

**MONTVILLE TOWNSHIP COMMITTEE
MEETING MINUTES – March 24, 2020**

****This meeting was conducted via teleconferencing due to the Coronavirus disease (COVID-19). ****

Montville Township Committee Regular Meeting

Tuesday, March 24, 2020, 3:30 p.m.

Montville Township Municipal Building, 195 Changebridge Road, Montville, New Jersey

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

None.

2:30 p.m. – Public Session

Statement of Open Public Meetings Act Compliance read by Mayor Frank W. Cooney

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and more specifically, N.J.S.A. 10:4-8, which permits public meetings to be held via communications equipment, and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, and a further Order that residents shelter at home, and the Township of Montville's declaration of a Local State of Emergency on March 16, 2020, the Township does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, a telephonic public meeting of the Mayor and Township Committee will be held on Tuesday, March 24, 2020, at 2:30 p.m. Town Hall will not be open to the public to physically attend the meeting. Any members of the public who wish to attend the meeting telephonically may do so by calling into the service number, (978) 990-5000, followed by access code 424062.

PLEASE TAKE FURTHER NOTICE that the public hearing for the Adoption of Township Ordinance No. 2020-05, entitled "An Ordinance to Promote the Adequate Supply of Affordable Housing in the Township by Extending the Minimum Affordability Control Periods on all Affordable Rental Units Situated in the Rachel Gardens Condominium Development," will be postponed to a new date.

The location of the meeting remains the same: Montville Township Municipal Building, 195 Changebridge Road, Montville, NJ.

Notice mailed, e-mailed, and/or faxed to the following Newspapers: The Daily Record and The Citizen. Notice/agenda posted on the bulletin boards at the Municipal Building and the Township's website agenda center at www.montvillenj.org.

Roll Call Township Committee:

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

Also present: Victor M. Canning, Administrator
June Hercek, Assistant Administrator
Fred Semrau, Township Attorney
Leena Abaza, Township Clerk

The prayer read by Committeeman June Witty.

Chairman Cooney requested a moment of silence for Montville Memorial VFW Post # 5481 Ralph Amato who died of the COVID-19 on March 23, 2020.

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Public Hearing on Ordinances for Final Adoption:

Ordinance # 2020-05 an Ordinance of the Township of Montville, County of Morris, and State of New Jersey to promote the adequate supply of Affordable Housing in the Township by extending the minimum Affordability Control periods on all Affordable Rental Units situated in the Rachel Gardens Condominium Development

Motion Kayne second by Conklin to open public hearing on Ordinance # 2020-05. All in favor. Motion adopted.

Township Attorney Fred Semrau stated this Ordinance pertains to the extension of the Affordable Housing units at Rachel Gardens. He requested the Governing Body to table adoption of this Ordinance to avoid legal issues. He requested it to be tabled and adopted on April 28, 2020, Township Committee meeting.

Motion by Witty second by Conklin to table adoption of Ordinance #2020-05 until April 28, 2020, Township Committee meeting. All in favor. Motion adopted.

Ordinance # 2020-06 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 \$461, 000

Motion by Cook second by Witty to open public hearing on Ordinance #2020-06. All in favor. Motion approved.

Township Attorney Fred Semrau asked Administrator Victor Canning if the public has been unmuted.

Administrator Victor Canning confirmed the public has been unmuted to comment on Ordinance # 2020-06.

No comments.

Administrator Victor Canning asked to re-open the public hearing on Ordinance # 2020-06.

Ms. Sue DeJessa from Township Attorney Fred Semrau's Office joined the meeting to make sure the public can participate in the meeting.

Motion by Conklin second by Witty to close the public hearing on Ordinance #2020-06. All in favor. Motion approved.

Motion by Cook second by Witty to adopt Ordinance #2020-06.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Reports:

1. Administrator's report

Administrator Victor Canning reported on the COVID-19. He thanked the Governing Body for giving Administration everything needed to keep government operations running in the Township. He thanked the OEM Team, Assistant Administrator June Hercek, Health Officer Aimee Puluso, Township Nurse Barbara Zigarelli, First Responders and Police Department for all their hard work during this pandemic.

2. Attorney's report

Township Attorney Fred Semrau stated we continue to work with Administration and the Governing Body in this pandemic to address all the changes coming from the State. Our office is in close contact with the Township Administration who is doing a fantastic job.

3. Township Committee liaison reports and comments

Deputy Mayor Cook – I just want to add to our Administrator along with our Township Attorney's comments. I would like to thank everyone that is helping out in this situation. Hopefully, in the next couple of weeks, we will get through this as a nation and move on to better brighter things.

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Committeeman Conklin – Well said, everyone. But I echo everything that everyone has said on this. God bless us and hope we get through this with no issues.

Committeewoman Witty- of course, I echo the same. I am the liaison to the Montville Township Memorial VFW Post 5481 and I am concerned about the veterans especially since one passed away from COVID-19. Thank you for the moment of silence. Also, a local business owner asked what the Township can do to help the local business owners during this pandemic. Is there any way we can promote local businesses? Another concern I have is the Township residents are looking for an update, not from the Governor or the President but the Township Administrator, Township Committee or Health Officer. Can we get a daily message out to our residents to reassure them that we are on top of this? Thank you.

Committeeman Kayne – I would like to take a moment to reiterate everything everyone has said in terms of hard work done by Administration and Health Officer Aimee Puluso. I am proud of Aimee and the members of the Health Department. Wishing for this country to overcome this very difficult virus. I do not have a liaison report but would like to mention Angela Freeman and I met with Mr. Brett Knaus from Donnelly Energy regarding the Direct Install Program. We will take about this program at another meeting.

Old Business:

1. Project status report

NEW BUSINESS:

- New Montville New Police Logo.

This above matter was not discussed.

Ordinance Introductions:

Ordinance #2020-07 an Ordinance of the Township Committee of the Township of Montville, County of Morris, State of New Jersey, authorizing a special assessment for the Lake Valhalla Dam Restoration Project pursuant to the Dam Restoration and Inland Waters Projects Loan Program

Ordinance #2020-08 Bond Ordinance providing for various Capital Improvements in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$2,069,000 therefor and authorizing the issuance of \$1,624,500 Bonds or Notes of the Township to finance part of the cost thereof

Ordinance #2020-09 Ordinance establishing the rates of compensation for employees covered by Collective Bargaining Agreements with Morris Council No. 6 – White Collar, Township of Montville, County of Morris, State of New Jersey – 2019 to 2020

Chairman Cooney requested a motion and a second to introduce Ordinances # 2020-07 to 2020-09.

Motion by Cook second by Witty to introduce Ordinance #2020-09 and set the public hearing for April 14, 2020.

Roll call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Public Portion

Motion by Witty second by Kayne to open public portion. All in favor. Motion approved.

No comments.

Township Attorney Fred Semrau asked if the public was able to participate. He asked them to please state their name.

Ms. Sue DeJessa confirmed she can participate and one other resident who did not identify themselves confirmed she can participate as well.

Motion by Cook second by Witty to close public portion. All in favor. Motion approved.

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Resolution Authorizing Consent Agenda No. 2020-CA6:

Resolution # 2020-108 resolution amending the use of the Storm Recovery Reserves to include Coronavirus response if deemed necessary

Resolution # 2020-109 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, accepting a bond for work to be completed at Pine Brook Road, Block 113 Lot 43.03

Resolution # 2020-110 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, accepting a bond for work to be completed at Pine Brook Road, Block 113, Lot 43.01

Resolution # 2020-111 resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to go out to bid for the Riverside Comminutor

Resolution # 2020-112 resolution approving request from the Tax Collector for cancellation of taxes and refund of overpayment

Resolution # 2020-113 resolution authorizing the execution of a Memorandum of Agreement between the Township of Montville and Morris Council No. 6, NJCSA, IFPTE, AFL-CIO – White Collar and Professional Unit – 2019 to 2020

Resolution # 2020-114 a resolution of the Township of Montville, in the County of Morris and State of New Jersey to foreclose on in Rem Tax Certificates held by the Township of Montville

Resolution # 2020-115 resolution of the Township of Montville, County of Morris and State of New Jersey rejecting all bids for the disposal of Surplus Property

Resolution # 2020-115A resolution of the Township of Montville, County of Morris and State of New Jersey authorizing Certified Municipal Registrar Mutual Aid

Motion by Cook second by Conklin to approved the above consent agenda resolutions.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution # 2020-108 resolution amending the use of the Storm Recovery Reserves to include Coronavirus response if deemed necessary

WHEREAS, the Township of Montville has previously established a Snow Removal/Storm Recovery Reserve; and

WHEREAS, New Jersey Statute Title 40A:4-62.1 states that following the declaration of an emergency by the President of the United States or the Governor, a local unit may, by resolution, authorize the use of funds in the reserve for any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by the declared emergency; and

WHEREAS, any reimbursement of these expenditures shall be deposited back into the reserve; and

WHEREAS, a public emergency has been declared by both the President of the United States and the Governor of New Jersey in response to the coronavirus outbreak.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Montville, County of Morris and State of New Jersey, hereby authorize the use of funds in the storm recovery reserve for any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by the declared emergency regarding the coronavirus outbreak, if deemed necessary.

BE IT FURTHER RESOLVED, that any reimbursement of these expenditures will be deposited back into the reserve.

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Resolution # 2020-109 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, accepting a bond for work to be completed at Pine Brook Road, Block 113 Lot 43.03

WHEREAS, Palmar Associates, LLC, the owner, and developer of property known as Block 113, Lot 43.03, Pine Brook Road, is required to submit a bond to the Township of Montville for the installation of fencing; and

WHEREAS, Palmar Associates, LLC has submitted check number 1404 for \$5,250 representing the cash bond for the project; and

WHEREAS, the Township Engineer, Township Land Use Department, and Township Attorney have reviewed the bond submitted and have recommended its acceptance.

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 bond stated above submitted by Palmar Associates, LLC is hereby accepted. The Township Clerk is authorized and directed to forward a copy of this Resolution to the developer.

This Resolution shall take effect immediately.

Resolution # 2020-110 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, accepting a bond for work to be completed at Pine Brook Road, Block 113, Lot 43.01

WHEREAS, Palmar Associates, LLC, the owner, and developer of property known as Block 113, Lot 43.01, Pine Brook Road, is required to submit a bond to the Township of Montville for the installation of fencing; and

WHEREAS, Palmar Associates, LLC has submitted check number 1403 in the amount of \$14,875 representing the cash bond for the project; and

WHEREAS, the Township Engineer, Township Land Use Department, and Township Attorney have reviewed the bond submitted and have recommended its acceptance.

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 bond stated above submitted by Palmar Associates, LLC is hereby accepted. The Township Clerk is authorized and directed to forward a copy of this Resolution to the developer.

This Resolution shall take effect immediately.

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Resolution # 2020-111 resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to go out to bid for the Riverside Comminutor

WHEREAS, the Township Water and Sewer Engineer has identified the need to purchase and install an additional comminutor at the Riverside Sewer Station; and

WHEREAS, the comminutor will decrease the backpressure flows into the inlet pipe and also assist with moving wastewater through channels and into the wet well quicker as well as alleviate flooding at the station; and

WHEREAS, this work must be put out to 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 the Water and Sewer Engineer are hereby authorized to move forward with soliciting bids for the Riverside Comminutor.

This Resolution shall take effect immediately.

Resolution # 2020-112 resolution approving request from the Tax Collector for cancellation of taxes and refund of overpayment

WHEREAS, property taxes for the year of 2020 are to be canceled 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:

Espersen, Peter L & Lucinda M
15 Linda Ct
Block 52.04 Lot 15

	Cancel as of 01-28-2020-	
	1 st Qtr 2020	\$2,495.62
	2 nd Qtr 2020	\$3,622.67
Refund	1 st Qtr 2020	\$2,495.62
Total Refund:		\$2,474.98

Resolution # 2020-113 resolution authorizing the execution of a Memorandum of Agreement between the Township of Montville and Morris Council No. 6, NJCSA, IFPTE, AFL-CIO – White Collar and Professional Unit – 2019 to 2020

WHEREAS, the Township of Montville and Morris Council No. 6 – White Collar and Professional Unit have engaged in collective bargaining pursuant to N.J.S.A. 34: 13A-1, et. seq.; and

WHEREAS, the Township of Montville desires to enter into a Memorandum of Agreement dated March 24, 2020, with the Morris Council No. 6 – White Collar and Professional Unit for the years 2019 and 2020; and

WHEREAS, the Memorandum of Agreement shall be incorporated into the existing Collective Bargaining Agreement that expired December 31, 2018.

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 appropriate Township Officials be and are hereby authorized to sign the Memorandum of Agreement with Morris Council No. 6 – White Collar and Professional Unit that is hereto attached.

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This Resolution shall take effect immediately.

Resolution # 2020-114 a resolution of the Township of Montville, in the County of Morris and State of New Jersey to foreclose on in Rem Tax Certificates held by the Township of Montville

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, the following tax sale certificates now held by the Township of Montville be foreclosed upon by the summary proceedings IN REM and as described in New Jersey Statutes N.J.S.A. 54:5-104.29 to 54:5-104.71, as amended, and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey:

As outlined on Exhibit A attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized to pursue the foreclosure of the aforesaid properties, striking any properties from the proceedings at the discretion of the Township Administrator or Tax Collector for good cause.

This Resolution shall take effect immediately.

Resolution # 2020-115 resolution of the Township of Montville, County of Morris and State of New Jersey rejecting all bids for the disposal of Surplus Property

WHEREAS, the Township conducted a sale of property no longer needed using the online auction services of GovDeals; and

WHEREAS, the online sale was conducted for the period of February 28, 2020, through March 9, 2020; and

WHEREAS, the Local Public Contracts Law, specifically N.J.S.A. §40A:11-13.2, authorizes a municipality to reject all bids; and

WHEREAS, the Mayor and Township Committee wish to substantially revise the specifications for the goods (N.J.S.A. §40A:11-13.2(d)); and

WHEREAS, the Mayor and Township Committee authorize all bids to be rejected and the project to be re-bid.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, in the County of Morris that all bids received for the disposal of surplus property between the period of February 28, 2020, through March 9, 2020, be and are hereby rejected based on N.J.S.A. §40A:11-13.2(d) and Administration is authorized to re-bid this project.

This Resolution shall take effect immediately.

Resolution # 2020-115A resolution of the Township of Montville, County of Morris and State of New Jersey authorizing Certified Municipal Registrar Mutual Aid

WHEREAS, the emergence of the novel Coronavirus disease (COVID-19) has put tremendous stress on local health departments who are dealing with the virus while also addressing other health needs in their communities; and

WHEREAS, the Township's Health Department is operating under extraordinary circumstances; and

WHEREAS, the Township of Montville and the Borough of Lincoln Park have had a long history of sharing resources and reciprocity; and

WHEREAS, in enacting the "Uniform Shared Services and Consolidation Act," N.J.S.A. §40A:65-1 *et seq.*, the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another; and

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WHEREAS in the event the certified municipal registrars in either town become incapacitated due to illness and, as a result, not able to perform their functions, the Township authorizes the certified municipal registrars of Lincoln Park to act as certified municipal registrars for Montville Township for the duration of the state of emergency caused by the novel Coronavirus disease (COVID-19).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, in the County of Morris that the Township authorizes the certified municipal registrars of the Borough of Lincoln Park to act as certified municipal registrars for Montville Township for the duration of the state of emergency caused by the novel Coronavirus disease (COVID-19).

This Resolution shall take effect immediately.

RESOLUTIONS:

1. **Resolution** approving the listing of bills and signing of checks for March 24, 2020.

Motion by Cook second by Kayne to approve the listing of bills and signing of checks for March 24, 2020.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

2. **Resolution # 2020-116** Temporary Capital Budget Resolution

This Resolution will be spread in full at the end of the meeting minutes. *

Motion by Cook second by Witty to adopt Resolution #2020-116.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

3. **Resolution # 2020-117** Transfer of Funds Resolution

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year; and

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Montville, (not less than two-thirds of all members thereof affirmatively concurring) that the following transfers be made between the 2019 Budget Appropriation Reserves as follows:

From	Amount	To	Amount
<u>Current Fund</u>			
Historical Preservation S&W	\$ 1,200.00	Finance S&W	\$ 100.00
		Engineering S&W	1,100.00
	\$ 1,200.00		\$ 1,200.00
<u>Water Operating Fund</u>			
Water S&W (OT)	\$ 400.00	Water S&W	\$ 400.00
	\$ 400.00		\$ 400.00

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BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the transfers.

Motion by Cook second by Conklin to adopt Resolution #2020-117.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

4. Resolution # 2020-118 Emergency Resolution to extend the 2020 Temporary Budget

WHEREAS, The 2020 Budget for the Township of Montville has not been adopted and

WHEREAS, appropriation balances provided for under the 2020 Temporary Budget are not sufficient to meet the needs of the Township of Montville, until the adoption of the 2020 budget, and

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

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$4,188,183.03

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	\$ 3,585,952.53
Water Utility	\$ 249,247.69
Sewer Utility	\$ 352,982.81

2) That said emergency temporary appropriations will be provided for in the 2020 budget.

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

Motion by Witty second by Cook to adopt Resolution #2020-118.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

5. Resolution # 2020-119 resolution authorizing the award of a Professional Services Contract without competitive bidding to La Guardia & Associates, LLC to provide Professional Sound, Light and Technical Services for Montville Township in connection with the entertainment for Montville Day 2020

WHEREAS, there exists a need for professional sound, light and technical services in connection with entertainment on Montville Day 2020; and

WHEREAS, the Township wishes to retain La Guardia & Associates, LLC to perform such services; and

WHEREAS, the maximum amount for services under this contract shall not exceed a total of \$12,650.00; and

WHEREAS, funds are available for this purpose; and

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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 La Guardia & Associates, LLC 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 that is original and creative in character in a recognized field of artistic endeavor.

Section 2. La Guardia & Associates, LLC shall provide professional sound, light and technical services to the Township as set forth in its proposal of March 11, 2020.

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. The Township’s Chief Financial Officer has certified the availability of funds for this contract as follows: Celebration of Public Events, 0-01-30-420-221, \$12,650.00

Section 5. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to La Guardia & Associates, LLC, 388 Pompton Avenue, Cedar Grove, New Jersey 07009, for their information and guidance.

This Resolution shall take effect immediately.

Motion by Cook second by Witty to adopt Resolution #2020-119.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

6. Resolution # 2020-120 resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of a contract for water and sewer Works materials for the construction and sewer infrastructures to Brent Material Company

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for water and sewer works materials for the construction, maintenance and/or repair of township-owned water and sewer infrastructures; and

WHEREAS, two (2) sealed bids were received and opened on February 19, 2020, in accordance with the bid specifications:

Brent Material Company	Total Unit Bid Price Items 1-13	\$334,025.00
Raritan Pipe & Supply Company	Total Unit Bid Price Items 1-13	\$353,322.07

; and

WHEREAS, Section 1 of the Technical Specifications states, All bids will be compared on the basis of the unit prices bid for all items of work to be done (total unit price bid). The estimated range of quantities shown in the proposal forms are not to be considered by the Bidder as actual quantities which may be required to complete the work but solely to serve as a basis for comparing bids. The contract price is open ended and determined as work progresses; and

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

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WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the bid received from Brent Material Company 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 amount to be awarded for this purchase shall not exceed \$12,500; and

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

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 Brent Material Company, 325 Columbia Turnpike, Suite 308, Florham Park, New Jersey 07932, for water and sewer works materials for the construction, maintenance and/or repair of township-owned water and sewer infrastructures in accordance with the bid specifications at the pricing set forth in Attachment A to this Resolution at a total price not to exceed \$12,500.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Brent Material Company in accordance with its bid for water and sewer works materials for the construction, maintenance and/or repair of township-owned water and sewer infrastructures.

3. The accounts for this purchase shall be as follows:

Water Operating; Pipes, Valves, Hydrants; 0-05-55-500-244; \$8,000
Water Operating; Plant Maintenance, 0-05-55-500-246; \$3,000
Sewer Operating; Manhole Risers, Lids, Covers, Pipes; 0-07-55-500-244; \$1,500

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

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

This Resolution will take effect immediately.

Motion by Witty second by Conklin to adopt Resolution #2020-120. All in favor. Motion adopted.

7. Resolution # 2020-121 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:

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Term	Hourly Rate	Not to exceed amount
4/1/2020 through 6/30/2020	\$115.00	\$20,000.00

to be charged to: Information Systems and Technology OE, Professional Fees,
0-01-20-140-227, 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 Kayne second by Witty to adopt Resolution #2020-121. All in favor. Motion adopted.

8. Resolution # 2020-122 resolution amending the Professional Services Agreement for Medical and/or Clinical Physician Services

WHEREAS, the Township Board of Health awarded a contract to Dr. Patricia Baran, M.D., for medical and/or clinical physician services in accordance with recognized Public Health Practice Standards of Performance for Local Boards of Health in New Jersey (N.J.A.C. 8:52.1 et seq.); and

WHEREAS, the agreement with Dr. Baran was for an hourly rate of one hundred dollars (\$100.00) per hour, not-to-exceed three thousand dollars (\$3,000.00) per annum; and

WHEREAS, the emergency of the novel Coronavirus disease (COVID-19) has put tremendous stress on local health department who are dealing with the virus while also addressing other health needs in their communities; and

WHEREAS, the Township may require the services of a physician during the Coronavirus disease (COVID-19) outbreak; and

WHEREAS, the Township wishes to extend the not-to-exceed amount of the agreement with Dr. Baran from three thousand dollars (\$3,000.00) per annum to nine thousand dollars (\$9,000.00) per annum.

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 appropriate municipal officials are hereby authorized to amend the Professional Services Agreement for Medical and/or Clinical Physician Services from a not-to-exceed amount of three thousand dollars (\$3,000.00) per annum to nine thousand dollars (\$9,000.00) per annum.

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the account to be used for these services is the following: Health Fair, T-13-56-950-904.

This Resolution shall take effect immediately.

Motion by Cook second by Witty to adopt Resolution #2020-122. All in favor. Motion adopted.

- 9. Resolution # 2020-123** resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of contract to Cifelli & Son General Contracting, Inc., for Replacement of concrete curbing under the Morris County Cooperative Pricing Council

WHEREAS, a Morris County Cooperative Pricing Council contract is available for Concrete Curbing (Contract #6 Road Resurfacing, Category 'F', Granite and Concrete Vertical Curb, Purchase and Installation; District #2 Member; Items B2 & B3), which includes purchase, installation and restoration; and

WHEREAS, the Township has a need for Concrete Curbing replacement on the following roads:

Project	Account #	Amount
<u>Merlin Place Concrete Curb Replacement:</u>		
Remove and replace approximately 550 LF of concrete curbing @ \$38.50/LF (\$38.50/LF is a combination of \$29.00/LF for removal and replacement of new Granite Curb, and \$9.50/LF for restoration work on all Granite Curb).	C-04-56-141-003 Not to Exceed	<u>\$21,175.00</u> \$21,175.00

; and

WHEREAS, the Township of Montville wishes to award the contract for the Purchase & Installation of Concrete Curbing for the above-referenced project to Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, NJ 07110, under the Morris County Cooperative Pricing Council in the total amount Not To Exceed \$21,175.00.

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 Cifelli & Son General Contracting, Inc., is hereby awarded the Contract for the following municipal projects under the Morris County Cooperative Pricing Council, (Contract #6 Road Resurfacing, Category 'F', Granite and Concrete Vertical Curb, Purchase and Installation; District #2 Member; Items B2 & B3), which includes purchase, installation, and restoration:

Project	Account #	Amount
<u>Merlin Place Concrete Curb Replacement:</u>		
Remove and replace approximately 550 LF of concrete curbing @ \$38.50/LF (\$38.50/LF is a combination of \$29.00/LF for removal and replacement of new Granite Curb, and \$9.50/LF for restoration work on all Granite Curb).	C-04-56-141-003 Not to Exceed	<u>\$21,175.00</u> \$21,175.00

This Resolution will take effect immediately.

Motion by Cook second by Witty to adopt Resolution #2020-123. All in favor. Motion adopted.

Motion by Witty second by Conklin to add two Resolutions to the meeting agenda. All in favor. Motion adopted.

RESOLUTION # 2020 – 124 a resolution of the Township of Montville, County of Morris, and State of New Jersey authorizing an emergency services agreement with Suburban Disposal for Solid Waste, Recyclable Materials and Vegetative Waste Collection Services

WHEREAS, the Township of Montville experienced an emergency which was not reasonably foreseen, which warranted the immediate need to extend solid waste, recyclable materials and vegetative

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waste collection, by way of Resolution 2020-49 adopted by the Mayor and Township Committee on or about January 14, 2020; and

WHEREAS, subsequent to extending its existing solid waste, recyclable materials and vegetative waste collection contract, on March 20, 2020, the Township dutifully, under the Local Public Contracts Law, advertised and received a bid for solid waste recyclable materials and vegetative waste collection; and

WHEREAS, as a result of the State of Emergency, the Administration wants to insure that this essential service is provided while it reviews the bid received on March 20, 2020, and in view of the ever-changing circumstances and Governor Murphy's Executive Order #103, et seq., the Administration recommends that the Township enter into an extension of its existing solid waste, recyclable materials and vegetative waste collection services contract which is scheduled to expire on April 30, 2020; and

WHEREAS, the Administration recommends that the Township enter into an extension of its existing contract for these services from May 1, 2020 through July 31, 2020 at the same base rate for the services that have been rendered to the Township since March 2, 2015 through the present; and

WHEREAS, since the time of the award of the initial contract in March, 2015, the recyclable material market has experienced significant volatility in rising costs; and

WHEREAS, based on the changing market conditions and in consideration to extend such terms with the existing provider, Suburban Disposal, the Township will agree to reimburse Suburban Disposal for disposal costs associated with recyclable materials and vegetative waste.

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 is hereby authorized to enter into emergency services agreement with Suburban Disposal, Inc., 54 Montesano Road, Fairfield for solid waste, recyclable materials and vegetative waste collection services for an amount not to exceed \$314,400 for the period of May 1, 2020 through July 31, 2020 using the following accounts:

- Solid Waste Collection, 0-01-26-305-255 for \$311,900
- Solid Waste Collection BOE, 0-01-42-320-255, \$2,500

BE IT FURTHER RESOLVED, during the term of this extension agreement, in consideration of this extension and the volatile increasing cost of recyclable material services, the Township shall reimburse Suburban Disposal for disposal costs associated with recyclable materials and vegetative waste collection upon proof of payment by Suburban Disposal to the satisfaction of the Township Administration.

BE IT FURTHER RESOLVED, that the Emergency Procurement Report shall be filed with the Director, Division of Local Government Services in accordance with N.J.S.A. 19:44a-20.112 and a notice of this action shall be published in the official newspaper for the Township of Montville.

This resolution shall take effect immediately.

RESOLUTION # 2020 –125 resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the Township to suspend the time period for Land Use, Engineering and Construction Permits, Applications and time for action dates

WHEREAS, the emergence of the novel Coronavirus disease (COVID-19) has put tremendous stress on municipalities who cannot conduct regular municipal business because of postponements or shutdowns; and

WHEREAS, the Township authorizes the suspension of any and all time periods as they relate to Land Use, Engineering, and Construction permits, applications, and time for action dates.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, in the County of Morris that the Township has suspended any and all time periods for Land Use, Engineering and Construction permits, applications, and time for action dates except where it has been determined by the Township Administrator that the suspension or extension of time will impact the health safety or welfare of the general public.

This Resolution shall take effect immediately.

Chairman Cooney requested a motion and a second for both Resolutions 2020-124 and 2020-125.

Motion by Cook second by Conklin to adopt Resolution #2020-124 and Resolution #2020-125.

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Review of Meeting Action Items:

1. Administrator

- COVID -19 Daily Updates

Township Administrator thanked the public for practicing social distancing through the COVID-19 pandemic.

2. Attorney

3. Township Committee

Committeewoman Witty thanked Administration, the Health Department and First Responders for all their hard work during this pandemic.

Chairman Cooney thanked Administration, OEM Team, First Responders and Police for all their hard work during this pandemic.

3:59 p.m. Adjournment

Motion by Cook second by Conklin to adjourn. All in favor. Meeting adjourned at 3:59 p.m.

Respectfully submitted,

Approved: April 28, 2020
Montville Township Committee

Leena M. Abaza, Township Clerk

Frank W. Cooney, Mayor