

**MONTVILLE TOWNSHIP COMMITTEE
MEETING MINUTES—April 26, 2016**

Montville Township Committee Regular Meeting
Tuesday, April 26, 2016, 7:00 p.m.
Montville Township Municipal Building, 195 Changebridge Road, Montville, New Jersey

Statement of Open Public Meetings Act Compliance read by Township Clerk Atkinson.

Roll call Township Committee:

Present: Committeeman Scott C. Gallopo
 Committeeman Frank W. Cooney
 Committeeman Richard D. Conklin
 Committeewoman Deborah Nielson
 Chairman James Sandham, Jr.

Also present: Victor Canning, Township Administrator
 June Hercek, Assistant Township Administrator
 Fred Semrau, Esq., Township Attorney
 Gertrude Atkinson, Township Clerk

RESOLUTION NO. CES-16-04-26 PROVIDING FOR EXECUTIVE SESSION TO DISCUSS MATTERS AS PERMITTED PURSUANT TO NJSA 10:4-12, SUBSECTIONS:

- [X] (d) A collective bargaining agreement including negotiations: PBA/SOA.
- [X] (g) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege: JCP&L; School resource officer; Historical Society; Property sale Block 163, Lot 33; and C. PioCosta.
- [X] (h) Personnel matters: Police and Administration.

Motion: Nielson. Second: Cooney. All in favor. Resolution adopted.

At 7:00 p.m. – Closed Session. At 8:00 p.m. – Public Session.

Township Clerk Atkinson read the Statement of Open Public Meetings Act Compliance again for the record.

Prayer and Pledge of Allegiance led by Committeewoman Nielson.

RECOGNITIONS:

NO. 1 – RECOGNITION OF VERONICA TULLO: Chairman Sandham and the Township Committee members presented Veronica with her bronze, silver, and gold Presidential Service Awards for community service. Chairman Sandham read a letter of congratulations from President Obama. Committeeman Conklin read the Certificate of Recognition from the Township Committee:

WHEREAS, Veronica Tullo, an 8th grade student at Lazar School, earned Bronze, Silver, and Gold Presidential Service Awards for completing over 100 hours of community service over the last year; and

WHEREAS, She currently holds the national pageant titles of America’s Miss Preteen Exemplar Queen and Royal International Miss Garden State Preteen; both of which are scholarship and community service based pageants; and

WHEREAS, Veronica’s community service involves working with several local organizations including The Homeless Bus, Relay for Life, Valhalla Civic Association, Pathways, and Heart & Hands Mission; and

WHEREAS, She has been a Girl Scout since first grade and is currently working on her Silver

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Award;

NOW, THEREFORE, The Township Committee of the Township of Montville, County of Morris, New Jersey, do hereby recognize and extend their appreciation to **VERONICA TULLO** for her volunteerism and exemplary community service to Montville Township and extend their sincere congratulations for earning Presidential Service Awards and pageant titles.

Chairman Sandham recognized Mrs. Carr, Principal of Lazar School, who was also present.

NO. 2 – ENVIRONMENTAL COMMISSION – PROCLAMATION ARBOR DAY 2016:

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed through out the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, we, the Township Committee of the Township of Montville do hereby proclaim **April 29th** as **Arbor Day** in the Township of Montville, and we urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, we urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

Chairman Sandham read the proclamation and presented it to Michele Caron, member of the Environmental Commission. He thanked Michele for her efforts with Arbor Day each year.

Caron stated this year we are celebrating the life of Jackie Ritschel, who recently passed away. The celebration will be Friday, at 9:30 a.m., at the Board of Education building. Jackie's husband and children will be there to help plant the tree.

2016 MUNICIPAL BUDGET: Victor Canning, Township Administrator, reported the tax levy is below the State required 2%. \$39.24 increase on the average assessed home in Montville that is at \$528,093. Total appropriations decreased. Our revenues also decreased. Katie Yanke, CFO, is competent, skilled, and dedicated to what she does. She deserves recognition.

For the 8th year in a row, through the practices of this governing body, we have maintained a triple A bond rating. I will go over the seven criteria for that when we get to my Administrator's report. It is important to note some of the reasons why. Because of the sound fiscal policies this governing body has allowed us to put in place through the initiatives of the governing body and the CFO, we have a trust account for tax appeals in the amount of \$2.75 million to address them. We have an accumulated absence trust fund. We have a snow recovery trust in the amount of \$589,000. Because of these, we will not have to do

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emergency appropriations. Tax collection rate is 99.24. We have paid down tens of millions of dollars in debt. We paid down over \$300,000 in debt this year. You have allowed us to put these things in place.

Everyone, including the CFO, makes me look good. She is brilliant and worth every penny you pay her. She is present if you have any questions for her.

Committeewoman Nielson stated last meeting we discussed a \$15,000 allocation in Social Services for outreach for the community in terms of drug awareness. I would ask the Administrator and staff do a memo as to how we are going to achieve those goals. Canning stated we are looking at options.

Nielson asked can we establish a date that we will have a game plan to increase public awareness? Canning stated tomorrow at the Department Head meeting I will discuss with staff. I have spoken to Nancy Mertz and with our new Health Officer, Aimee Puluso. Agenda item second meeting in May.

Sandham stated we saw a decrease in the library surplus contribution. I want to thank the Administrator, Assistant Administrator, and CFO. They found a way to use fund balance to compensate for the library surplus. We no longer have to wait for the library to let us know the library surplus. They did an excellent job in working through the budget. I appreciate the thought process to put us in a better position for next year and future years.

NO. 1 – RESOLUTION WAIVER OF READING IN FULL OF THE 2016 MUNICIPAL BUDGET:

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted and at the free public library, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Township of Montville has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the reading in full of the 2016 Budget be dispensed with.

Motion: Conklin. Second: Gallopo. Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

NO. 2 – PUBLIC HEARING ON THE 2016 MUNICIPAL BUDGET: Chairman Sandham opened the public hearing. Motion: Nielson. Second: Cooney. All in favor. Motion approved.

Hearing no comments, Chairman Sandham closed the public hearing. Motion: Nielson. Second: Cooney. All in favor. Motion approved.

NO. 3 – AMENDMENT TO THE 2016 MUNICIPAL BUDGET – PUBLIC HEARING: Chairman Sandham opened the public hearing on the amendment to the 2016 municipal budget. Motion: Gallopo. Second: Cooney. Motion approved.

Canning stated what the CFO has come up with is an amendment that frees us from having to wait for the library fund balance to be authorized by the State Library Board. We can now move forward. We are in line to receive \$90,000 from the library. What the CFO has come up with is to take \$80,000 of the fund balance of the library and dedicate it to the capital fund balance. Then we will take \$10,000 and reserve it to debt service. This will allow us to not have to wait for State authorization.

Sandham stated really this is a budget line item transfer out of the library surplus and taking more out of the capital fund and reserve for payment of debt.

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Hearing no further comments, Chairman Sandham closed the public hearing. Motion: Gallopo. Second: Nielson. All in favor. Motion approved.

RESOLUTION:

WHEREAS, the local municipal budget of the year 2016 was approved on the 22nd day of March, 2016, and,

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Montville, County of Morris, that the following amendments to the approved budget of 2016 be made:

	<u>From</u>	<u>To</u>
General Revenues:		
Miscellaneous Revenues		
Special Items of General Revenue		
Anticipated with Prior Written Consent of Director of Local Government Services –		
General Capital Fund Surplus	100,000	180,000
Library Surplus Contribution	90,000	0
Reserve for Payment of Debt	100,000	110,000

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2016 local municipal budget so amended.

Motion: Gallopo. Second: Nielson. Discussion: Committeeman Conklin stated I understand the concept that we are going to take the \$90,000 and hold it in escrow for next year. What is the danger for future years – because we are setting budgets, and we are still depending on that money to come back from the library. The Library Board may be coming up with some capital projects for future years.

Sandham stated the \$90,000 we get this year will go into the fund surplus for next year. What caught us by surprise this year is the library decided to do a lot of those capital projects this year.

Nielson asked is there any way the Township Committee and Administration can work with the Library Board to have some of their capital improvements bonded into municipal projects so they are not paying as they go?

Canning stated if something major is needed, we certainly would work with them. Sandham stated I have asked them to come up with a capital plan. Canning stated they could do a six-year capital plan. I have offered my help.

Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

NO. 4 – RESOLUTION AUTHORIZING SELF-EXAMINATION OF THE 2016 MUNICIPAL BUDGET:

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Montville has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial

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Officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Township Committee has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion: Nielson. Second: Cooney. Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

NO. 5 – RESOLUTION ADOPTING THE 2016 MUNICIPAL BUDGET:

BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$18,217,166 for municipal purposes, and

\$1,668,006 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

\$1,610,255 for minimum library tax

Summary of Revenues	
General Revenues	
Surplus Anticipated	\$ 1,544,000

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Miscellaneous Revenues Anticipated	6,430,863
Receipts from Delinquent Taxes	701,000
Amount to be raised by Taxation for Municipal Purposes	18,217,166
Amount to be raised by Taxation for Schools in Type II School Districts Only – Minimum Library Tax	1,610,255
Total Revenues	\$ 28,503,284
General Appropriations	
Within “CAPS”	
Operations including Contingent	\$ 17,372,241
Deferred Charges and Statutory Expenditures-Municipal	1,911,779
Excluded from “CAPS”	
Operations – Total Operations Excluded from “CAPS”	2,025,688
Capital Improvements	125,000
Municipal Debt Service	4,599,682
Deferred Charges - Municipal	51,083
Reserve for Uncollected Taxes	2,417,811
Total Appropriations	28,503,284

Motion: Nielson. Second: Conklin. Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

REPORTS:

NO. 1 – ADMINISTRATOR: Canning reported on the following:

8th year in a row – triple A bond rating. Seven criteria: strong economy; strong management practices – we look back six years on our revenues and expenditures. We have the six-year capital plan. We have formal cash management plans. We have our Long-Term Financial Planning Committee – citizen board that helps the governing body; adequate budget performance; strong budgetary flexibility; strong liquidity; adequate debt management and liability profiles; and strong institutional framework.

Recycling day was this past Saturday. Want to thank Ms. Hercek. This takes a lot of work. We had 11.5 tons of electronics.

NJDOT grant – we received a letter that we were denied. This is because of the poor management practice by the State in addressing the transportation trust fund. I think it behooves all of us to get to our local representatives to put the pressure on them. The plan to do Brittany Road is something we are still going to do, but it will have to be self-funded by us.

NO. 2 – ATTORNEY: Fred Semrau, Township Attorney, reported on the following:

Municipal Excess Liability Fund – the elected official seminar can be taken online by the end of the month. We can receive a \$250 credit for that.

Closed session items – Historical Society lease agreement – we have sent a draft to them.

Budget – I understand it may seem late to you, but compared to most municipalities you are early.

NO. 3 – TOWNSHIP COMMITTEE LIAISON REPORTS AND COMMENTS:

Committeeman Gallopo reported at the Long-Term Financial Committee meeting last week there was discussion on the review of water and sewer surplus/budgets. They hope to have a recommendation to the committee the end of May.

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Committeeman Cooney reported at the Open Space Committee meeting there was discussion on improving trails and creating new trails.

The Dog Park Advisory Committee is meeting next Monday night.

Committeewoman Nielson asked is there is an appeal process for the denial of the NJDOT grant? Canning replied I would say no; they are limiting their funds. The trust fund keeps dwindling. I would say reach out to our Senator and Assembly members.

Nielson stated we should have a concerted effort to make sure that we are getting a slice of the pie this year or going forward. If our Attorney or you have any recommendations for official correspondence to the State that would be helpful. Then we can reach out on our own to the legislators.

Nielson reported the School of Rock hosted a benefit fundraiser concert for Project Graduation. Thank you very much to the School of Rock for hosting.

Soccer – parking at the gardens – I advised the President of soccer that officers are being directed to ticket. There are still no good maps on the website. I asked him to contact the Administrator of Engineer for maps.

Gallopo stated I also spoke to Lori Dent about why there is nothing on the website yet. It is because the Board of Education is requiring an insurance waiver from soccer and any recreation groups that want to park in that lot. Canning stated we have worked through it and hopefully it will be addressed shortly.

Nielson stated the Open Space Committee members are excited about the 150th Anniversary. They want to help celebrate hiking outdoors in 2017. They want to work with Administration to help facilitate maps and manpower. Their goal is to have them open before spring next year and to have them GPS'd and linked to our new website.

Committeeman Conklin reported the Rockaway River meeting was postponed.

Environmental Commission – the Arbor Day event is April 30 at 9:30 a.m.

Historic Preservation Review Commission – they approved an application for 64 Waughaw Road.

Towaco Fire Department wet down is May 7. Towaco Civic Association BBQ at Camp Dawson is May 22.

In 2015 we put together goals and objectives. We reiterated it again in the beginning of 2016. I had suggested initiating a town-wide survey – how is the Township Committee doing – roads, emergency services, recreation, land use. We could put a one-page questionnaire in the Montville Messenger. I would like my colleagues to think about that.

Chairman Sandham reported on the Economic Development Committee meeting. They are working on developing a refined mission statement. They are also developing a survey for some businesses in town. One member has resigned – Mr. Samitt. We will miss you. We appreciate your input and efforts.

VFW Memorial Wall dedication at the Senior House, Friday, May 27, at 1 p.m.

The Knights of Columbus are hosting a pancake fundraiser on May 15 from 8 a.m. to 12 noon to raise money for Drug Awareness - Project Graduation.

OLD BUSINESS:

NO. 1 – PROJECT STATUS REPORT: No comments.

NEW BUSINESS:

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NO. 1 – DOG PARK ADVISORY COMMITTEE BY-LAWS: Canning stated he wanted to make sure he received the Township Committee's input. Township Committee to get their comments to the Administrator by Tuesday.

ORDINANCE INTRODUCTIONS:

NO. 1 – ORDINANCE NO. 2016-11 OF THE TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY ACCEPTING A DRAINAGE EASEMENT BETWEEN RONALD AND MARGARET BORRESS AND THE TOWNSHIP OF MONTVILLE FOR THE PROPERTY DESIGNATED AS BLOCK 139.9, LOT 34 ON THE MONTVILLE TOWNSHIP TAX MAP:

Ordinance is offered for adoption on first reading with second reading and public hearing scheduled for May 10, 2016, at 8 p.m. Motion: Cooney. Second: Nielson. Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Motion approved.

NO. 2 – ORDINANCE NO. 2016-12 ESTABLISHING THE 2016 SALARIES OR WAGES OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF MONTVILLE IN THE COUNTY OF MORRIS AND METHOD OF PAYMENT OF SUCH SALARIES OR WAGES – UNREPRESENTED:

Ordinance is offered for adoption on first reading with second reading and public hearing scheduled for May 10, 2016, at 8 p.m. Motion: Cooney. Second: Nielson. Discussion: Gallopo asked can we have in a document any changes that were made from last year's brackets – or have there been any changes? Canning stated there was a 2% increase. Will have report for next meeting.

Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Motion approved.

PUBLIC PORTION: Chairman Sandham opened the public portion.

Roberta Samitt, 2 Ridge Drive North, Montville, stated there are a lot of problems with the company Field Turf, and the products they were using. Do you know who did our turf? Canning answered I believe one of them was Field Turf. I will let you know tomorrow.

Samitt stated they said they would repair and replace all of them, but there were going to be a lot of lawsuits. Canning stated I will make sure to tell the Engineer. If it is Camp Dawson, we have a maintenance bond.

Semrau stated if it is, we should have an inspection of the field. Canning stated we do a Gmax test each year. That tests the shock value. I will follow through on it.

Joan Honig, Chairperson, Dog Park Advisory Committee, 10 Garrity Terrace, Pine Brook, stated I want to thank the Township Committee for welcoming the Dog Park Advisory Committee as part of the Township and look forward to working with you in the future. We have a number of requests for repairs to the Dog Park in. We would urge the committee to look closely at the repairs we have requested. New planks were put into the gazebo and people are tripping on the lip. We need to have that repaired. It is a real safety issue. I have provided a list to Administration.

Canning stated I received it today and will address it with Mr. Perry tomorrow.

Hearing no further comments, Chairman Sandham closed the public portion. Motion: Cooney. Second: Nielson. All in favor. Motion approved.

RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2016-CA9: Motion: Nielson. Second: Cooney. Roll call vote – all yes, except Conklin abstained on item C, and Sandham abstained on item A. Resolution adopted.

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CONSENT AGENDA ITEM A – RESOLUTION AUTHORIZING THE RETURN OF VARIOUS CASH BONDS POSTED WITH THE TOWNSHIP:

WHEREAS, certain cash bonds have been posted with the Township of Montville to secure the performance of obligations; and

WHEREAS, the Engineering Department has verified that the improvements, the installation of which were secured by the cash bonds, have been installed in a satisfactory manner and has recommended the release of cash bonds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that the following cash performance bonds shall be released:

<u>LOCATION</u>	<u>PURPOSE</u>	<u>AMOUNT/DATE</u>	<u>RETURN ALL BONDS TO:</u>
27 Linda Court Block 52.4, Lot 6	Driveway	\$500.00 02/14	Mr. Joseph Prestifilippo, Jr. Holiday Montville, LLC Crimson Capital, LLC
28 Linda Court Block 52.4, Lot 5	Driveway	\$500.00 01/14	489 South Riverview Drive Totowa, NJ 07512
29 Vreeland Avenue Block 52.3, Lot 19	Road Opening	\$630.00 08/10	

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Chief Financial Officer and the Township Engineer.

CONSENT AGENDA ITEM B – RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CASH BOND FOR STREETScape LIGHTING – 12 MAIN ROAD, LLC – BLOCK 45, LOTS 7 & 8, 12 MAIN ROAD: Board of Adjustment application ZSPP/FCD15-13, \$4,500.

CONSENT AGENDA ITEM C – RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CASH BOND FOR RESTORATION – 12 MAIN ROAD, LLC – BLOCK 45, LOTS 7 & 8, 12 MAIN ROAD: Board of Adjustment application ZSP/FCD15-13, \$10,241.28.

CONSENT AGENDA ITEM D – RESOLUTION AUTHORIZING REQUEST FROM THE DPW DIRECTOR FOR REFUND OF OVERPAYMENT OF WATER AND SEWER CHARGES:

WHEREAS, due to an error in the registration of a sprinkler account, there was an overpayment of water and sewer charges from June 2010 through March 2016 for Changebridge at Montville in the total amount of \$28,341.86 (\$14,963.70 for water; \$13,378.16 for sewer); and

WHEREAS, it is the recommendation of the DPW Director that these monies are refunded; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that the treasurer is hereby authorized to draw a check in the amount of overpayment to:

Name: Changebridge at Montville
Total Refund: \$28,341.86

This Resolution shall take effect immediately.

CONSENT AGENDA ITEM E – RESOLUTION AUTHORIZING THE SALE OF A 1994 AUTOCAR ROLL OFF TRUCK AND 3 THIRTY YARD DUMPSTERS, OWNED BY THE TOWNSHIP OF MONTVILLE TO THE BOROUGH OF LINCOLN PARK:

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WHEREAS, the Township of Montville holds title to a 1994 Autocar brand Rolloff Truck, VIN # 4VSCBJF4RR513725, with three (3) thirty cubic yard dumpsters (collectively, the “Truck”) for use by its Department of Public Works; and

WHEREAS, the Township of Montville has determined that there is no longer any public need for or use of the Truck by the Township; and

WHEREAS, the Borough of Lincoln Park has determined that it has a need for the Truck; and

WHEREAS, the Borough of Lincoln Park has expressed an interest in purchasing the Truck; and

WHEREAS, the Township of Montville, pursuant to N.J.S.A. 40A:11-36 may by Resolution and without advertising for bids, sell its personal property to any governmental unit in the United States; and

WHEREAS, the Borough of Lincoln Park is a municipal governmental entity located in the County of Morris, State of New Jersey; and

WHEREAS, the Township of Montville desires to sell the Truck to the Borough of Lincoln Park with no representations or warranties for the minimum sale price of \$20,000; and

WHEREAS, the Chief Financial Officer has approved the sale of the Truck; and

WHEREAS, the parties desire to enter into an Agreement memorializing the terms and conditions between said parties relating to the sale and purchase of the 1994 Autocar Roll Off Truck and three (3) thirty yard dumpsters.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey that the Township Administration is hereby authorized to proceed with the sale of the 1994 Autocar brand Rolloff Truck, VIN #4VSCBJF4RR513725, with three (3) thirty cubic yard dumpsters, to the Borough of Lincoln Park, Morris County, New Jersey for the sale price of \$20,000 subject to the following terms:

- a. The Borough of Lincoln Park agrees to pick up the 1994 Autocar Roll Off Truck and (3) three thirty yard dumpsters and accept same in “as is” condition.
- b. The Borough of Lincoln Park agrees that the Township of Montville will not be responsible for any repairs in connection with said vehicle and makes no representations as to its condition.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to enter into the Inter-Local Agreement between the Township of Montville and the Borough of Lincoln Park for the sale and purchase of the 1994 Autocar brand Rolloff Truck, VIN #4VSCBJF4RR513725, with three (3) thirty cubic yard dumpsters.

BE IT FURTHER RESOLVED that a copy of this resolution shall be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

CONSENT AGENDA ITEM F – RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TILCON NEW YORK, INC. FOR MILLING AND PAVING WORK UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL:

WHEREAS, a Morris County Cooperative Pricing Council contract is available for road resurfacing (Contract #6 Road Resurfacing); and

WHEREAS, the Township of Montville has a need for milling and paving for the following projects:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2016 Annual Road Resurfacing Project	C-04-56-125-101	\$425,000.00
Douglas Drive Road Improvement Project	C-04-56-121-002	\$92,000.00
86 River Road Parking Lot (Phase Two Paving)	C-04-56-106-001	\$39,158.39

; and

WHEREAS, the Township of Montville wishes to award the contract for the milling and paving of the above-referenced projects to Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey, under the Morris County Cooperative Pricing Council in the total amount of \$556,158.39.

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that Tilcon New York, Inc. is hereby awarded the Contract for the following municipal projects under the Morris County Cooperative Pricing Council, Contract #6 Road Resurfacing:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2016 Annual Road Resurfacing Project	C-04-56-125-101	\$425,000.00
Douglas Drive Road Improvement Project	C-04-56-121-002	\$92,000.00
86 River Road Parking Lot (Phase Two Paving)	C-04-56-106-001	\$39,158.39

This Resolution will take effect immediately upon its passage.

CONSENT AGENDA ITEM G – RESOLUTION AUTHORIZING THE PUBLICATION OF BID SPECIFICATIONS FOR MUNICIPAL BUILDING RE-ROOFING AND REPAIR:

WHEREAS, the condition of the Montville Township Municipal Building Roof has deteriorated and needs to be addressed; and

WHEREAS, it is necessary for the Township to publish bid specifications for Municipal Building Re-Roofing and Repair.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, that the Township Administrator is hereby authorized to publish bid specifications for the re-roofing and repair of the Municipal Building in the Township of Montville.

CONSENT AGENDA ITEM H – ACKNOWLEDGEMENT OF SOCIAL AFFAIRS PERMIT APPLICATION TO THE NJ DIVISION OF ALCOHOLIC BEVERAGE CONTROL – TOWACO VOLUNTEER FIRE DEPARTMENT WET DOWN 05/07/16.

CONSENT AGENDA ITEM I – RESOLUTION AUTHORIZING THE ISSUANCE OF A WAREHOUSE SALE PERMIT TO CHRISTINE VALMY, INC.:

WHEREAS, Revised General Ordinance Chapter 295 requires the issuance of a permit by the Township of Montville for temporary or seasonal retail sales in warehouses; and

WHEREAS, Christine Valmy, Inc. has filed an application and all fees for a warehouse sale permit; and

WHEREAS, the application filed by Christine Valmy, Inc. conforms to the requirements of the Township Ordinance;

WHEREAS, the signage plan dated 04/11/16 has been approved as follows: Six signs only. Signs may be placed from 04/25/16 to 05/06/16, and must be removed within 24 hours after the last day of the warehouse sale.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that a warehouse sale permit be issued to Christine Valmy, Inc. for the following dates: April 25– May 06, 2016.

CONSENT AGENDA ITEM J – RESOLUTION APPOINTING MELINDA PFLUG AS ALTERNATE DEPUTY REGISTRAR FOR THE TOWNSHIP OF MONTVILLE:

BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey that the Mayor and Township Clerk do hereby authorize the appointment of:

Melinda Pflug to the position of Alternate Deputy Registrar for the Township of Montville effective April 27, 2016.

CONSENT AGENDA ITEM K – ACCEPTANCE OF RESIGNATION OF STEPHEN SAMITT FROM THE ECONOMIC DEVELOPMENT COMMITTEE: With regrets.

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CONSENT AGENDA ITEM L – RESOLUTION AUTHORIZING THE ISSUANCE OF A SOLICITOR’S PERMIT FOR ONE YEAR TO DARREN TIGHE:

WHEREAS, Revised General Ordinance Chapter 281 requires the issuance of a license by the Township of Montville for canvassing, soliciting, or peddling; and

WHEREAS, a Power Home Remodeling Group solicitor has filed an application and all necessary fees for a solicitor’s license for the duration of one year; and

WHEREAS, the application conforms to the requirements of the Township Ordinance and the Police Department has approved the applications;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that a solicitor’s license for Power Home Remodeling Group for one year from the date of issuance be issued to the following applicant:

Darren E. Tighe

BE IT FURTHER RESOLVED that Montville Township’s “No Solicitation List” as per Township Code Chapter 281-7 (E) be issued to each solicitor upon the issuance of their solicitor’s permit.

CONSENT AGENDA ITEM M – RESOLUTION APPROVING OPEN AND CLOSED SESSION MINUTES REGULAR MEETING 02/23/16.

RESOLUTIONS:

NO. 1 – RESOLUTION AUTHORIZING THE GRANTING OF A SPECIAL PERMIT TO THE TOWACO CIVIC ASSOCIATION TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE) AT A PICNIC BEING HELD AT CAMP DAWSON PARK ON MAY 22, 2016:

WHEREAS, Montville Township Code Chapter 85-16 permits the issuance of special permits for the consumption of alcohol on public property; and

WHEREAS, the Towaco Civic Association will hold a picnic on May 22, 2016, at Camp Dawson Park and have requested that the Township grant a "special permit" to allow the consumption of alcohol (beer and wine) at this event; and

WHEREAS, the Towaco Civic Association has submitted their request in accordance with Chapter 85-16 and have agreed to comply with the conditions of said Chapter, which include compliance with all insurance requirements and compliance with all requirements of the Police and Fire Departments; and

WHEREAS, the Township Committee has reviewed the request and has determined that a special permit be granted to allow the consumption of alcohol at the event.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that a "special permit" shall be granted to allow the consumption of alcohol (beer and wine) at the Towaco Civic Association picnic to be held at Camp Dawson Park on May 22, 2016.

Motion: Conklin. Second: Gallopo. Roll call vote – Gallopo, yes; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

NO. 2 – RESOLUTION AUTHORIZING A COST SHARING AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED MODIFIED TRAFFIC SIGNAL INSTALLATION – ROUTE 46/HOOK MOUNTAIN ROAD/CHAPIN ROAD:

WHEREAS, a traffic signal intersection exists at Route 46 & Hook Mountain Road-Chapin Road in the Township of Montville, in the County of Morris; and

WHEREAS, the Township has requested for the modification of the existing traffic signal intersection; and

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WHEREAS, the existing traffic signal intersection if the subject of an agreement dated November 11th, 1954 (attached hereto as Exhibit A) by and between the Township and the State; and

WHEREAS, it is the purpose of this Agreement to provide for the participation of the Township in the cost of the modifications of the existing traffic signal intersection;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk of the said Township of Montville be and hereby is authorized to enter into an agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof.

Motion: Gallopo. Second: Nielson. Roll call vote – all yes. Resolution adopted.

NO. 3 – RESOLUTION AUTHORIZING THE LISTING OF BILLS AND SIGNING OF CHECKS: Motion: Cooney. Second: Nielson. Roll call vote – all yes. Resolution adopted.

RESOLUTION IN SUPPORT OF STATE SENATE BILL 2983 AND ASSEMBLY BILL 4543 TO AMEND THE NEW JERSEY LAW TO ESTABLISH CLASS THREE SPECIAL LAW ENFORCEMENT OFFICERS IN SCHOOLS:

WHEREAS, the New Jersey State Senate has introduced and approved Bill 2983 to amend the law to provide Class Three Special Law Enforcement Officers in public and private schools; and

WHEREAS, the proposed law provides for such Class Three Special Law Enforcement Officers, which would include qualified retired police officers who are less than 65 years of age, to have the same powers and duties as police officers when providing security at public and private schools; and

WHEREAS, this legislation will provide a cost effective plan to employ qualified retired police officers in our schools; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey that the Mayor and Township Committee support Senate Bill 2983 and the corresponding Assembly Bill 4543 and the proposed legislation to permit Class Three Special Law Enforcement Officers to provide security in public and non-public schools for the reasons stated herein.

BE IT FURTHER RESOLVED, that a copy of this Resolution in support of this legislation be provided to our legislative representatives, the Morris County Board of Chosen Freeholders and Assemblyman Patrick Diegnan, Head of the Assembly Education Committee, who is considering when to list this Bill for a vote.

This resolution shall be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

Motion: Gallopo. Second: Cooney. Discussion: Semrau stated this is a bill from the Assembly and Senate to provide security in public and private schools. It is to permit retired officers under the age of 65 to serve in our schools. It has passed the Senate already.

All in favor. Resolution adopted.

REVIEW OF MEETING ACTION ITEMS:

NO. 1 – ADMINISTRATOR: May 24 agenda – Social Services initiative; resolution/letter to NJDOT regarding grant (Administrator or Attorney); follow up with Engineer for maps for the Soccer Association; and Dog Park items.

NO. 2 – ATTORNEY: From closed session – JCP&L; and final resolution for the SRO bills.

NO. 3 – TOWNSHIP COMMITTEE: None.

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**RESOLUTION NO. CES-16-04-26 PROVIDING FOR EXECUTIVE SESSION TO DISCUSS MATTERS
AS PERMITTED PURSUANT TO NJSA 10:4-12, SUBSECTIONS:**

[X] (h) Personnel matters: Police.

Motion: Conklin. Second: Cooney. All in favor. Resolution adopted.

At 9:20 p.m. – Closed Session. At 9:40 p.m. – Public Session.

Meeting adjourned at 9:40 p.m. Motion: Gallopo. Second: Conklin. All in favor. Motion approved.

Respectfully submitted,

Approved June 28, 2016
Montville Township Committee

Gertrude H. Atkinson, Township Clerk

James Sandham, Jr., Mayor