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The Montclair Township Council reviewed petitions on August 12 for an ordinance requiring the township's private businesses to allow workers to earn paid sick time after Township Clerk Linda Wanat and her staff certified them as having 1,106 signatures to ask the council to pass it — eleven more than required. The council had the chance to pass such an ordinance on first reading and put it up for a second vote and a public hearing within twenty days, or it could allow it be placed on the November 4 election ballot. The council decided not to act immediately, but it did decide to look at the issue more closely. It will still be on the ballot regardless.

Ordinarily, if a municipal council in New Jersey does not act on a petition for an ordinance, a twenty-day waiting period takes place, followed by a ten-day period, and then it goes on a ballot of a general election that is within forty days after that or requires a special election — something the New Jersey Families Working Alliance, which advocated the petitions, already ruled out. But Wanat's office was so diligent and quick in certifying the petitions — it took her and her staff three days to do so — that Township Attorney Ira Karasick advised the council that it would go on the ballot regardless of the council's actions.



Marcia Marley of BlueWave NJ

"Unless you pass it yourself, it will be on the November ballot," Karasick said. "The timing will work."

In order to pass the ordinance on first reading within twenty days, however, the council would have to have a special meeting within the three weeks following August 12, as the next scheduled regular meeting isn't until September 16.

Activist Marcia Marley of BlueWave NJ was one of many individuals who spoke out in favor of paid sick time in public comment. She said it was not only just but would lead to a more productive work force and a stronger economy, citing minimal cost to employers in Connecticut, where a statewide paid sick leave law was passed, and cities like San Francisco and Seattle. Other supporters emphasized the benefits of such an ordinance. Jefferey Beck, owner of the [East Side Mags](#) comic book store on South Fullerton Avenue, said that the ability to take a paid sick day off would show support for workers who need time off when they don't feel well. BlueWave NJ's Alan Myers said it was important to guarantee paid sick time to workers such as school cafeteria personnel to protect the health of the children they serve, noting that nearly eight percent of food service workers in the United States don't get paid sick time, constituting a public health risk. Watchung Booksellers owner Margot Sage-EL also supported the initiative, citing the need for her own staff to take paid sick days when ill. "It's very important for our staff to have paid sick leave," she said. "They don't get paid the big bucks, and a loss of a payday is really crucial to them."

The six members of the council present, Fourth Ward Councilor Renée Baskerville was absent, were evenly divided. Second Ward Councilor Robin Schlager found it "upsetting" that people would be scared to take a sick day and lose a day's pay, and Third Ward Councilor Sean Spiller said there was such a loss involved for low-wage workers who needed paid sick time that he was willing to have a special session to push it through. Deputy Mayor Robert Russo

thought the ordinance could work for Montclair if structured properly. But Councilor-at-Large Rich McMahon and First Ward Councilor William Hurlock said they needed more time to review the proposed ordinance as written, and Councilor McMahon questioned whether it could be enforced. And Mayor Robert Jackson said that he wanted to research the issue further and talk about it with the local business associations.

Even though the council didn't act, it could still pass a paid sick time ordinance before it goes to the November ballot, but the decision to wait bought the mayor and councilors some time.

Street Improvements and Parking

The residents of North Fullerton Avenue above Watchung Avenue, meanwhile, thanked the council for the repaving of their street. After they had presented cookies made to look like bumps and potholes at an earlier meeting, resident Steve Gelsi gave the council smooth cookies to celebrate the repaving.

The issue of commuter parking near the Walnut Street station came up regarding Cambridge Road, as two of that street's residents, Richard Quiroz and Ed Wright, said that parking there was causing problems for sanitation and fire trucks to pass through, and asked about a possible study for their street. Councilor McMahon advised the residents to petition the Traffic Parking and Advisory Committee for a study and review as nearby Oxford Street had done, and find consensus for what's best for the block regarding parking.

"We have to get a petition? We don't have any cookies, now," Wright joked.

Township Manager Marc Dashfield said that Township Engineer Kim Craft and the police could evaluate the safety concerns as part of what Mayor Jackson called a "parallel path" to resolve the situation.

The council also passed on second reading a street ordinance requiring thorough repaving of streets excavated for public works projects, and then it passed on first reading to require that anyone with an excavation permit shall also be responsible to pay the cost of inspection by an agency hired by the township. Seven ordinances, including ordinances acquiring new trucks and equipment and various infrastructural improvements, were also passed on second reading, as were fifteen resolutions, including resolutions for street improvements, a shared services agreement with Glen Ridge to renovate Washington Field, and a professional services agreement with Phillips Preiss Grygiel for a redevelopment plan for Seymour Street. All of them passed unanimously.

Praise for Planning Board

At the end of the meeting, Councilor McMahon praised the unanimous approval by the Planning Board the night before of the applications for the Montclarion II apartment building and the MC Hotel. The hotel, scheduled to be completed by 2016, has caused some controversy regarding the bulk of the building, but that issue had been taken off the table because the bulk was approved in the 2011 redevelopment plan before several Planning Board members, including Councilor McMahon and Mayor Jackson, had joined. Subsequent fine-tuning of the design still needs signing off from the subcommittee chaired by Martin Schwartz as a condition of approval by developer Pinnacle to obtain a final building permit. This mutually agreed provision will help ensure the specific design and aesthetic terms in the redevelopment plan will be adhered to and that Montclair's "neighborhood character" and specified architectural detailing interests are being protected.

Despite the long process in approving both buildings, Mayor Jackson said at the council meeting that both buildings would provide major assets to Montclair for years to come.