

**MONTVILLE TOWNSHIP COMMITTEE
MEETING MINUTES—July 19, 2016**

Montville Township Committee Regular Meeting
Tuesday, July 19, 2016, 6:30 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 Frank W. Cooney
 Committeeman Richard D. Conklin
 Committeewoman Deborah Nielson
 Chairman James Sandham, Jr.

Absent: Committeeman Scott Gallopo (excused)

Also present: Victor Canning, Township Administrator
 June Hercek, Assistant Township Administrator
 Fred Semrau, Esq., Township Attorney
 Susan Sharpe, Esq., Township Attorney
 Mark Mantyla, Township Engineer
 Gertrude Atkinson, Township Clerk

RESOLUTION NO. CES-16-12-07 PROVIDING FOR EXECUTIVE SESSION TO DISCUSS MATTERS AS PERMITTED PURSUANT TO NJSA 10:4-12, SUBSECTIONS:

- [X] (g) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege: Property sale Block 163, Lot 33; Changebridge Road/Gathering Road; Shared services animal control; JCP&L; Museum; River Road project; Farmer's market; and Tax appeals
- [X] (h) Personnel matters: Construction, Police, and Engineering.

Motion: Nielson. Second: Cooney. All in favor except Gallopo, absent. Resolution adopted.

At 6:30 p.m. – Closed Session. At 8:00 p.m. – Public Session.

Fred Semrau, Township Attorney, left the meeting at this time.

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

Prayer and Pledge of Allegiance led by Committeeman Cooney.

REPORTS:

NO. 1 – ADMINISTRATOR: Victor Canning, Township Administrator, reported the NJ Superior Court Morris Sussex Vicinage inspected our court system as they do annually. We received a good report.

January 1, 2017, the NJ Superior Court is putting in new bail reforms. Morris County Judge Wubbenhorst and our Judge will be coming to our meeting on September 13th to give a presentation on the implementation of the reforms.

UNICO's San Gennaro Festival – they would like to have fireworks this year at 9 p.m. on September 10th. All State safety requirements will be adhered to. I will sit with UNICO and go over the police requirements. Township Committee – ok subject to review and approval by the Administrator.

Canning continued his report: Morris County Trails Grant – we are working on an application to submit for 2017. Submittal has to be within the next few weeks. Township Committee – ok.

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Morris County JIF – they completed their annual loss control risk management. I want to complement our staff. One of the comments by JIF: we have a strong management commitment to safety and good follow-through with all of our departments and facilities. This is a credit to the staff of this Township.

Morris County Improvement Authority – they have a leasing program. We are starting work on the 2017 budget next month. I would like to have all of the Department Heads look at these programs.

Chairman Sandham stated he is ok with looking into it. We do have our own Triple A bond rating. It is worth looking at to see if there are any savings. Township Committee – ok.

Canning continued his report: Farmer's Market – Ms. Hercek and I gave it our college try. We can only get commitment from four vendors. We can't run it with only four vendors. This year it will have to be cancelled. We will try again next year.

NO. 2 – ATTORNEY'S REPORT: No report.

NO. 3 – TOWNSHIP COMMITTEE REPORTS AND COMMENTS:

Committeeman Cooney reported on the Montville Police Explorer's attendance at their conference in Arizona. They won three 2nd place trophies and one 4th place trophy. We had an outstanding year. We will recognize them at next meeting.

Committeewoman Nielson reported on the following:

Drug Awareness Municipal Alliance did not meet.

Board of Health – they are looking at Dog Park ordinance and massage parlor ordinance revisions. The Health Officer and a member of the Board of Health will be coming to next meeting to make a presentation on them.

150th Anniversary – the Chamber of Commerce has requested the purchase of additional brackets (40) for flags along our streets. They will be needed by March of 2017. They would like to start getting sponsors.

Nielson made a motion to purchase forty additional brackets for street flags for 2017 totaling approximately \$6,000. Second: Conklin. Discussion: Leave to the Administrator to decide if the funds will come from the 2016 or the 2017 budget. Roll call vote – Gallopo, absent; Cooney, abstain (Chamber of Commerce Commissioner); Conklin, yes; Nielson, yes; Sandham, yes. Motion approved.

Nielson stated if we could get that letter out to Mr. O'Dowd of the Chamber of Commerce that would be great.

Committeeman Conklin reported the Towaco Civic Association, Mr. Bob Woods in particular, did some upgrades. They had New Jersey Natural Gas redo some of the bollards around the gas pipelines throughout the town – repainted and fixed up. Kudos to the TCA and Bob Woods.

Chairman Sandham reported on the following:

Audit Report – we have received our Annual Audit Report. There was only one minor comment on the internal controls and the financial management of the town. Kudos to Administration and the CFO. We have \$2 million more in cash now than we did last year. It is always a good thing to have money in the bank. We have a reserve for tax appeals which we implemented a few years ago. From 2014 to 2015 it increased from \$1.5 million to \$2.75 million. We are putting away money because we know there are going to be tax appeals as a result of the revaluation and every year there are always a few more. Now we are getting ahead of the curve instead of being behind it. Kudos on that.

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Economic Development Committee did not meet. They do plan on having a meeting with the Chamber of Commerce. They are also looking to do a business outreach meeting with the Township in the fall.

Police recognition day – I was at a meeting and the organization would like to recognize the police in light of all that has been happening in the last couple of weeks. Perhaps we can do a Police recognition day, make an official proclamation, and put it out there for the citizens. This is something for the Township Committee to consider and pick a date. Will leave it to the Township Clerk to see if there is something on the calendar and maybe next meeting we can propose that.

OLD BUSINESS:

NO. 1 – PROJECT STATUS REPORT: Nielson asked about a date for starting the Changebridge Road sidewalks.

Mark Mantyla, Township Engineer, stated he put the finishing touches on the construction plans today. The specifications should be done by the end of the week and sent to the County. The bid process puts us into August. It may have to be constructed in September. Nielson stated let's do our best to get it done in August before school starts.

Conklin asked about the status of updating the Council Chambers. Canning stated we are replacing the carpet and reupholstering the seats. Nielson stated and there will be additional upgrades.

NO. 2 – CHANGEBRIDGE ROAD/GATHERING ROAD FOLLOW-UP: Canning reported we are going to set up a meeting with the Morris County Freeholders and Engineer, the Township Engineer, the Mayor, and Chief Appelman to see if a traffic light is warranted.

Canning reported we have contacted the owner of the southeast corner of Gathering Road. He has trimmed the hedges and the Engineer will be going to inspect.

Sandham stated the application for that site did not require a traffic study. It is a County road – it met the site line requirements. How long ago was that site plan?

Mantyla stated the original approval for Kids R'Kids was March 5, 2009. The County will undertake a traffic study if the town will pay 50% of the construction costs of the light if a light is warranted. They will pay for the study. They will do the study six months after the Kids R'Kids facility is open.

Sandham stated we think they can do a traffic study with projected numbers. That is why we are setting up a meeting – to move this forward. Mantyla stated the average cost of a traffic light is \$200,000. We would be responsible for \$100,000.

Sandham asked when the site was approved was it approved as a preschool site? Mantyla answered yes.

Nielson stated for the residents here – we can get you an update after the meeting with the Freeholders. June Hercek has a list of phone numbers and e-mail addresses.

Mantyla stated I will go back to the resident this week to inspect. We will take a look at the big tree also.

NO. 3 – MONTVILLE HISTORICAL SOCIETY/MUSEUM FOLLOW-UP: Canning reported we met with the Montville Historical Society representatives. Mr. Grant has advised us they plan to have the museum open in November of this year. I appreciate the progress made.

Sandham opened the floor to Mr. Grant.

Dan Grant gave an update on the ad hoc committee. The whole goal of this committee is to get the museum in shape and open. I have one copy of a rough outline of a theme and a copy of the finances of

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the Historical Society. I have a breakdown of the work that has to be done and costs that are associated with this. The Historical Society has spent, over several years, approximately \$16,000 – monies already spent or committed. We have costs for people to install items.

Grant stated I hope this addresses some of the questions the Committee has. We know the lease is still being negotiated. We do need a key for the building because some of our volunteers work at different times. I think the Historical Society can be trusted to open it up and get some of this work done. I don't think it is necessary to have the town open at overtime rates, etc.

Documents submitted to the Township Committee.

Sandham stated I will leave the key issue up to the Township Committee. Grant stated I think we can achieve getting it open for the 150th Anniversary.

Nielson stated \$16,000. The Historical Society received two grants in the last few years from the Heritage Commission – 2013 - \$2,300 for exhibits and 2015 - \$3,670 for new signage for the museum and the Doremus House. I am not sure if those grants are included in those monies. The replacement signage would have to be vetted before our Zoning Officer and our Engineering Department. I understand it has not been.

The Heritage Commission grants are annual. The grants are between \$1,000 and \$5,000 specifically for museum exhibit preparation and for refurbishing museums. I don't know if the MHS has submitted an application this year. The signs are not in place, if they are vetted with the proper folks, and if you have more applications that will be submitted to the Heritage Commission that would be great.

Kathy Fisher, MHS President, stated we are not applying this year because they are changing the rules. A lot of the items on that list did not apply to those kinds of grants. There are items that they do not cover. Nielson stated if we could get the new rules that would be great.

Grant stated that is something our committee can investigate. At some point the town will have to put some money in this. It is a Township facility, and we want it all to be good. The Historical Society is doing the best they can, but we do have limited resources.

Sandham stated let us digest this; and you will have a report next meeting. Grant stated and also review the theme.

Nielson stated it is our intent to have flags to commemorate the 150th on all of the municipal buildings, and that would include the museum, the Doremus House, and the out-kitchen.

NO. 4 – HUNTING MAP RECOMMENDATIONS: Canning reported we recommend you eliminate the Marketplace property. We have opened up over 100 acres without that tract. Recommend the hunters register at no charge with the Police Department so we know who they are and where they intend to hunt. Mantyla stated possibly also there would stickers for the vehicles.

Sandham stated Marketplace is on River Road at the corner by the Lake Hiawatha bridge that the Township acquired as open space a number of years ago and because of the proximity to the Lazar School there and the proximity of the Hilldale property near Hilldale School, the Township Committee has been hesitant to open that up to hunting. I am happy to hear that we have opened over 100 acres of other properties to allow for hunting. I am comfortable with keeping those two off the hunting map for now and am comfortable with implementing some type of volunteer registration.

Conklin stated I think the avid hunters last year were suggesting the registration and would even pay a small fee to cover the cost of the sticker. Posting – I am sure the hunters would be glad to lend a hand posting.

Township Committee – all ok with map and registration - except Gallopo, absent.

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NEW BUSINESS:

NO. 1 – CHERYL ROAD STOP SIGNS: Canning reported they recommend two three-way stop signs to stop the speeding. This would also provide safe crosswalks. Sandham stated I know there are residents here from Cheryl Road so maybe we can get their input during public portion before we make a decision.

NO. 2 – SISCO HOUSE KITCHEN: Canning stated we are moving along on this. Sandham stated it is time for a kitchen update. It is Township property where the VFW is housed. We also run some recreation programs there.

Conklin stated the kitchen is just a small part of it. Canning stated we are waiting to hear from Home Depot on the cost of cabinets. If we have excess money, we are planning on putting carpeting in there and getting done whatever we can get done in there.

PUBLIC PORTION: Chairman Sandham opened the public portion.

Fran Rycharski, 21 Gathering Road, Pine Brook, stated thank you very much. You should have all received a copy of the letter we sent to the Freeholders and our petition. Traffic study – what kind of timeline? Mantyla stated the County has to do it because it is a County Road. We will ask them to do it now and use projections.

Rycharski stated it is also about the whole stretch – Tuscany Village on. Also, Hilldale School traffic has to be taken into consideration. Sandham stated they will do actual counts and then overlay Kids R’Kids, Tuscany Village, etc. We will do the study after school starts.

Canning stated we are going to try to setup a meeting with the Freeholders; particularly those that live in Montville. Sandham stated we hope to have that meeting within the next few weeks and be able to report back to you August 16 with any progress we made.

Kathy Lindert, 38 Underwood Road, Montville, stated 19 Montgomery is on your agenda tonight. Their gas is on. Safety precaution – can you see if the gas can be shut off? Also, there are two other vacant houses on Underwood Road. Can we check to see if their gas is on? For 19 Montgomery, can the police do a safety check to see if anyone is in the house?

Laurie Terranova, 21 Montgomery Avenue, Montville, stated I have been told there is someone there, but we have not seen anybody in months. A gas company employee said the gas is a problem if there is no one there.

Mark Picardo, 19 Cheryl Road, Pine Brook, stated thank you for trying to get a resolution here. We want to present a petition to get a permanent traffic calming device. I thank the police, but I know they can’t be there 24/7. I think it was reported 900 cars in one direction – I don’t think our road is built for that capacity. Submitted petition.

Picardo state if you think this is the best solution, then we are in favor of it. If we do make these changes can you continue to monitor for the time being? Thank you.

Heath Waldorf, 6 Cheryl Road, Pine Brook, stated thank you. I like what I see. I would also ask you to further consider the four-way stop on Konner Avenue.

An opportunity and idea - High School students and parking – perhaps speeding and traffic violations in town can be tied to the parking at the High School to get them to feel some type of accountability. I think it would help town-wide to cut down on some of the speeding.

Brian Lusk, 18 Cheryl Road, Pine Brook, stated thank you for trying to address the speeding violations. The curb on Cheryl and Flanders is in pretty bad shape, so I like the curb ramp solution. Hopefully, this will also resolve the speeding issue.

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

Canning stated our Zoning Officer has been to 19 Montgomery. There is a resident living inside. He has not been cooperative. Sandham asked can our Health Department or Social Services help?

Canning stated they have refused anything from us. Nielson asked can our Police do an occasional welfare check? Canning stated I can certainly ask the Chief. I can ask the Health Department to visit also.

Canning stated I will investigate the two houses on Underwood first thing tomorrow.

Sandham stated as far as tying the speeding to parking permits, I will bring that up at our Board of Education subcommittee meeting.

Canning stated Cheryl Road – we felt we should start with the stop signs for now. If we don't see results, then we can certainly put the four-way stop back on the table. We think that is reasonable for now. If the Committee is ok with it, then we can move forward with this predicated on funding – because of some other moves as I mentioned to you earlier with the DOT unfortunately this is one of the things that may have to wait until next year, but let us continue to look at our finances. As you can see, it is not a major endeavor, and I think it clearly would provide a permanent solution for the pedestrian safety which is of utmost importance on that block with the speeding.

Sandham stated and I presume we will have police enforcement when they first go in? Mantyla stated and there will be warning signs that the stop signs will go up.

Township Committee – ok except Gallopo, absent.

RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2016-CA14: Motion: Cooney. Second: Nielson. Roll call vote – Gallopo, absent; Cooney, yes; Conklin, yes; Nielson, yes; Sandham, yes. Resolution adopted.

CONSENT AGENDA ITEM A – RESOLUTION AUTHORIZING THE PROCESSING OF CERTAIN TAX SALE CERTIFICATE REDEMPTIONS:

BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, that the following tax sale certificate redemptions be processed by the department of Finance:

Block 139.11 Lot 10.01
8 Adina Terrace
Lien Redemption Certificate #14-00020 \$27,700.32
Premium Money \$22,100.00
TOTAL PAYMENT \$49,800.32
To: Marodi, Isaac

Block 52.02 Lot 90.02
3 Jesse Court
Lien Redemption Certificate #15-00009 \$25,391.34
Premium Money \$37,500.00
TOTAL PAYMENT \$62,891.34
To: Ebury Fund 2 NJ LLC

Block 162 Lot 7
16 Route 46
Lien Redemption Certificate #15-00029 \$246,164.69

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TOTAL PAYMENT **\$246,164.69**

To: MTAG Cust for Empire VII NJ Portfolio

CONSENT AGENDA ITEM B – RESOLUTION AUTHORIZING CANCELLATION OF TAXES AND REFUND OF OVERPAYMENT 2016:

WHEREAS, property taxes as of 04-20-2016 are to be cancelled due to a 100% disabled veteran exemption; and

WHEREAS, a portion of these property taxes have been paid by the property owner, creating an overpayment of tax;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Township of Montville be authorized to cancel taxes for the following and that the Treasurer of the Township of Montville be authorized to draw a check in the amount of overpayment to:

Block 109 Lot 5.1

Purpura, Dennis

775 Route 202 Cancel & Refund

72 days - 2nd Qtr \$1,661.52

Total Refund: \$1,661.52

Cancel Only

3rd Qtr \$ 2,183.11

4th Qtr \$ 2,183.11

CONSENT AGENDA ITEM C – RESOLUTION AUTHORIZING THE RETURN OF CASH BOND POSTED WITH THE TOWNSHIP OF MONTVILLE:

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 BOND TO:</u>
3 Chestnut Street Block 78, Lot 5.01	Soil stabilization	\$3,795.00 03/16	Unique Homes, Inc. 34 Perona Road Andover Twp., NJ 07821

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 D – RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE BOND IN CONNECTION WITH BLOCK 39, LOT 63.1 (TWINS COURT, TOWACO), TO LAUREL GREEN (N REALTY):

WHEREAS, Laurel Green (N Realty) previously submitted in October 2013 paper Maintenance Bond No. S20157M issued by First Indemnity of America Insurance Company in the amount of \$55,653.16 in connection with its Application No. PMSP/F03-02 for Block 39, Lot 63.1; and

WHEREAS, the Township Planner and Township Engineer recommend by Memorandum dated July 15, 2016 that the entire Maintenance Bond be released in full to Laurel Green (N Realty).

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey Maintenance Guarantee (Paper \$55,653.16)

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posted by Laurel Green (N Realty), pursuant to Application No. PMSP/F03-02 for Block 39, Lot 63.1, be released in full to Laurel Green (N Realty).

This Resolution shall take effect immediately.

CONSENT AGENDA ITEM E – RESOLUTION AUTHORIZING PROPERTY MAINTENANCE WORK TO BE COMPLETED BY THE TOWNSHIP OF MONTVILLE DEPARTMENT OF PUBLIC WORKS TO PLACE THE PREMISES AT 19 MONTGOMERY AVENUE IN CONFORMANCE WITH THE PROPERTY MAINTENANCE ORDINANCE:

WHEREAS, there is in existence within the Township of Montville a property located at 19 Montgomery Avenue, designed on the Montville Township Tax Map as Block 125.13, Lot 5 (the “Property”); and

WHEREAS, the Property has not been maintained in compliance with the Township’s Property Maintenance Ordinance; and

WHEREAS, a Notice of Violation was served on July 6, 2015 by regular mail, requiring compliance by July 24, 2015; and

WHEREAS, as the property maintenance violations were still not abated, a summons was issued on May 19, 2016 requiring a municipal court appearance on June 13, 2016, and then postponed to June 27, 2016;

WHEREAS, the property owner did not appear in municipal court and as of this date property maintenance violations have not been abated; and

WHEREAS, the Township Property Maintenance Ordinance, § 287-33, permits the Township to abate property maintenance violations, the costs of which are to be a lien against the premises; and

WHEREAS, the Township Director of Public Works has performed an inspection of the Property and provided a cost estimate of the work necessary to bring the Property up to Code; and

WHEREAS, the cost estimate for the work on the Property totals \$1,134.12 as per the attached report; 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 if the property is not timely remediated by the property owner, the Township Administration and Department of Public Works is hereby authorized to perform work on the property located at 19 Montgomery Avenue pursuant to the report of the Director of Public Works, attached hereto, in the amount not to exceed \$1,134.12, said amount to become a lien against the property, in order to remediate the property maintenance violations.

This Resolution shall take effect immediately.

CONSENT AGENDA ITEM F – RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 (SUPPLEMENTAL MUNICIPAL ALLIANCE):

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$2,000, which is now available from the County of Morris Supplemental Municipal Alliance funding in the amount of \$2,000.

BE IT FURTHER RESOLVED, that the like sum of \$2,000 is hereby appropriated under the caption Supplemental Municipal Alliance Grant; and

BE IT FURTHER RESOLVED, that the sum of \$1,250 representing the amount budgeted for the Township of Montville’s share of the aforementioned undertaking or improvement appears in the budget of the year 2016 under the caption Municipal Alliance Sub Grant-Local Match; and

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BE IT FURTHER RESOLVED, that the above is the result of funds from the County of Morris Supplemental Municipal Alliance Funding in the amount of \$2,000.00.

CONSENT AGENDA ITEM G – RESOLUTION GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations;” and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Montville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

CONSENT AGENDA ITEM H – RESOLUTION AUTHORIZING A DONATION OF ABANDONED BICYCLES TO CHARITABLE ORGANIZATIONS, NAMELY PEDALS FOR PROGRESS OR THE SALVATION ARMY:

WHEREAS, the Township of Montville periodically comes into possession of abandoned bicycles; and

WHEREAS, if no one comes forward to claim these bicycles they are deemed by law to be “abandoned” and must be disposed of by the Township; and

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WHEREAS, the cost to auction the abandoned bicycles would exceed the amount received at auction; and

WHEREAS, the Township Committee finds that it is in the public interest to donate the abandoned bicycles to either of the organizations Pedals for Progress or The Salvation Army, which are not for profit charitable organizations recognized by the Internal Revenue Service which repair, utilize, and donate the bicycles for charitable purposes.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville that the Police Department is hereby authorized to effectuate the donation of any abandoned bicycles which lawfully come into the possession of the Township of Montville. The donation shall be made to either of the organizations Pedals for Progress or The Salvation Army. This authorization shall apply until further notice.

CONSENT AGENDA ITEM I – RESOLUTION CONSENTING TO THE MODIFICATION OF EXISTING EQUIPMENT AT THE 86 RIVER ROAD WIRELESS COMMUNICATIONS FACILITY PURSUANT TO THE LEASE BETWEEN THE TOWNSHIP OF MONTVILLE AND STC FIVE LLC (“SPRINT”), AND AUTHORIZING THE EXECUTION OF A LETTER OF CONSENT FOR AT & T MOBILITY MODIFICATIONS:

WHEREAS, the Township of Montville has a Lease Agreement with STC Five LLC (“Sprint”) for a wireless communications facility located on Township property at 86 River Road; and

WHEREAS, Crown Castle, on behalf of Sprint, is proposing to modify AT & T Mobility’s existing equipment at the site; and

WHEREAS, the agreement between Sprint and the Township of Montville requires the Township’s consent to the modification of existing equipment; and

WHEREAS, the Township Engineer and the Township Constructions Official have reviewed the request and have recommended that the Township approve the request.

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 of Montville hereby consents to the request of Crown Castle, on behalf of STC Five LLC (“Sprint”), to modify existing equipment at the wireless communications facility located at 86 River Road as specified in its July 6, 2016 letter, and that the appropriate municipal officials are hereby authorized to execute the letter dated July 6, 2016 signifying the consent of the Township of Montville under the Lease between the Township of Montville and STC Five LLC (“Sprint”).

CONSENT AGENDA ITEM J – RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO THE SHADE TREE DEPARTMENT, LLC FOR FORESTRY SERVICES:

As per proposal dated July 12, 2016. Not to exceed \$1,000.

CONSENT AGENDA ITEM K – RESOLUTION RESCINDING THE PLACE-TO-PLACE TRANSFER OF LIQUOR LICENSE – MONTVILLE-WINE OUTLET LLC:

WHEREAS, an application was filed with the Township for a place-to-place transfer of Plenary Retail Distribution License Number 1421-44-018-002, issued to Montville-Wine Outlet LLC for an inactive license with a mailing address of 131 South Main Street, Hightstown, New Jersey, to premises located at 223 Changebridge Road, Units 5-6, Montville, New Jersey; and

WHEREAS, the submitted application was approved by Resolution of the Township Committee on May 24, 2016; and

WHEREAS, following approval of the place-to-place transfer, the applicant notified the Township that the premises located at 223 Changebridge Road, Units 5-6, were no longer available for relocation; and

WHEREAS, Plenary Retail Distribution License Number 1421-44-018-002 cannot be relocated and remains an inactive license held by Montville-Wine Outlet LLC with a mailing address of 131 South Main Street, Hightstown, New Jersey; and

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NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, does hereby rescind the place-to-place transfer of Plenary Retail Distribution License Number 1421-44-018-002 which had been approved on May 24, 2016.

This Resolution shall take effect immediately.

CONSENT AGENDA ITEM L – RESOLUTION AUTHORIZING THE ISSUANCE OF SOLICITOR’S LICENSES – JAMES HARDEE BUILDING PROJECTS:

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

WHEREAS, James Hardee Building Products solicitors have filed applications and all necessary fees for a solicitor’s license for the period 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 James Hardee Building Projects for one year be issued to the following applicants:

Luke R. Rimmer
Ronald Kolment

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 AUTHORIZING THE ISSUANCE OF SOLICITOR’S LICENSES – TWEEDS DRY CLEANING:

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 Tweeds Dry Cleaning solicitor has filed an application and all necessary fees for a solicitor’s license for the period 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 Tweeds Dry Cleaning for one year be issued to the following applicant:

Ira Alan Mabee

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 N – RESOLUTION APPROVING OPEN AND CLOSED SESSION MINUTES REGULAR MEETING MAY 24, 2016.

CONSENT AGENDA ITEM O – ACCEPTANCE OF RESIGNATION OF JOAN LEIB FROM THE RESIDENTS’ WITH DISABILITIES ADVISORY COMMITTEE: With regrets.

RESOLUTIONS:

NO. 1 – RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO DENVILLE LINE PAINTING FOR NJDOT MUNICIPAL AID PROJECT – RIVER ROAD IMPROVEMENT PROJECT TRAFFIC STRIPING WORK UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL:

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WHEREAS, a Morris County Cooperative Pricing Council contract is available for traffic striping (Contract #36 Traffic Striping on Roadways); and

WHEREAS, the Township of Montville has a need for traffic striping for the following project:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
River Road Improvement Project	C-04-56-127-111	\$31,164.00

; and

WHEREAS, the Township of Montville wishes to award the contract for the traffic striping of the above-referenced project to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, New Jersey, under the Morris County Cooperative Pricing Council in the total amount of \$31,164.00.

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 Denville Line Painting, Inc. is hereby awarded the Contract for the following municipal project under the Morris County Cooperative Pricing Council, Contract #36 Traffic Striping for Roadways:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
River Road Improvement Project	C-04-56-127-111	\$31,164.00

This Resolution will take effect immediately upon its passage.

Motion: Conklin. Second: Nielson. Roll call vote – all yes except Gallopo, absent. Resolution adopted.

NO. 2 – RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE NJDOT MUNICIPAL AID PROJECT RIVER ROAD IMPROVEMENTS PROJECT CATCH BASIS REPAIRS AND RECONSTRUCTION TO COVINO & SONS CONSTRUCTION COMPANY, INC.:

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township Engineer solicited bids from three (3) vendors to perform the catch basin repairs and reconstruction required as part of the River Road Improvements Project; and

WHEREAS, the Township Engineer received responsive bids from two (2) vendors: Covino & Sons Construction Company, Inc., 39 North Drive, Rochelle Park, NJ 07662 on or about June 28, 2016 and Cifelli & Son General Construction, Inc., 81 Franklin Avenue, Nutley, NJ 07110 on or about June 30, 2016, for the River Road Improvement Project as per the bid specifications; and

WHEREAS, said bids have been duly reviewed and analyzed by the Montville Township Attorney and Township Engineer; and

WHEREAS, the bid received from Covino & Sons Construction Company, Inc. in the amount of \$15,400.00 has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this project.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey as follows:

1. The Township Committee hereby awards a contract to Covino & Sons Construction Company, Inc., 39 North Drive, Rochelle Park, NJ 07662 for the NJDOT Municipal Aid Project – River Road Improvement Project – Catch Basin Repairs & Reconstruction in an amount not to exceed \$15,400.00.

2. The appropriate Township Officials are hereby authorized and directed to enter into a contract with Covino & Sons Construction Company, Inc. in accordance with its bid for said NJDOT Municipal Aid Project – River Road Improvement Project – Catch Basin Repairs & Reconstruction in the Township of Montville.

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3. The Township's Chief Financial Officer has certified the availability of funds for this contract.

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

This Resolution shall take effect immediately.

Motion: Cooney. Second: Conklin. Roll call vote – all yes except Gallopo, absent. Resolution adopted.

NO. 3 – RESOLUTION APPROVING THE LISTING OF BILLS AND SIGNING OF CHECKS: Motion: Nielson. Second: Conklin. Roll call vote – all yes except Gallopo, absent. Resolution adopted.

REVIEW OF MEETING ACTION ITEMS:

NO. 1 – ADMINISTRATOR: Meet with the County regarding Gathering Road/Changebridge Road. Shared services cost analysis. Underwood Road and Montgomery Avenue vacant homes – gas service – let Mrs. Lindert know. Township Clerk to distribute the petition and information submitted by the MHS.

NO. 2 – ATTORNEY: None.

NO. 3 – TOWNSHIP COMMITTEE: Chairman Sandham will bring up the idea of tying the speeding and issuance of parking permits at the Board of Education subcommittee meeting.

Nielson stated our new website is up. I noticed not all of the Township Committee meeting minutes and recordings are posted. If we could get a timeframe to resolve this that would be great.

Hercek stated we are looking to have it up this week.

Meeting adjourned at 9:05 p.m. Motion: Conklin. Second: Cooney. All in favor except Gallopo, absent. Motion approved.

Respectfully submitted,

Approved September 13, 2016
Montville Township Committee

Gertrude H. Atkinson, Township Clerk

James Sandham, Jr., Mayor