

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - Monday, March 22, 2021**

**\*\*This meeting will be conducted via teleconferencing due to the Coronavirus Disease (COVID-19). CALL IN INSTRUCTIONS (978) 990-5000 Access Code 424062#\*\***

**7:00pm – PUBLIC SESSION**

Statement of Open Public Meetings Act Compliance read by Mayor

In accordance with the Open Public Meetings Act and the Emergency Remote Meeting Protocol for Local Public Bodies, adequate and electronic notice of this telephonic meeting have been provided by mailing, emailing and/or faxing notice to the Daily Record and the Citizen, posting notice on the Township website and posting notice on the outside front door & bulletin boards of the Municipal Building, 195 Changebridge Road, Montville, NJ 07045.

Members of the public will be kept on mute during the meeting. The phone lines will be unmuted during the public comment portion. Once the public portion is completed, the phone lines will be muted again for the remainder of the meeting. There is a 3-minute limit on all public comments.

Roll Call Township Committee

Present: Matthew S. Kayne, Committeeman  
June Witty, Committeewoman  
Rich Cook, Deputy Mayor  
Richard D. Conklin, Committeeman  
Frank W. Cooney, Chairman

Also present: Victor M. Canning, Township Administrator  
June E. Hercek, Assistant Administrator  
Fred Semrau, Esq., Township Attorney  
Stacy Sullivan-Gruca, Township Clerk  
Margaret Shepard, Deputy Clerk

Prayer read by Deputy Mayor Cook

Moment of silence for all those lost to COVID19

**PROCLAMATION**

National Public Health Week, April 5-11, 2021- read to recognize our Public Health employees

**APPROVAL OF MEETING MINUTES**

March 9, 2021 Township Committee Regular Meeting Minutes  
March 9, 2021 Township Committee Closed Executive Session Meeting Minutes  
Motion by Cook second by Witty to approve the above listed minutes  
All in favor – Motion carried

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**PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION**

**Ordinance 2021-09** Ordinance in the Township of Montville, County of Morris, and State of New Jersey amending Chapter 10 “Vehicles and Traffic”, Article 10.20 “Schedules”, Section 10.20.080 “Stop Intersections”, of the Code of the Township of Montville, New Jersey

Motion by Conklin second by Kayne to open public hearing on Ordinance 2021-09

All in Favor - Motion Carried

Phone lines unmuted

*No Public Comments*

Motion by Witty second by Cook to close public hearing on Ordinance 2021-09

All in Favor - Motion Carried

Phone lines muted

Motion by Conklin second by Witty to adopt Ordinance 2021-09

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

**REPORTS**

Administrator's Report

COVID Update (as of March 22, 2021) – 3 new cases / 0 cleared cases / 123 current cases / 1413 cases to date / 1290 cases cleared to date - Reminder that safety protocols should still be followed

2021 Budget – anticipates introducing budget at April 13, 2021 regular meeting

Mayor asks for tonight’s proclamation to be posted on social media

Attorney report

Rachel Gardens’ extension of affordability controls litigation - to be placed on Closed Session Agenda for April 13, 2021 meeting for an update

Township Committee liaison reports and comments

Cook

No report

Conklin

HPRC – Yueng’s Field to be requested to Township Committee soon – will be reviewing the Engineer’s canal survey

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Witty

Rockaway River Watershed Cabinet – meeting March 24, 2021

VFW – plans to meet outdoors, in-person / discussion of DC trip in June

Women’s Club – Town-wide Garage Sale on June 5 & 6, 2021

DAC – met March 10, 2021 / discussion about cannabis legislation

Open Space – hope to meet in person April 15, 2021 / Cole Ave. & Longview Ave. possible kayak/rowboat launch – potential request for no parking signs on Longview Ave.

Housing – due to meet April 22, 2021

Kayne

Congratulates Boys Basketball Team under Coach Medina won first conference title in 36 seasons

Environmental Commission – requests sent to Township Committee for review

Board of Health – vaccine signage (asks Administration to request Fire Districts to post as well)

Altice – March 16, 2021 hearing held online with the BPU / Jill Weiss spoke on behalf of the residents / Canning and Semrau gave testimony / BPU will conduct a full review of verbal testimony and written submissions / Request for follow up on stimulus money given to NJ to expand broadband across state to confirm if it can be used for infrastructure improvements

Cooney

Rotary District 7475 – holding a Zoom session entitled “Spreading Awareness on Substance Use Disorder and Offering Recovery Resources” (registration required)

**UNFINISHED BUSINESS**

Hercek discusses Montville Township Environmental Commission’s request to circulate a letter to local businesses about upcoming plastic ban in May 2022 – Administration to forward revised letter to committee by end of the week for their review

Updated Project Status Report has been distributed to the Township Committee. Residents reminded to review it on the Township website

**NEW BUSINESS**

Mayor Cooney announces Township Shredding and Electronic Recycling Event scheduled for Saturday, April 17, 2021 from 9am-noon. Recycle bins to be distributed to residents at first shredding event only

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Mention of efforts to assist in vaccine appointments for senior citizens by Nancy Mertz and Dana Gillan

Hercek advises an Intersection Study request by Morris County and Montville Township Engineering Department, at no cost to the Township, Committee agrees for study to commence

**ORDINANCE INTRODUCTIONS**

**Ordinance 2021-10** Ordinance of the Township of Montville, Morris County, New Jersey, authorizing a capital expenditure from the Open Space Dedicated Trust Fund in the amount of \$444,000

Motion by Cook second by Witty to introduce Ordinance 2021-10  
All in favor – Motion Carried  
Clerk set public hearing date for April 13, 2021

**Ordinance 2021-11** Bond Ordinance providing for various capital improvements in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$1,703,000 therefor and authorizing the issuance of \$1,563,000 bonds or notes of the Township to finance part of the cost thereof

Motion by Cook second by Conklin to introduce Ordinance 2021-11  
All in favor – Motion Carried  
Clerk set public hearing date for April 13, 2021

**PUBLIC PORTION**

Reminder to the public to state your name and address for the record, and there is a 3 minute time limit on all public comments

Motion by Kayne second by Witty to open public portion

All in favor – Motion Carried

Phone lines unmuted

*No public comments*

Motion by Cook second by Conklin to close public portion

Phone lines muted

**RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2021-CA06**

**Resolution 2021-96** Resolution authorizing the processing of certain tax sale certificate redemptions

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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 118 Lot 6	
14 Longview Dr	
Lien Redemption Certificate #18000017	\$23,760.07
Premium Money	<u>\$24,100.00</u>
Total Payment	\$47,860.07

To: Rothman Realty I, LLC

**Resolution 2021-97** Resolution approving request from Tax Collector for refund of overpayment

WHEREAS, due to payments received creating an overpayment of tax for the year/years listed

AND, WHEREAS, it is the recommendation of the Tax Collector that these monies are refunded;

NOW, THEREFORE, BE IT RESOLVED that the treasurer be authorized to draw a check in the amount of overpayment to:

Jones, Christopher			
Block 39.5 Lot 4	7 Stafford Pl	2021, 2 <sup>nd</sup> Qtr	\$7,531.72
Block 3 Lot 59.2	7 Habberstad Ct	2021, 2 <sup>nd</sup> Qtr	<u>\$1,857.79</u>
Total REFUND			\$9,389.51

**Resolution 2021-98** Resolution approving request from Tax Collector for refund of overpayment (tax appeals)

WHEREAS, The TAX COURT OF NJ has entered judgment on appeals filed by taxpayers in the Township of Montville;

WHEREAS, The judgment reduced assessments and cancelled tax creating an overpayment of taxes for the years 2016 and 2017

NOW, THEREFORE, BE IT RESOLVED that the treasurer be authorized to draw checks in the amount of overpayment to:

Connell Foley LLP for Istar Realty LLC		
34 Maple Ave	2016 Tax Appeal	\$39,990.38
Block 167 Lot 13	2017 Tax Appeal	<u>\$50,096.24</u>
	TOTAL REFUND	\$90,086.62

**Resolution 2021-99** Resolution authorizing the issuance of one year solicitor's license – TruGreen

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

WHEREAS, TruGreen, solicitor, has filed an application and all necessary fees for a solicitors 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 application;

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 TruGreen for one year from the date of issuance be issued to the following applicant:

Christopher J. Kennedy, Jr.

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.

**Resolution 2021-100** Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to go out to bid for the Gathering/Hilldale Drainage Improvement Project

WHEREAS, the Township of Montville was made aware of drainage issues among property owners located in Block 143 on Gathering Road and Hilldale Road; and

WHEREAS, the Township has secured temporary and permanent drainage easements from property owners in Block 143; and

WHEREAS, the Township wishes to construct drainage improvements in Block 143 as part of this project; and

WHEREAS, the project must be placed out for public bid.

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 Administration and Engineering Department are hereby authorized to move forward with soliciting bids for the Gathering / Hilldale Drainage Improvement Project in the Township of Montville.

This Resolution shall take effect immediately.

**Resolution 2021-101** Resolution approving blue light permit for member of the Montville Township First Aid Squad – Vincent Chen

WHEREAS, the Montville Township First Aid Squad in Montville Township has submitted the request for blue light permit to the Township Clerk; and

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WHEREAS, the Chief/Captain of the Montville Township First Aid Squad has reviewed and signed the application for the following Montville Township First Aid Squad member:

Vincent Chen

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 blue light permit for the above member is authorized and may be submitted to Motor Vehicle Commission.

This Resolution shall take effect immediately.

**TABLED :** [Resolution 2021-102](#) Resolution authorizing rescission of Resolution 2021-85 and approving revised dates of Fourth of July Events June 29, 30 July 1, 2 – and fireworks on July 2, 2021 (with a raindate of July 3, 2021)

[Resolution 2021-103](#) Resolution of the Township of Montville, in the County of Morris, State of New Jersey authorizing the refund of permit fees submitted in connection with work to be performed at 6 Crescent Road, Block 145, Lot 3

WHEREAS, the contractor, James Halligan of Elite Electric, Inc., has requested a refund of the permit fees submitted in connection with Permit #21-0306 for electrical upgrades and generator hook up at the property located at 6 Crescent Road, Block 145, Lot 3, in the Township of Montville; and

WHEREAS, the property owner has decided to abandon the project and has not had any of the contemplated work performed; therefore, the contractor has requested a refund of the unused permit fees totaling \$65.00 submitted in connection with Permit #21-0306; and

WHEREAS, the Township Construction Official has reviewed the request and approved the refund of \$65.00 in connection with the remitted permit fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, County of Morris, and State of New Jersey, that it does hereby authorize that construction permit fees in the amount of \$65.00 be released to James Halligan, Elite Electric, Inc., 18A Fulton Street, Montville, New Jersey 07045.

This Resolution shall take effect immediately.

Motion by Cook second by Witty to remove Resolution 2021-102 from the consent agenda and table

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

Motion by Witty second by Conklin to adopt consent agenda resolutions, [Resolution 2021-96 through Resolution 2021-101 and Resolution 2021-103](#)

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

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**RESOLUTIONS**

Motion by Cook second by Kayne to adopt [Resolution](#) approving listing of bills and signing of checks for March 22, 2021

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

[Resolution 2021-104](#) Resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing the award of a Professional Services Contract without competitive bidding to Suburban Consulting Engineers, Inc. to provide professional engineering services for Montville Township

WHEREAS, there exists a need for professional engineering services in connection with general water and sewer needs in Montville Township; and

WHEREAS, the Township wishes to retain Suburban Consulting Engineers, Inc. to perform such services; and

WHEREAS, the maximum amount for the general water and sewer needs under this contract shall not exceed \$50,000; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 *et seq.*) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself be available for public inspection.

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

Section 1. The contract with Suburban Consulting Engineers, Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. Suburban Consulting Engineers, Inc. shall provide professional engineering services to the Township as set forth in its proposal of March 4, 2021.

Section 3. A notice of this action shall be printed once in the legal newspaper of the Township of Montville as required by law.

Section 4. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, New Jersey 07836, for their information and guidance.

Section 5. The accounts to be used for these services are as follows:

Water Operating, Engineering Operating, 1-05-55-500-247, \$25,000.00  
Sewer Operating, Engineering Operating, 1-07-55-500-247, \$25,000.00



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This Resolution shall take effect immediately.

Motion by Cook second by Kayne to adopt Resolution 2021-104

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

**Resolution 2021-105** Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the purchase of Fixed Location Automatic License Plate Recognition (ALPR) Cameras and appurtenances for the Police Department under the New Jersey Cooperative Purchasing Alliance, Bergen County Bid #19-32

WHEREAS, the Montville Township Police Department wishes to purchase fixed location Automatic License Plate Recognition (ALPR) Cameras and Appurtenances to help law enforcement expand security and protect our community; and

WHEREAS, Packetalk, 163 Stuyvesant Avenue, Lyndhurst, NJ 07071, has a valid Contract through the New Jersey Cooperative Purchasing Alliance, Bergen County Bid #19-32, for Situation Awareness Equipment & Accessories/Catalog; and

WHEREAS, the Montville Township Police Department also wishes to purchase Cradlepoint modems; and

WHEREAS, the Township's Chief of Police recommends this purchase; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11(5), the New Jersey Local Public Contracts Law which permits contracting units to participate in cooperative pricing systems; 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 authorize the purchase as follows:

- Packetalk - \$31,840.17 (New Jersey Cooperative Purchasing Alliance, Bergen County Bid #19-32, Catalog Price List 2021, Line 120, One (1) Packetalk OCR ALPR license – PT-VAOCR12 @ \$55,300 per license with discount in excess of 42%)
- Packetalk - \$13,473.05 (New Jersey Cooperative Purchasing Alliance, Bergen County Bid #19-32, Catalog Price List 2021, Line 56, Six (6) Packetalk Outdoor HD Cameras Model #PT-4000-HD-1LPR @ \$3,900 per license with discount in excess of 42%)

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- Packetalk - \$2,994.01 (New Jersey Cooperative Purchasing Alliance, Bergen County Bid #19-32, Price Information Sheet, Installation/Labor Rate - \$55.00 per hour weekday rate, Ninety-four and one half (94.5) hours @ \$55.00 per hour with discount in excess of 42%)
- Packetalk - \$1,381.85 (Two (2) Cradlepoint 1700-1200 modems, power supply and antennas @ \$1,200 per modem with discount in excess of 42% - NOT part of the New Jersey Cooperative Purchasing Alliance)
- Packetalk - \$310.92 (Three (3) Cradlecare annual fees @ \$180 per annual fee with discount in excess of 42% - NOT part of the New Jersey Cooperative Purchasing Alliance)

and;

BE IT FURTHER RESOLVED that the Township's Chief Financial Officer has certified the availability of funds for this purchase.

BE IT FURTHER RESOLVED that the account to be used for this purchase is the following:

- ORD #2020 – 18; Police: Fixed ALPR Cameras; C-04-56-147-011, \$50,000.00

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

This Resolution shall take effect immediately.

Motion by Cook second by Conklin to adopt Resolution 2021-105

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

**Resolution 2021-106** Emergency Resolution to extend the 2021 temporary budget

WHEREAS, The 2021 Budget for the Township of Montville has not been adopted and

WHEREAS, appropriation balances provided for under the 2021 Temporary Budget are not sufficient to meet the needs of the Township of Montville, until the adoption of the 2021 budget, and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

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WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$4,046,800.56

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville in the County of Morris, State of New Jersey, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1) Emergency temporary appropriations be and the same is hereby made for the amount indicated as follows:

Current Fund	\$ 3,449,178.05
Water Utility	\$ 260,523.26
Sewer Utility	\$ 337,099.25

2) That said emergency temporary appropriations will be provided for in the 2021 budget.

3) That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Motion by Cook second by Kayne to adopt Resolution 2021-106

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

**Resolution 2021-107** Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of a contract to Aton Computing, Inc. for Management Information Systems Support under the Passaic County Cooperative Pricing Council

WHEREAS, a Passaic County Cooperative Pricing Council contract is available for Management Information Systems Support (Contract #RFP-19-016 Management Systems Support); and

WHEREAS, the Township of Montville has a need for the provision of Management Systems Support; and

WHEREAS, the Township of Montville wishes to award the contract for the provision of Management Information Systems Support to ATON Computing, Inc. under the Passaic County Cooperative Pricing Council at the following rate:

Term	Hourly Rate	Not to exceed amount
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04/01/2021 through 06/30/2021	\$117.30	\$20,000.00
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to be charged to: Information Systems and Technology OE, Professional Fees,  
1-01-20-140-227, not to exceed \$20,000.

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 ATON Computing, Inc. is hereby awarded the Contract for the provision of Management Information Systems Support under the Passaic County Cooperative Pricing System, Contract #RFP-19-016 Management Information Systems Support.

This Resolution will take effect immediately upon its passage.

Motion by Cook second by Witty to adopt Resolution 2021-107

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

[Resolution 2021-108](#) Resolution of Temporary Capital Budget

# REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE

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TOWNSHIP OF MONTVILLE TEMPORARY CAPITAL BUDGET Resolution 2021-108										
Whereas, the local capital budget for the year 2021 has not been adopted.										
Whereas, it is desired to Introduce a Capital Ordinance.										
Now, Therefore Be It Resolved, by the Township Committee of the Township of Montville, County of Morris that the following temporary capital budget of 2021 be made:										
		(		(		(		(		
RECORDED VOTE	AYES (		NAYS (			ABSTAIN (		(		
(Insert last names)	(		(			ABSENT (		(		
	(		(			(		(		

CAPITAL BUDGET (Current Year Action) 2021										
1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR 2021					6 TO BE FUNDED IN FUTURE YEARS	
				5a 2021 Budget Appropriations	5b Improvement Fund	5c Capital Fund Balance	5d Grants in Aid and Other Funds	5e Debt Authorized		
Engineering		\$ 1,718,000				\$ 95,000		\$ 200,000		\$ -
Fleet		\$ 150,000				\$ 10,000				\$ 140,000
Facilities		\$ 35,000				\$ 35,000				\$ -
Recreation		\$ 244,000						244,000		\$ -
<b>TOTALS ALL PROJECTS</b>		<b>\$ 2,147,000</b>				<b>\$ 140,000</b>	<b>\$ -</b>	<b>\$ 444,000</b>		<b>\$ 1,563,000</b>

6 YEAR CAPITAL PROGRAM 2021 - 2026 Anticipated PROJECT Schedule and Funding Requirement										
1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR						
				Budget Year 2021	2022	2023	2024	2025	2026	
Engineering		\$ 1,718,000		\$ 1,718,000						
Fleet		\$ 150,000		\$ 150,000						
Facilities		\$ 35,000		\$ 35,000						
Recreation		\$ 244,000		\$ 244,000						
<b>TOTALS ALL PROJECTS</b>		<b>\$ 2,147,000</b>		<b>\$ 2,147,000</b>						

6 YEAR CAPITAL PROGRAM 2021 - 2026 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS											
1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Fund Balance	6 Grants in Aid And Other Funds	7 BONDS AND NOTES				
		Current Year 2021	Future Years				General	Self Liquidating	Assessment	School	
Engineering	\$ 1,718,000			\$ 95,000		\$ 200,000	\$ 1,423,000				
Fleet	\$ 150,000			\$ 10,000			\$ 140,000				
Facilities	\$ 35,000			\$ 35,000			\$ -				
Recreation	\$ 244,000			\$ -		244,000	\$ -				
<b>TOTAL ALL PROJECTS</b>	<b>\$ 2,147,000</b>			<b>\$ 140,000</b>	<b>\$ -</b>	<b>\$ 444,000</b>	<b>\$ 1,563,000</b>				

Be It Further Resolved that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Motion by Cook second by Witty to adopt Resolution 2021-108

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

**Resolution 2021-109** Resolution of the Township of Montville, County of Morris, State of New Jersey accepting public improvements and authorizing release of remaining performance guarantee funds to Moore Realty for the Meadow Court Extension Project, Block 76, Lot 12

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WHEREAS, pursuant to Resolution of the Montville Township Planning Board, Moore Realty's application to construct a 3-lot subdivision, known as the Meadow Court Extension, was approved on June 26, 2003; and

WHEREAS, the developer has completed the project; and

WHEREAS, the Township Engineer has inspected the work and deemed all of the work to have been satisfactorily completed; and

WHEREAS, a performance guarantee was provided for the project in the amount of \$160,053.60; and

WHEREAS, the performance bond was reduced twice in 2004, once to \$73,284.60 and then to \$48,016.80, and reduced again to \$39,956.08 in 2014; and

WHEREAS, by Memorandum, dated March 16, 2021, the Township Engineer has recommended acceptance of the work performed as part of the Meadow Court Extension Project, release of the remaining performance guarantee funds in the amount of \$39,956.08, acceptance of all public improvements and acceptance of Meadow Court Extension as a public road; and

WHEREAS, the Chief Financial Officer of the Township of Montville has certified that sufficient funds are available.

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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, as follows:

1. The work performed for the Meadow Court Extension Project is hereby accepted by the Township of Montville.
2. All public improvements completed by for the Meadow Court Extension Project are hereby accepted by the Township of Montville.
3. Release of the final performance guarantee funds in the amount of \$39,956.08 for the Meadow Court Extension Project is hereby authorized to be made to Moore Realty.
4. The Township Attorney, Administrator and Engineer are authorized to take whatever steps necessary to effectuate the dedication of Meadows Court Extension to the Township.

This Resolution will take effect immediately.

Motion by Cook second by Witty to adopt Resolution 2021-109

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

Large power outage in town during the meeting may have affected public internet access, Mayor Cooney asked members of the public if they rejoined and would like the Township Committee to reopen public portion for comment.

*No request was made from public*

**REVIEW OF MEETING ACTION ITEMS**

Administration

Follow up on posting of tonight's Proclamation

Attorney & Administration

Follow up on American Rescue Plan for upgraded broadband and pursue for Township

Township Committee

None

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**Resolution authorizing Closed Executive Session to discuss the following matters as permitted pursuant to NJSA 10:4-12:**

**Contract Negotiations**

Block 125.12 Lots 21 & 22; Personnel

**Litigation**

None

**Personnel**

None

**Attorney-Client Privilege/Potential Litigation**

Land Use Ordinances; Cannabis Legislation

Motion by Cook second by Witty to adopt Closed Executive Session Resolution and move into closed session

All in favor – Motion carried

Mayor noted that no action will be taken after closed session

Time 7:35pm

*CLOSED SESSION*

Motion by Cook second by Conklin to reopen public session

All in favor – Motion carried

Motion by Cook second by Kayne to ADJOURN

All in favor – Motion carried

**ADJOURNMENT** at 8:54pm

Next Regular Meeting: April 13, 2021, 7pm

Approved:  
Montville Township Committee

\_\_\_\_\_  
Stacy Sullivan-Gruca, Township Clerk

\_\_\_\_\_  
Frank W. Cooney, Mayor