luca, stated that one procedural suggestion he would suggest that the Township Committee do this by resolution by the next meeting because otherwise it has to be by ordinance. The Ordinance will not be legal until the end of April and that is too late.

Mr. McGehee, stated that from a timing perspective he would like to see Memorial Day until September 15th and thinks that is the peak time when people are enjoying being outside. Mr. McGehee thinks that regarding the number of restrictions on the leaf blowers Mr. McGehee is okay with that particular point restriction of hours and also agrees with Mayor De Luca that the Township should have Sunday's available for the residents as well to use leaf blowers and make it 10 am until 4 pm versus the 9 am until 5 pm for Saturday and Sunday. Mr. McGehee stated that he was fine with the fines and they are appropriate. Mr. McGehee's biggest concern is through all the emails and documentations that Mr. McGehee has read is the enforcement issue and making sure that the Township is able to really enforce the ban. This is a challenge that the Township Committee has got to face.

Mrs. Larrier, stated that she does have some similarities and does agree there should be safety equipment that has to be used and would not be in favor of anything that would penalize the homeowner if their contractors are not wearing safety equipment. Especially when you think about the fact that one contractor can do six homes on the block and that all six of those homes have to pay the fine Mrs. Larrier would not agree with that. Mrs. Larrier agrees with the level of fines but absolutely the burden should be upon the contractor himself. As far as the dates Mrs. Larrier agrees with Mr. McGehee and thinks Memorial Day until September 15th is adequate and would possibly go to the end of September but certainly would not go into October. Mrs. Larrier believes Saturday's and Sunday's times should be 10 am until 5 pm. Mrs. Larrier is thinking of hot summer days when 11 am can be pretty hot for some older homeowners or even younger complaining teenagers and would like it to be a little earlier. Mrs. Larrier does like the idea of presenting it by resolution and would not mind revisiting it every year. Mrs. Larrier does believe that during that time there should be a total ban and that there should be no landscaping companies using the leaf blowers. Mrs. Larrier, would not necessarily penalize other types of contractors because the Township has this problem with landscapers.

Mr. Lembrich, stated towards the end of the discussion last time that he had discussed what he thought were five areas of general consent and four areas that were contested and that is how Mr. Lembrich has been thinking of it and will go through all the points that Mr. Lembrich's colleagues have discussed. Higher fines for violating in the ordinance and whatever the ordinance will be and the penalty should be serious and should be enforced. What Mayor De Luca, laid out \$500.00, \$1,000.00 and \$1,500.00 something like that would really send a message and he is in favor of that. Requirements for workers to wear safety equipment and the issue of who should be fined the individual and then it becomes an issue between that employee and the employer. Either way the Township will accomplish their objective. More limited hours generally Mr. Lembrich agrees with and certainly thinks that there should be no commercial use on Sunday. All

leaves being placed in the street should be no more than seven days before the scheduled town pick up.

Mr. Lembrich thinks that is something that the Township should make sure not only that it is in place and also enforced and that the fines that the Township has for violating the ordinance should also applied to violations of that or the Township Committee would want to make a different fine structure and have fines for violations of that portion of the new ordinance or new resolution and no ban on the use of electric and battery power blowers. In terms of the more contested issues Mr. Lembrich is in favor of a total ban over the summer and thinks that Memorial Day to September 15th or 30th seems to be more reasonable than starting it earlier in May or going deep into October. At the end of the day Mr. Lembrich cannot see himself voting against the ordinance ban based on a week or so in either direction. He is very much in favor of the ban. Mr. Lembrich stated that if the Township is going to say that leaf blowers are both noise pollution and environmental damaging that the Township Committee should be going after the leaf blowers for everyone and if the leaf blowers are banned during the summer than they are banned. Mr. Lembrich does not support drawing a distinction between residents and commercial users, however, Mr. Lembrich is open to the idea that certain commercial uses may be more necessary and also more irregular. Mr. Lembrich stated that he is not going to vote against what he thinks is a good proposal overall just because he disagrees with that aspect. Mr. Lembrich does not support during periods that wouldn't be in this hour ban the number of blowers per property for the reasons that several others have mentioned. Mr. Lembrich stated that some of the issues he is pretty flexible on but overall does support the idea of abandoning the summer and it will lead to greater ability for the Township to enforce it particularly with higher fines and also getting the word out. But once again, the Ordinance must be enforced.

Ms. Adams, stated that she first and foremost wanted to thank her colleagues for considering this and sitting through hours and more tonight and more in the next couple of meetings of opinions. Ms. Adams, stated that the Township Committee has hashed through a lot of this and obviously is in favor of an annual summer ban on commercial two stroke engines in leaf blowers and thinks the ban should be for all. Ms. Adams does prefer May 15th through October 15th but could maybe be okay with Memorial Day but thinks it should at least go through September and would really want it to go until October 15th but would be okay with September 30th. Ms. Adams would like to see all gas powered leaf blowers banned during the summer for actually all commercial businesses and residents. As far as limiting the number of leaf blowers while there are some larger properties Ms. Adams would restrict it based on the size of the property and thinks that it is a problem to have several at one time. Ms. Adams does agree with the more restricted hours Monday thru Friday 8 am until 6 pm and might consider moving that to 5 pm, Saturdays should be 10 am until 4 pm and Sunday's 11 am until 5 pm for residents only and no commercial contractors. Ms. Adams would like to see fines being enforced for leaves sitting too long. As far as the safety equipment both hearing and breathing Ms. Adams strongly agrees with that and would like the fine to be levied on the contractor so that he or she can deal with their employee and make sure that their employee is following those rules. And because a lot of these employees don't realize what they are breathing in and hearing and what damage they are doing to themselves. Ms. Adams, stated that there can be an emergency exemption for leaf blowers for storms and can easily put it out there without any problems enforcing. Ms. Adams would encourage the Green Team and Environmental Commission to start educating those in the public who think this is a non-issue. The reason why Ms. Adams does not support 65 decibals; it has been proven to be very difficult to enforce and even when it's existing its not followed by the lawn maintenance company.

Mr. McGehee, stated that he wanted to recognize the Green Team definitely in support of this potential ordinance but the Green Team is also working on a pilot program called the "Rake Finder" which is something to help mitigate with the issues, when you don't have a leaf blower and you want to get your driveway swept or something like that.

Mayor De Luca thanked the Governing Body for their comments. Mayor De Luca then opened up the public comment section to comments regarding Discussion Item #1 only as follows:

1. Ed Reichman, 51 Park Road, Maplewood, stated that he would like to see the Township Committee ban leaf blowers entirely and has been using a leaf sweeper which is a mechanical machine and it cleans up all the leaves and there is no noise and it is environmentally friendly. One thing that Mr. Reichman would like the Township Committee to consider because there are a lot of people who work from home from May when the weather is nice until the beginning of October the weather is nice and people like to work outside and even if the windows are open and when those leaf blower are running you cannot even think clearly and

cannot have a conference call. Would like for the Township Committee to consider the fact that people work at home and people want to enjoy the outside before the summer starts and thinks when the weather is nice at the beginning of May 1st start would be a better target date so that residents can enjoy the outside before the summer starts. Mr. Reichman stated that the hours that the Township Committee has selected are relatively okay and would be great if the residents could see 11 am maybe 12 noon on a weekend so that people can enjoy a nice quiet morning outside reading the paper or something.

Joe Gluck, 78 Kendal Avenue, Maplewood, stated that he also works at home and thought of a wonderful solution to this whole problem if you only would let the lawn service people work on the weekends and have them blast all weekend and that would take care of the problem. Mr. Gluck wanted to thank the Township Committee for the pleasant summer he enjoyed last year and should recognize that it was so nice to work in his front yard, work in his back yard, go for a walk and some times read in front of his house and hopes to do that again in this year. Mr. Gluck's second point is that he is hoping that the Township Committee will make it right with the leaf blowers and the noise situation. Mr. Gluck added that the ordinance has to be enforced if any of this is going to be adhered to.

Tracy Woods, 253 Burnett Avenue, Maplewood, stated that she support the proposal and would be satisfied with the Memorial Day to the end of September start and end date. Ms. Woods feels pretty strong that the fine should go to the company because the fine at that level to an employee can be devastating and it's really up to the employer to manage that. Also Ms. Woods is the Chair of the Maplewood Green Team and stated that they have some people who were upset about it and the overwhelming response has been happiness and really a lot of support for whats been happening with the ban and a lot of support for the prolonged period. As the Chair of the Maplewood Green Team they have several things that the Green Team has in the works for the upcoming months to support alternatives to leaf blowing including a strong educational case about mulching mowers which are electronic mowers where they mulch the leafs into little tiny pieces that go right into the grass and are affordable for home mowers too. Ms. Woods would recommend for people who are really concerned about the leafs on their lawn to look into either or asking their contractor about mulch mowers or purchasing one for their home owner use.

Lillian Hawkins, 18 Franklin Place, Maplewood, stated that she is in support of the ban of the leaf blowers. Ms. Hawkins stated that she is a mother of two kids and is home all day with them and Ms. Hawkins is also a registered nurse and is aware of both the noise and the health affects of the leaf blowers. Ms. Hawkins spoke about the dates and would favor a May 1st start because that is actually when you can have your windows open and enjoy the fresh air. Ms. Hawkins had a brief statement from her husband who couldn't be there tonight. Mr. Hawkins stated that he lives in Maplewood and supports strict restrictions on leaf blowers and from someone who frequently works from home and is accutely aware of noise pollution and leaf blowers are a prime source and also harmful to the environment and the gardeners who use them. There are plenty of other ways to achieve an attractive lawn that don't harm the rest of us.

Susan Greeley, 6 Rutgers Street, Maplewood, thanked the Township Committee for taking on an important change towards a healthier Maplewood. Ms. Greeley does agree with the original ordinance and stated that she works from home and has children who like to go outside often and would like to see the original dates maintained. Ms. Greeley wanted to touch upon the limitation of people and what concerns Ms. Greeley is the number of people using the leaf blowers at the same time. Ms. Greeley mentioned that three different companies starting at 8 am in a neighborhood blowing leaves and it was a total of 7 straight hours in one day and that is beyond annoying and she would like for the Township Committee to look into that for the square footage. This also affects Ms. Greeley econmically because she cannot take a conference call, cannot have clients over and cannot keep running down to her basement to have these conference calls and has in fact had to postpone conference calls and have someone that is on the phone tell her to mute your phone while still in the basement. Ms. Greeley is urging the Township Committee as the representatives for the residents of Maplewood to put the residents first and support this ordinance. Ms. Greeley has one question and stated what happens in the third offense?

Mayor De Luca, stated that everything after that would be fines of \$1,500.00.

Susan Greeley, 6 Rutgers Street, Maplewood, stated \$1,500.00 everytime after two?

Mayor De Luca, stated yes.

Susan Greeley, 6 Rutgers Street, Maplewood, stated that she thinks it is wonderful that the Township will be educating the public which is really important. And what is not mentioned is educating the landscapers about their opportunities.

Nelson Lee, New Jersey Landscaping Contractors Association President, stated that he represented other associations at the last meeting and appreciate the Township Committee giving him the opportunity to speak about some alternatives. Mr. Lee, stated that he was glad to hear that the Township Committee was able to come to some sort of compromise and does appreciate that very much. Mr. Lee, stated that one of the things that he was a little disappointed to hear was the fact that they weren't able to utilize possibly one handheld cast blower. Mr. Lee, does not believe that a battery operated blower is going to have enough power and going to be able to do the same job that their clients would expect to come out with a professional good product of what they are paying for. Mr. Lee stated that he heard about what all the homeowners had to say and has been to several of their meetings and can understand what the homeowner feels and is asking if the Township Committee would consider a handheld blower because it is easier to place because they will be holding it in their hands and not wearing it on their back and appreciates all the other concessions as far as dates.

Mayor De Luca, asked Mr. Lee regarding the issue of safety equipment and whether the Township fines the worker or the Company and does Mr. Lee have a position?

Nelson Lee, New Jersey Landscaping Contractors Association President, stated that it is a double edged sword but does believe that the contractor meaning the employer should be responsible.

Steve Rules, 17 Salter Place, Maplewood, thanked the Township Committee for a very peaceful summer last year and it really did make a difference and was noted by many people. Mr. Rules stated just to ask that the window be maximized understanding of course that the Township that there are compromises that need to be made and he is not trying to ruin any contractors business and knows that is not ones intent here. But the period before and after the ban is a practical matter based on when leafs are starting to come down and when collection is starting. Also to consider that one of the factors in making this decision was the health aspect, the particulates blow in the air and that issue just doesn't disappear because it is October 1st or because it's before May 15th. As a father of a kid who has asthma it makes Mr. Rules nervous when he sees the blowers outside his property and actually see the particulates in the air. Mr. Rules stated that when the Township Committee is making their deliberations about what that window is going to be he just asks that the Township Committee keep in mind that the matter of the particulate pollution doesn't change based on the date.

Jonathan Poor, 35 Roosevelt Road, Maplewood, stated to the Township Committee that thank you again for the ban. Mr. Poor stated that the market is driving all of us in one direction of increasing mayhem basically in the fall season and does know that the Committee is talking about a summer ban but has been hearing that it is being pushed back and that the window is getting smaller. Mr. Poor thinks that doing lawn jobs doesn't need to be done every week.

Seeing no one further, Mayor De Luca closed the public comment section.

Ms. Adams, stated that she would like her colleagues who wanted to make the window smaller to consider a couple of good points that were brought up and in particular the fact that who is the Township representing here? the residents who are working from home or home with small children or just home in general with the home they bought and thought they could enjoy. When it is hot Ms. Adams personally doesn't have central air and has to use the fan in the attic when it gets warmer but likes to have doors and windows open when it is not so blazing hot. Ms. Adams would like the members of the Township Committee to consider keeping it at May 15th through September 30th and would like it to be thru October 15th because the Township will see that the leaves aren't falling but that they still are being blowing anyway, and that needs to get it out of the norm and would like the window to be expanded to closer to what it was originally proposed.

Mr. McGehee, stated that he would be willing to go from September 15th to September 30th increasing that

time frame and initially the Township Committee is talking about a 5 month period when you look at the numbers. Mr. McGehee is willing to extend to through September 30th per Ms. Adams request.

Mayor De Luca, stated that on the restriction the Township Committee all agree that it is a total ban during a period and would have to agree on the period. Total ban on gas commercial leaf blowers for commercial landscapers. Mayor de Luca, wants to start with the ending time.

Mrs. Larriers, stated she can go til September 30th.

Mr. Lembrich, stated September 30th.

Mayor De Luca, stated to the Township Committee what is the beginning time?

Mrs. Larrier, stated Memorial Day and thinks that because stuff starts coming out of Mrs. Larrier's trees before Memorial Day.

Ms. Adams, stated May 15th.

Mr. McGehee, stated Memorial Day.

Mr. Lembrich, stated between the two didn't really care which date. Mr. Lembrich, then stated that he was fine with May 15th.

Mayor De Luca, stated May 15th.

Mayor De Luca, stated May 15th until September 30th is the total ban on gas commercial leaf blowers by commercial landscapers.

Mayor De Luca, stated hours Monday thru Friday the proposal is 8 am until 6 pm for both commercial and residential?

Township Committee is good with the Monday thru Friday times.

Mayor De Luca, stated Saturday the proposal is 9 am until 5 pm?

Ms. Adams, stated 10 am until 4 pm.

Mrs. Larrier, stated 10 am until 4 pm.

Mr. Lembrich, stated 10 am until 5 pm.

Mayor De Luca, stated 10 am until 5 pm.

Mr. McGehee, stated 10 am until 5 pm.

The Township Committee is good with 10 am until 5 pm for Saturday for commercial and residential.

Mayor De Luca, stated that on Sunday no commercial only residential 11 am until 5 pm.

Township Committee all say yes to 11 am until 5 pm for Sunday's and only for residential.

Mr. Lembrich, stated just to make it clear that the hours Monday thru Saturday hours will apply to residents even during the ban period.

Mayor De Luca, stated to Mr. Lembrich that it is year round for the residents.

Mayor De Luca, stated 7 days on the street no leaves shall be put days prior to scheduled leaf pick up and should be put in it again because this is what people will be looking at.

Mayor De Luca, stated require workers to wear safety equipment for hearing protection and breathing protection.

The Township Committee all stated yes.

Mayor De Luca, stated \$50.00, 100.00, or \$150.00 for safety equipment fines.

The Township Committee all say yes.

Mayor De Luca, stated that they have \$500.00, \$1,000.00 and \$1,500.00 and this is if you use the blower during the summer or you use it outside of the time frames of the hours. Does the Township Committee want to put a loss of registration and what would be the loss.

Mr. Desiderio, Township Attorney, stated that possible loss of license.

Mayor De Luca, stated what about the use of electric or battery by anybody even a landscaper during the time. And what about the emergency waivers who would the Township want to declare that somebody can use a leaf blower during the emergency and does Mr. Manning, Township Administrator have any thoughts about that? Should it be Mr. Manning, Township Administrator or the Director of the Department of Public Works?

Mr. Manning, Township Administrator, stated it should be the Emergency Management Coordinator, Deputy Coordinator or any other Deputy Coordinator which is Mr. Manning, Township Administrator and the two Chiefs and consult with the entire Emergency Management Committee.

Mrs. Larrier, stated that she does have a problem with banning all contractors because certain people such as pavers, gutter cleaners, and roofers are not there everyday like leaf blowers.

Ms. Adams, stated does not have a problem with banning all contractors from May 15th until September 30th from using blowers.

Mr. Lembrich, stated that he would not hold his vote only on one person opinion.

Mayor De Luca, stated that the Township Committee did receive some information from Palm Springs and Mayor De Luca, goes on to read the Palm Springs ordinance. Mayor De Luca, stated he would have to agree with Mr. Lembrich as much as Mayor De Luca doesn't want it thinks that it is not going to affect the gutter people because they are not doing it in the summer, spring and fall.

Mayor De Luca, Mr. Lembrich, Ms. Adams and Mr. McGehee, want to make it for all contractors.

Mayor De Luca talked about the process and is concerned about getting all this done, having taken a look at it and voting on it and not running into April and what does anyone have for a suggestions from the Township Committee.

Mr. Desiderio, Township Attorney, stated that the resolution suggestion is the way to go on this now. An Ordinance can always be drafted to formalize it later. Mr. Desiderio, Township Attorney, would suggest that the Township Committee do a resolution and that it be put on for further discussion at the next meeting of the Township Committee, and if the Township Committee is able to get it into a resolution form that the Township Committee is comfortable with the next meeting it can be passed.

Mayor De Luca, stated that lets draft up a resolution and put it on for passage at the March 21st Township Committee meeting and it can always be amended at the meeting, then the Township Committee can

dispose of it that night.

Township Committee are all fine with the decision.

Virginia Kurshan, Chair of the Historic Preservation Commission, stated that she was there to announce publicly that there will be a meeting on Thursday, March 23, 2017 for the initial informational meeting for the brand new Maplewood Memorial Park Conservancy. The meeting will be held at The Woodland from 7 pm until 9 pm and there will be a lot of information about the park, about the plans for the new organization and hopefully many people will come. It is a very exciting new organization for the Township to help enhance the beautiful park that is in the center of Town.

2. POD Ordinance/IL

Mayor De Luca, stated that under temporary trailer which deals with the direct results of fire damage to existing building making it uninhabitable. Then the second paragraph all not for profit groups are exempt in paragraph A. The Township Committee does not see any reason why non-profit are exempt.

Mr. Desiderio, Township Attorney, stated to just take out the non-profit groups section and keep the government agency.

Mayor De Luca, stated that the Township Committee will be putting this on for introduction at the next meeting of the Governing Body.

Township Committee are all in favor of putting it on for introduction at the next meeting on March 21, 2017.

3. Capital Budget/JM

Mr. Manning, Township Administrator, stated that the Township Committee has the latest version tonight and there are a couple of minor things. Basically, number 5 under Engineering; there was a price correction for the grant amount of money for 60 Woodland building improvements, the grant is believed to have put in for \$75,000.00 but the actual grant when it was put on paper is \$171,637.00. That raises the amount that the Township is going to borrow by a couple of thousand. There is also two other minor ones under fire department there is a garage repair the Township's final number is \$7,700.00 but the Township had a grant in there for \$7,700.00 and there was not a grant and so Mr. Manning, Township Administrator stated that they took that out. There was one other minor and it was in Engineering the paving of Parker and believes it was \$250,000.00 and actually the grant was \$245,000.00.

Mr. Manning, Township Administrator, stated that the bottom line is it has changed a little bit but not anything significant.

Mayor De Luca, stated the other differences are explained on the right. The Finance Committee met and talked about doing the project of the pavers over three years. Mr. Manning, Township Administrator had put in only a couple of hundred thousand there. The Finance Committee also talked about \$30,000.00 back into safe street the school because Mr. Kittner, Township Engineer stated that the Township cannot use the grant money for that and won't get the grant money without that for the inspectors. Then there was the money added for the library \$16,000.00 and the \$15,000.00 which is library number 5 and 6. Then \$15,000.00 for the website was important for the upgrade.

Mr. Manning, Township Administrator, stated that there was one from Public Works number 6.

Mayor De Luca, stated that pedestrian safety and the Township has no ability freshing up paint, the crosswalks the Township has to rely on outside help to do it. There was talk at the Planning and Engineering Committee meeting about doing this ourselves and being able to roll out a plan and do the crosswalks on a regular basis around Town because some of the crosswalks are getting faded.

The Township Committee is in support of leaving it in for especially for pedestrian safety at the crosswalks.

Mayor De Luca, stated that the bottom line is that the Township will be paying 80 percent off on debt. The Township's debit is that we pay \$4 million dollars in bond principal debt and \$145,000.00 in note principal payments and 80 percent of that \$3,316,000.00 and the Township is at \$350,000.00 and its about 1 percent more and its 81 percent opposed to 80 percent.

The Township Committee agreed.

Mr. Manning, Township Administrator, stated that they will start to develop the ordinance that supports it.

4. Proposed pricing changes for Woodland and Burgdorff Rates/FM

Mr. McGehee, stated that this is a continuation of several conversations regarding the Township's current rates and fees at The Woodland and the Burgdorff Cultural Center for Performing Arts. There is a proposal that Mr. McGehee shared with his fellow Township Committee members at which is looking for some incremental fees in terms of percentage that are not very high. Right now The Woodland and the Burgdorff Cultural Center for Performing Arts are in hot demand seeing a more occupancy than ever before and based on other price analysis there is an opportunity to drive and raise more revenue for the Township and also maintain its services and quality which offers residents and non-residents area who continue to rent the properties on a consistent basis. What Mr. McGehee is proposing is that the Township Committee members look at these particular rates and consider moving forward with raising the fees.

Mayor De Luca, stated that they had an Arts Council meeting last night and mentioned that Mayor De Luca will be discussing the rates and that the Arts Council had not seen the rates and have organizations that rent there and have some strong feelings about this. Mayor De Luca was wondering if he could get some time to send the rates to the Arts Council Committee and get some feedback before the Township Committee puts this on for final and give feedback at the next meeting.

Mr. McGehee, stated that he has no problem with that and this has been in the making for sometime and did know that they wanted to get these rates in.

Mr. Lembrich, stated just to support what Mr. McGehee stated that this is something that was being talked about last year and it has been kicking around for awhile. Mr. Fishman, Cultural Affairs Coordinator had done a comparison study to bench mark these against comparable venues and still found that the Township could raise to another level while still being significantly below the competition.

5. 2017 Pool Season - proposed fees & use of pool parking lot by NJ Transit & Avalon Bay/GL

Mr. Lembrich, stated that the Recreation Committee and the Pool Advisory Committee and a number of residents have been inquiring about the pool parking lot for this summer once the pool season opens Memorial Day weekend. What does the Township expect the situation to be about the parking lot and wanted to get an update from Mayor De Luca or Mr. Manning, Township Administrator, with regards to the status of the NJ Transit and Avalon Bay use of the pool parking lot and can the Township expect to maximize residential pool members use of the pool parking lot once the pool opens.

Mr. Manning, Township Administrator, stated Avalon Bay should be limited to the 12 parking spaces behind the First Aid Squad building and would probably be able to move those trucks over to their own property. New Jersey Transit has met with Mayor De Luca and Mr. Manning, Township Administrator, and it looks like the Township is going to try to get NJ Transit out and on to Elmwood Avenue on one side. That is going to take an ordinance or maybe a resolution to achieve.

Mayor De Luca, stated that it is not going to need anything its permitted already.

Mr. Manning, Township Administrator, stated if there is no adjustment the Township is going to strip it and there will still be some residual people parking there.

Mayor De Luca, stated that the NJ Transit people are aware that they have to be out by Memorial Day and

the Township is looking at a couple of things and have talked to Winchester Gardens and see if they could do anything there and parking on Elmwood Avenue. Mayor De Luca is also speaking with Saint Andrew Kim Church on Parker Avenue about spots there and then busing people back and forth. But the Township does know that the pool parking lot is going to be for pool patrons only once the pool opens.

Mr. Lembrich, stated that the other issue is each year the Township Committee set or signs off on the membership fees for the community pool. This years proposal is to keep the fees what they were last year with two exceptions; a specific membership category for college students because it has not been barely used at all. They have been looking at streamlining and took out a number of categories last year and through an oversight it ended up staying in and the Pool Committee would like to remove that for this year or just confirm that it can be removed.

Mr. Lembrich, stated the other a more significant change and there has been a significant resident interest in creating rates at the pool membership category that would be a weekend only membership to accommodate families or individuals who do not use the pool during the week due to work schedules and can only use the pool two (2) days per week. The Pool Committee did recommend to the Township Committee that we offer this weekend membership on a pilot program basis just for this summer to see how it goes with a 20 percent discount on regular membership prices for weekend only. It would not include August only and wouldn't include the early bird for people who sign up early. It would be the regular full summer membership price, and a 20 percent discount off of that for weekend only. The thought would be even if there are individuals and families that are current members drop down to weekend only membership and for every three (3) or four (4) of those we would only need to get one (1) additional membership of that category. Mr. Lembrich's personal view is that he is willing to try this out for a year and sees where it goes and is not expecting there to be a loss of revenue and thinks that it would be minor and the fact that this may add more members is a good thing and is not a cause for concern.

Mrs. Larrier, stated why would Mr. Lembrich not include the early bird pricing, if you are getting percent off going on the weekend? You may as well pay the full price early bird and go every single day and seems to Mrs. Larrier that there is a large portion of people who could and would benefit from this if you include the early bird pricing take 20 percent off of the early bird pricing and does not know why Mr. Lembrich would have excluded that.

Mr. Lembrich, stated that the thought was to address the concern about cutting into the revenue and certainly can do that and would just leave it more vulnerable to loss of revenue. Mr. Lembrich is certainly not against what Mrs. Larrier stated and is just conveying the recommendation that came from the Pool Advisory Committee.

Mrs. Larrier, stated that if she was looking only to go on the weekend but does not get that 20 percent off my early bird and may as well just get the early bird price everyday and pay the same thing and still only going on the weekends.

Mayor De Luca, asked Mr. Lembrich what is the percentage discount now?

Mr. Lembrich, stated that the percentage discount is 10 percent.

Mayor De Luca, stated that you are doing 10 percent and compounding it with 20 percent.

Mr. Lembrich added that there is going to be staffing issues with this either way but does think that those would be compounded if we have a high percentage of the Township's membership that can only come on weekends its going to be then harder to meet the staffing needs on weekends if the Town have much smaller staffing needs on weekdays.

Ms. Adams, stated she had some concerns and is worried about it and does understand that it is only a pilot recommendation but does agree with the Recreation Director that once you put it in as a pilot for weekend pool use only it would be really hard to pull it back. Ms. Adams, worries about the extra complications of people coming in and distinguishing as to who has a weekend membership and who has a weekday membership pool badge and also the amount of over crowding that might happen on the

weekends. Ms. Adams thinks that it would cut too much into the revenue and make the weekends even more crowded and is not in favor of it.

Mr. Lembrich, stated that it is just Saturday and Sunday.

Mayor De Luca, stated that last year \$75,000.00 was put into the pool deficit and is a little concerned that the Township is taking a lot of revenue for an individual instead of paying they are going to save \$54.00 and just does not know and is concerned about losing dollars when the Township has such a historic pattern of not making the Towns budget already.

Mr. Lembrich, stated that the pool should be closer to breaking even.

Mr. McGehee stated that pilot programs are very affective anyway and one is that it gives you actual consumer research data and to decide of your decision is right or wrong. Also incentive programs make a lot of sense to and if you can find ways to have incentives outside of customer behavior or resident behavior its frequent more of the weekend verses the weekdays. A suggestion is that maybe the Township Committee do the pilot program but the Township Committee limit the time only so that members only have X amount of weeks or days to sign up for the weekend program. That means it will be more urgency and bring in more revenue quickly. Also if we can find a way to bundle something with programs and see if it can be a relationship with a merchant in town a food merchant but you bundle it to where it makes sense from a volume perspective at the expense of the reduced cost.

Mr. Lembrich, stated that one of the proposals that has been kicked around in various forms in the last couple of years on the Pool Advisory Committee is with each membership different categories including a certain number of complimentary guess passes. This has not be proposed to the Township Committee yet and has been kicked around as sort of an incentive to try and get people to take the membership. The main reason why they raised the price of the guess passes was because there were people who were definitely gaming the system and the Pool Advisory Committee has now fixed that issue or created less of a disparity there.

Mr. Lembrich, seconded by Ms. Adams, motion is that we keep the fees schedule from last year with the exception of eliminating the college student membership category to stream line the categories but create a weekend only rate of membership option that would be a 20 percent discount off of the regular full summer membership price. The weekend only applies to just Saturday's and Sunday's it does not apply to Friday's or holiday's. This will be a pilot program for this year to see how it works.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee.

Nays: Mayor De Luca.

Motion carries.

Bid Speaker - Resolution 43-17 - Mr. William Haggarty, from Haggarty Farms, the second low bidder for Hauling and Disposal of Leaves 2017.

Mr. Desiderio, Township Attorney, stated that Mr. Haggarty's bid was rejected on the basis of the fact that he had statutory problems with Mr. Haggarty's bid and the bid didn't comply with the statutory requirements.

Mr. Haggarty, stated that he wasn't sure if he got a fair shake in that because all of this should have come to light on the initial reading of the bid on January 4th and the contract whoever got awarded was a month later. The stuff that Mr. Haggarty did not have filled out he wasn't sure if it even applied to him because he was doing this on a strictly agricultural basis. As far as Mr. Haggarty knew he wasn't a contractor or sub-contractor for the State of New Jersey and does not have the farm registered as a business and you don't really have to do that process when running a farm. This was brought to Mr. Haggarty's attention by Calvin Bell, Maplewood Public Works Director mid-February and Mr. Haggarty did research that day and everything that Mr. Haggarty could do to fix the two things lacking. Mr. Haggarty felt that if he was

awarded the winning bid he would have had a month to rectify it before the contract was enacted. When Mazza became excluded Mr. Haggarty felt he should have been allowed a month to get his documents in order. Mr. Haggarty stated that he does not think he got a fair shake in the matter.

Mr. Lembrich, stated that Mr. Desiderio, Township Attorney read his recommendation and is there anything actually or legally that Mr. Desiderio, has learned since then that changes Mr. Desiderio's recommendation?

Mr. Desiderio, Township Attorney, stated no and that nothing has been submitted to Mr. Desiderio and no paperwork has been submitted, no objection to Mr. Desiderio's letter has been submitted. There is nothing that has changed Mr. Desiderio's opinion to his recommendation.

Ms. Adams, stated to Mr. Haggarty that there are very strict laws to bidding and what is required and does not know if the Township Committee can do anything for Mr. Haggarty other than put it back out to bid and there is no basis for that.

Mr. Desiderio, Township Attorney, stated no the Township cannot put it back out for bid because there is no basis for it in Mr. Desiderio's opinion.

6. Boards and Committees - limiting appointments to one board and committee and process for the selection of the chairs of boards and committees/GL

Mr. Lembrich, stated that there are two parts to this and the first is limiting appointments to one board or committee per resident. By Mr. Lembrich's count there are 18 volunteer boards and committees to which the Township Committee or the Mayor make appointments and it has been at least a year plus that Mr. Lembrich has been on the Township Committee it sort has been in their standing policy to only appoint a resident to one board or committee at a time. Mr. Lembrich would like to formalize that through either a resolution or ordinance. Mr. Lembrich thinks that a resolution would be more appropriate and would like for that resolution to be retroactive to the beginning of this year and to the extent that there is more than one individual who currently has an appointment to more than one committee and upon passing this resolution the Township Committee can then rescind the appointment or remove that individual. That is the proposal that Mr. Lembrich would like to make for a resolution at the next Township Committee meeting.

Mayor De Luca stated that the Township Committee nor the Mayor appoint the Maplewood Village Alliance Board or the Springfield Avenue Partnership Board; those are independent organizations.

Mr. Lembrich, stated aren't there members from the public who are on that?

Mayor De Luca, stated that those are selected by the boards themselves. And the other is the the Township's Emergency Management Committee and there is one citizen on that committee.

Ms. Adams, asked if there is a resident on one of the SID boards does that disqualify them from serving on another board.

Mayor De Luca, stated no.

Mr. Lembrich, stated it wouldn't because they are not appointed by the Township Committee.

Ms. Adams, stated that the purpose of this is to allow more residents to be involved in volunteering in the community.

Mr. Lembrich, stated yes and the purpose of this is to maximize the opportunity for as many residents possible to volunteer and not have the same group of usual suspects sort of populating all the committees. Some of the goals are making the committees more diverse.

Mr. Lembrich stated the second part is the Township Committee had discussed a few months back that

there is a considerable amount of inconsistency within these boards and committees about how the chair or vice-chair is to be selected or appointed. What Mr. Lembrich has done and has distributed to the Township Committee and to Mr. Desiderio, Township Attorney, are some proposed amendments to ordinances to make them more consistent and standardize the way the Township Committee tells the boards and committees and it gets the Township Committee out of appointing chairs and vice-chairs to these boards and committees and it allows the committees to select from among the people. Mr. Lembrich would certainly be open to the idea that some should be every two years on the Chair appointment and also include in the ordinances and make it clear to the committees what they should be doing and how they should do it.

7. Report from Finance Committee - 2017 operating budget 2017 Sewer Fee, Moody's 2017 annual review/VD

Mayor De Luca, stated that there was a question about a deposit in Wells Fargo and Mayor De Luca stated that the Township does not deposit in Wells Fargo and does not use Wells Fargo as a bank and that the Township's money is in Valley National and BCB Bank. The Budget is on track to have a 2 percent tax increase on the municipal tax for the average tax payer and is working on that. The 2017 budget will be introduced at the next meeting. Mayor De Luca also noted that Mrs. Larrier wanted to raise the \$4,200.00 for the spayed and neutered animals.

Mrs. Larrier, stated that she was given a proposal by People for Animals on behalf of the Township's TNVR and they would collect the animals trapped, neutered, vaccinate and release them back.

Mr. Manning, Township Administrator, stated that it will be introduced and it won't be the final budget because they don't have still some personnel issues to get but the place that the Township budget are is the place that the Township budget is going to be meaning the 2 percent.

Mayor De Luca, wanted to just share with everyone as he had a Moody's Investors Service comment that Maplewood Township has a very high quality credit position and its a double AA2 rating and is slightly above the US City Medium of double AA3 and the rating reflects a exceptional strong social economic profile with a sizable tax base and a healthy financial position. It talks about the Township's affordable debt burden with a somewhat inflated pension liability. It says that the financial position of the Township is healthy and consistent with a double AA2 rating and that balance financial operations are a sign of good financial management and in this instance Maplewood Township appropriately broke even as the tax base grew moderately. Mayor De Luca, stated that it was a good report for the Township.

Mayor De Luca, stated lastly they discussed the sewer fee and the sewer fee is now \$184.00 and are recommending a \$10.00 surcharge in 2017 covered deferred capital cost specifically \$108,000.00. The Township received a \$58,419.00 bill from the Joint Meeting which is called Info and infiltration water getting into the sanitary sewer and this is a six (6) year charge and that will be majority of the bill and the rest will do work with sewer covers about 25 sewer covers over the next couple of years that will reduce the inflow so that we will not have this recurring bills from the Joint Meeting. The \$10.00 surcharge will raise roughly about \$100,000.00 or a little under \$95,000.00, \$93,000.00 and that is what we are recommending to the Township Committee and it will be a one (1) year \$10.00 surcharge for a deferred capital cost.

Mr. McGehee, stated that this will help with the deferred maintenance that needs to be addressed.

Mayor De Luca, seconded by Mr. McGehee, move a recommendation for a one (1) year surcharge of \$10.00 for a deferred capital cost.

Mayor De Luca, asked were there any discussion?

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

Nays: none

Abstention: none

8. Joining with Sustainable Jersey in an application for a grant from the Solar Foundation to improve solar market conditions, making it faster, easier, and more affordable for our residents and businesses to install solar energy systems and increase the efficiency of local processes related to solar development./VD&FM

Mayor De Luca, stated the Township has an opportunity to join with Sustainable Jersey and four (4) other towns to participate in a solar program. Sustainable Jersey would provide hands on technical assistance to the five towns and become a solar smart community. This has to do with zoning ordinances, permitting, inspection process and also promoting solar to the community businesses and residents.

Mr. Lembrich, asked how much is this going to cost the Township?

Mayor De Luca, stated that it will cost the Township nothing and that the Township gets stuff for it.

Mr. Lembrich stated that he is for it.

Mrs. Larrier, stated how will this interact with the other program that the Township is in?

Mayor De Luca, stated that this supports the solar challenge.

The Township Committee are all in support of the solar smart community.

Mayor De Luca, seconded by Mrs. Larrier, motion to participate with Sustainable Jersey application for the Solar Foundation.

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

Nays: None

Motion carries.

9. Engagement of Professional Planner for amendments to Redevelopment Area 2 to permit assisted living, adult day care services and medical offices/VD

Mayor De Luca, stated the Township has a proposal from Mr. Paul Grygiel to do the amendment to the Redevelopment plan and this is the affordable assisted living that was talked about. The Township Committee was informed on Monday that the contract has been signed by the Developers and the bank to acquire the property. The Township is set to start moving the process.

Mr. Lembrich, seconded by Mrs. Larrier, motion to award a contract to hire a Consultant for the Township, Paul Grygiel not to exceed \$4,500.00.

RESOLUTION NUMBER 49-17

RESOLUTION AWARDING CONTRACT TO PHILLIPS PREISS GRYGIEL, LLC. FOR THE PREPARATION OF AMENDMENTS TO REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 2

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

Nays: None

Motion carries.

10. Parking Lot #11 (1848-1852 Springfield Avenue) Parking regulations/JM

Mr. Manning, Township Administrator, stated that Municipal Parking Lot #11 is on Springfield Avenue which is south of Tuscan and it goes to another one of the Township's parking lots that we lease. In order to get the cars out of there and to establish some sort of control in that lot, Mr. Manning, would like to suggest that the Township Committee make it like the other Springfield Avenue parking lots 6, 7 and 8 which are 3 hour parking 9 am to 7 pm all except Sunday. On Sunday's you can park later but cars need to be out of the lot by 9 pm. If the Township gets an ordinance we can notify people about the change to that parking lot and start to get ready to have the Farmer's Market in that lot. Mr. Manning stated is this something that the Township Committee can approve. There has been a lot of abuse in that lot of cars being dumped, abandoned, and free parking overnight.

Mayor De Luca, stated that the question is does the Township Committee allow 3 hour parking 9 am until 7 pm and then after that they can park there until 2 am and consistent with all the other Springfield Avenue lots.

Township Committee are all in favor of the 3 hour parking for parking lot number 11.

14. CONSENT AGENDA

Mr. Lembrich, seconded by Mr. McGehee, move adoption of the consent agenda in full.

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

Nays: None

Motion carries.

15. PUBLIC COMMENT - ANY SUBJECT MATTER

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

16. REPORTS FROM DEPARTMENTS

1. Chief Financial Officer - Issuance of Bond Anticipation Note

17. ADMINISTRATIVE REPORTS

Mr. Manning, Township Administrator, no report.

Mr. Desiderio, Township Attorney, no report.

Ms. Fritzen, Township Clerk, no report.

18. REPORTS FROM ELECTED OFFICIALS

Mrs. Larrier, no report.

Ms. Adams, stated that at the Engineering Committee meeting they discussed a mid-block crosswalk on Boyden Avenue from the middle of the pool parking lot to across to the NJ Transit because a lot of people cross there and they want to put some controls over in that area with stripping and a pedestrian crossing sign.

Mr. Lembrich, no report.

Mr. McGehee, stated that the Community Coalition on Race is having a coffee house discussion tomorrow evening at 7:30 pm at the Congregation Beth El located in South Orange on Irvington Avenue, and you can check out TwoTowns.org. The Maplewood Library is having a Ideas Festival on March 18th and recommends that everyone come out to hear Mr. Khalil Muhammad, Angie Thomas who will discuss the book "Hate Give" at the Woodland at 2 pm. The Green Team is celebrating 10 years on this Thursday, 7

pm at The Woodland and Senator John McKean will be there and it is a party with a purpose and recommends everyone come out to that.

Mayor De Luca, stated that Cathy Rowe is the new coordinator for SOMA TwoTowns for All Ages. Cathy is a resident of Maplewood and Cathy will be working on the Initiative South Orange and Maplewood.

Mayor De Luca, stated that the Township Committee has Talk To The Township Committee on Saturday, March 18th at 9 am at the Maplewood DPW Lot and then after that the Township Committee can go to the Ideas Festival.

Mayor De Luca, stated that his office hours are next Tuesday, March 14th, from 7 pm to 8 pm at Town Hall.

Mayor De Luca, stated next Tuesday, March 14th at 7:30 pm the Library is having an open meeting to talk about the plans for the future of the libraries. They are really looking for the public to participate and come with ideas, suggestions of what you would like to see.

Mayor De Luca stated that he wanted to thank the Township Committee for the Special meeting they had on March 2nd and that it was really helpful for the Planning Group and the architects to meet with the Township Committee and just talk about it and thanked Township Committee again.

19. ADJOURNMENT

Meeting ended 11:15 pm. To meet again Tuesday, March 21, 2017 at 7:30 PM at the Maplewood Municipal Building, 574 Valley Street, Maplewood, N.J.