

# **MONTCLAIR CENTER BID**

## **GREAT AMERICAN MAIN STREET AWARD WINNER 2015**

**Montclair Center BID - Full Board Meeting**  
**September 1, 2021 - 7:00 p.m. - 8:45 p.m.**  
**BID Office - 26 Lackawanna Plaza or Zoom**

Board members in attendance: Jose Barreiro, Celestina Ando, Jeff Beck, David Cummings, Ashley Cyrus, Lisa Johnson, Roger Mazzeo, Jill Montague, Jaji Packard, Alescia Peyton, David Placek, Lori Price Abrams, Elizabeth Rich, Sue Schultz, Matt Silverman, Nat Testa

Absent: Richard Cronk, Hipolito Pollantis, Robert Squires

Staff: Jason Gleason, Pauline Heaney

Guests: Luther Flurry, David Genova, Tony Ianuale

### **I. CALL TO ORDER & WELCOME**

Lisa Johnson called the meeting to order at 7:04 p.m.

### **II. ADOPTION OF JUNE MINUTES**

**Jaji Packard moved to approve the June minutes.**

**Sue Schultz seconded. Motion passed unanimously.**

### **III. PUBLIC COMMENTS**

Dave Genova, principal of Greenwood Development of Montclair, commented on the ordinance to amend Section 347 of the zoning code. He is very dismayed that by removing these provisions in the C1 zone, property owners will be required to put change-of-use parking requirements in front of the planning board. He stated this change is problematic, it will cause dozens of new projects to go before the planning board and is not healthy for this neighborhood.

Luther Flurry, Montclair property owner and long-time resident, expressed displeasure that this same zoning provision drawn up by the planning board was hurriedly pushed through without the knowledge of local stakeholders, with insufficient time to review, and without any data. He asked why the council did not draw upon the BID's knowledge and resources before proposing this ordinance change. He said this will increase costs and decrease rents for property owners. New parking spaces will have to be found, which is in opposition to local and state best practices. He also stated this provision violates the town's Master Plan.

Tony Ianuale (who said he was not at this meeting as a planning board member) stated he had voted against this ordinance change. He said it was a surprise when the change was brought up at a first reading on August 10. He further stated that no data was presented with this proposal. He believes there are a lot of parking assets in town and had made a case for shared parking at the ordinance reading.

#### IV. NEW BUSINESS

##### a. Proposed Changes to Zoning Ordinance 347

Following the public comments further discussion took place regarding this ordinance. The value of shared parking (where residential parking units can be utilized during the day by office workers) was declared to be a benefit to all. It was noted that the language in the ordinance was very unclear and would require legal analysis.

Nat Testa gave an example how Salute, a local restaurant, has made an arrangement for their patrons to park in the church lot opposite their establishment. The church lot is only used for Tuesday and Sunday services, but under the new provision this arrangement would not be allowed.

Matt Silverman said there is a parking scarcity misconception. However, without sufficient data it is unclear what our parking needs currently are. The last parking inventory was conducted in 2016, which at the time, concluded the town had an excess of off-street parking. Once completed, the Midtown and Seymour decks will add 250 additional spaces. Also, with under-utilized parking decks, often at only 50-60% capacity, the need is for better signage to inform and guide visitors to these open spaces.

Dave Placek made these points:

- Section 347-79 D is a fact, not sure why it's being struck,
- property owners don't have land for parking on their property; the C1 relies on municipal decks and lots for parking,
- if a change of use requires an increase of parking, but property owners don't have onsite or offsite control of parking, they have a real risk of not being able to get tenants into their buildings as it is out of their control.

##### b. Proposed By-Laws Changes

###### i. Term Limits

Jaji Packard moved that Section 3.04 Term of Office of the Montclair Center Corporation By-Laws is to read:

The Township Council Directors shall, at all times, be appointed by the Montclair Township Council.

Upon the expiration of the terms of the initial members of the Board of Directors, the terms of all subsequent members of the Board of Directors shall be three (3) year terms, except for the At Large Directors and the Resident At Large Director who shall serve for a term of one (1) year.

Directors of the Montclair Center Corporation may not serve 7 consecutive years on the Board. A Director may continue to sit on the Board until the 31st of December on or after their sixth-year anniversary.

Any Executive Committee Officer whose sixth year has passed, and whose term would normally end on December 31<sup>st</sup>, shall have their term extended until the election of new officers at the January board meeting. Any Executive Committee Officer serving in this capacity as an extension of their term shall not vote at the January meeting.

A former Director whose term has ended after six years may begin service on the Board, if duly elected, after they have taken a minimum of one year off.

ii. Board Size

Jaji Packard moved that Section 3.03, Composition of Board of Directors of the Montclair Center Corporation By-Laws, is amended to reduce the number of Directors serving on the Board. Section 3.03 currently reads:

- a) Two (2) members of the Montclair Township Council (the “Township Council Directors”);
- b) Seven (7) persons who own assessed and taxed real estate within the District, or officials or representatives of a corporation or entity owning or managing assessed and taxed real estate within the District, at least one of whom shall be located in the 3rd Ward and at least one of whom shall be located in the 4th Ward (the “Owner Directors”);
- c) Seven (7) persons who conduct or operate a business located within or on assessed and taxed real estate within the District, or officials or representatives of a corporation or entity conducting or operating such business at least one of whom shall be located in the 3rd Ward and at least one of whom shall be located in the 4th Ward (the “Business Directors”);
- d) Three (3) at large directors who need not be an owner of assessed and taxed real estate within the District nor the owner or operator of a business within the District (the “At Large Directors”);
- e) One (1) person who shall be a resident living within the boundaries of the Montclair Center Business Improvement District but shall not be an owner of assessed and taxed real estate or a business within the District (“Resident At Large Director”);
- f) One (1) person who shall be an officer or director of a non-profit organization having its principal office located in the District (the “Non-Profit Director”);

In addition, the Township Manager or his/her designee shall be an ex officio non-voting member of the Board of Directors.

Discussion took place to further amend the By-Laws to specifically designate the third and fourth ward council members be the ones to serve on the board. Further clarification regarding the BID’s term limits was requested. The BID will ask PUMA to provide any provisions and best practices regarding this.

Concerns were raised on the amount of time and dedication it takes to serve on executive committee, also the learning process necessary to gain the skillset to serve in that capacity. Imposing term limits can potentially cause a loss of institutional knowledge and the risk of congruency, so there was a suggestion to delay imposing these limits for one year.

Conversely, a delay in implementing term limits will incur a greater change to the board the following year. Term limits can also refresh executive leadership by making space for someone new to step up. The board was reminded that members subject to term limits are still able to serve as a public member on sub-committees.

Lori Price Abrams suggested that term limits are healthy in that people will automatically rise to the occasion and will learn the skillsets needed to serve on the board. In terms of board size, a question was posed to the benefits of shrinking the board. Further, that a larger board has greater and more varied strengths in ideas and resources. However, it is often hard to fill vacant seats.

Jason Gleason explained that term limits need only be voted on by the BID board. However, changes to the board size would need to be voted on by the Township.

Finally, it was suggested that tighter language regarding board size and composition was needed in order to present this for a vote at the October meeting. A straw poll vote proposed to change the term limits this year rather than waiting a year.

c. Six-Month Plan

Lisa Johnson briefly reviewed the BID's next six-month plan.

i. Committee Restructure

Due to time constraints, Lisa Johnson briefly explained that board committee restructuring will mean fewer, more concise committees. Meeting dates will be pre-loaded into Basecamp, with the switch to the new committees to take place in January.

**V. EXECUTIVE DIRECTOR'S REPORT**

Deferring report time to new business.

**VI. EXECUTIVE COMMITTEE REPORT**

Deferring report time to new business.

**VII. TREASURERS REPORT**

Jose Barreiro reported the budget committee has met recently, with another meeting scheduled this week. Their goal is to have a completed 2022 budget for the board's October meeting.

He gave a brief overview of the revised 2021 budget, explaining where significant differences occur. The Advertising/PR/Marketing line is down because of reduced events due to COVID. Meanwhile, the Business Development and Retention line is over due to extra grant monies revenue. An additional funding grant has yet to be received and may not be as sizable as was first expected. This means there will be no extra expenditure or programming for the rest of the year.

**VIII. COMMITTEE REPORTS**

a. Nominations Committee

Sue Schutz is pleased to recommend Caterina Russo, business owner of Sicilia Mia on South Fullerton Avenue, to fill the unexpired term of Jennifer Bobal, ending December 2022.

**Sue Schultz moved to accept Caterina Russo to the board as a business owner. Jaji Packard seconded. Motion passed unanimously.**

**IX. OLD BUSINESS**

a. Jazz Fest

Jason Gleason reported that moving Jazz Fest from Nishuane Park to downtown this year has meant a lot of moving parts, with many additional things to consider, but he is excited to bring this event to the finish line. He says the cooperation of the unified command unit, (fire/police/emergency services) has been tremendous. He asked all board members to continue broadcasting the event to the public.

b. Bloomfield Avenue Construction

Jason Gleason reported the construction is going well so far. Construction company, Trench Technologies, has been very responsive to his questions and concerns. They are hoping to complete work next May. He will get an updated schedule and inform businesses as construction progresses block by block.

**X. OPEN DISCUSSION – New Ideas, Comments, Questions**

None

**XI. ADJOURNMENT**

**Ashley Cyrus moved to adjourn the meeting. Jaji Packard seconded. Motion passed unanimously. Meeting adjourned at 8:50 p.m.**

**NEXT MEETING:**

**Oct. 13 • 7:00 p.m.**