

MONTVILLE TOWNSHIP COMMITTEE
Minutes September 22, 2020

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

Montville Township Committee Regular Meeting
Tuesday, September 22, 2020, 7:00 p.m.
Montville Township Municipal Building, 195 Changebridge Road, Montville, New Jersey

Public Session – 7:00 p.m.

Statement of Open Public Meetings Act Compliance read by Township Clerk

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, September 22, 2020, at 7:00 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, 1-978-990-5000, followed by access code 424062#.

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: 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, Township Attorney
Stacy Sullivan-Gruca, Township Clerk
Margaret Shepard, Deputy Municipal Clerk

Prayer read by Committeewoman Witty

Chairman Cooney called for a moment of silence in honor of those lost to COVID-19

Proclamation

Mayor Cooney read a proclamation from the Township Committee for Chelsea at Montville resident, Georgianna "Georgie" Vorbach Nye, in honor of her 100th Birthday on September 20, 2020

Approval of Meeting Minutes

September 8, 2020 Township Committee Regular Meeting Minutes

September 8, 2020 Township Committee Closed Executive Session Meeting Minutes

Motion by Witty second by Kayne to approve the within meeting minutes.

All in favor. Motion carried.

Public Hearing on Ordinances for Final Adoption:

Ordinance 2020-11 Bond Ordinance providing for various improvements to the water utility in and by the Township of Montville, in the County of Morris, New Jersey appropriating \$793,000 therefor and authorizing the issuance of \$635,000 bonds or notes of the Township to finance part of the cost thereof

Motion by Conklin second by Witty to open public hearing on Ordinance 2020-11. All in favor. Motion carried.

No public comments.

Motion by Kayne second by Witty to close public hearing on Ordinance 2020-11. All in favor. Motion carried.

Motion by Cook second by Conklin to adopt Ordinance 2020-11.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Ordinance 2020-12 Bond Ordinance providing for various improvements to the sewer utility in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$1,448,000 therefor and authorizing the issuance of \$1,250,000 bonds or notes of the Township to finance part of the cost thereof

Motion by Cook second by Kayne to open public hearing on Ordinance 2020-12. All in favor. Motion carried.

No public comments.

Motion by Cook second by Kayne to close public hearing on Ordinance 2020-12. All in favor. Motion carried.

Motion by Kayne second by Cook to adopt Ordinance 2020-12.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Ordinance 2020-19 Ordinance amending Ordinance No. 2020-13 establishing salaries or wages of unrepresented officials and employees for the year 2020. Salaries of unrepresented employees shall be amended to read as follows to include the addition of titles Secretary Board/Commission – Health, TACO (stipend), and the removal of the title Animal Attendant now listed in the White Collar Salary and Wage Ordinance

Motion by Cook second by Witty to open public hearing on Ordinance 2020-19. All in favor.
Motion carried.

No public comments.

Motion by Cook second by Conklin to close public hearing on Ordinance 2020-19. All in favor.
Motion carried.

Motion by Conklin second by Kayne to adopt Ordinance 2020-19.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

REPORTS

Administrator's Report

- COVID 19 Update – No new cases reported today, one active current case in Montville, total cases 268.
- Highlighted the memo prepared by CFO Katie Yanke regarding the September 16, 2020 Bond Sale. The Township received a rate of 0.814195%. Attributes the excellent rating to the Township's sound fiscal management.
- OneMontville along with the Township is sponsoring an online screening of *Just Mercy* on October 3-4 followed by a panel discussion led by Committeeman Kayne and OneMontville President Shari Schwartz on October 6.
- Thanked Police Chief Andrew Caggiano for recommending the donation of a police department vehicle to the Montville Township First Aid Squad as a supervisor's vehicle (Resolution 2020-276 on this meeting's agenda)
- Canning reported that he spoke with the attorney for St. John's the Baptist Orthodox Church about the Township's interest in the Open Space potential for 103 Horseneck Road. Mr. Canning polled the Committee's interest and was directed to continue discussions.

Attorney's report

- Recommended to have three commercial tax appeal matters to be included in the agenda for the Closed Executive Session at the October 27, 2020 Township Committee meeting

Township Committee liaison reports and comments

Deputy Mayor Cook

- Recreation – Basketball court resurfacing project is completed and courts should be open for play on September 23. The Recreation Department has scheduled two outdoor movies at the amphitheater: *Jumanji the Next Level* on September 30 at 7:30 p.m. (rain date October 1) and *Monsters, Inc.* on October 28 at 7:30 p.m. (rain date October 29). Two concerts have been added. The Mighty Spectrum Band will perform The Bruce

Project on October 3 at 4-7 p.m. (rain date October 4 at 4-7 p.m.) and Street Hassle will perform on October 23 at 7:00 – 9:30 p.m. (rain date October 24 at 4-6:30 p.m.).

Committeeman Conklin

- No report

Committeewoman Witty

- Reported success at Township shredding event. Drug Take Back collected 50 pounds of prescription medications.
- Attended the Opiate Taskforce virtual meeting. Overdose numbers in the County are up. Drug Alliance Council/Municipal Alliance will meet to strategize a response to supplement the Morris County Sheriff's efforts.
- VFW held its first in-person meeting since COVID19. The 9-11 Service was held virtually with a small number in attendance.
- Open Space – Trees have been removed from the Reilly Field walking path. Photos are being taken of the Longview launch at the Passaic River and Split Rock Reservoir.
- The Women's Club Town Wide Garage Sale on September 26 and 27.

Committeeman Kayne

- Dr. Kayne stated that the dates mentioned in Canning's report might be incorrect for OneMontville's *Just Mercy* screening and panel discussion.
- The Township continues to inform residents of options they have to bypass Altice's customer service. He wants to pursue alternate service providers such as Planet Network (an internet only provider). The Township has a pending press release to residents on options for contacting Altice USA about service problems.
- Despite efforts, JCP&L was unable to schedule a representative to attend this meeting. Dr. Kayne urges Administration to continue scheduling that in order to get answers and to give residents the opportunity to air their thoughts.
- Environmental Commission meets on September 23.
- The Board of Health met on September 14.

Chairman Cooney

- Attended and spoke at the 9-11 Service.
- The next Recycling Day is scheduled for October 31.
- Planning Board meets on September 24.

New Business

Canning presented the Montville Lacrosse Association's request for permission to construct a small storage shed for their equipment at Camp Dawson. The shed will be on a non-permanent foundation so it can be removed in the future if needed. Mr. Semrau advised the Committee to formalize its endorsement by motion.

Motion by Cook second by Conklin that the Montville Lacrosse Association be permitted to construct a storage shed, subject to approval by the Township Engineer on design, structure and placement. All in favor. Motion carried

Chairman Cooney asked about enclosures for the dumpsters at Camp Dawson. Mr. Canning responded that he would like to combine this with trash enclosures for other properties as an item in the 2021 Capital Budget.

Committeeman Kayne asked Mr. Canning to see whether a conduit with JCP&L that bypasses the customer service vacuum and allows residents to report their issues to JCP&L can be developed, similar to what was done with Altice. Mr. Canning will check about that when he contacts our service representative to schedule someone to attend the Township Committee meeting.

Old Business

Project Status Report

Committeewoman Witty asked whether there was an update on the JCP&L settlement.

Mr. Semrau responded that his office is monitoring JCP&L, and is awaiting approvals at the State and Federal level before they can enact the remedies of the settlement.

Montville Kiwanis Memorial Project – The Township Committee approved the project design and authorized Kiwanis to move forward with the project.

Ordinance Introductions

Ordinance 2020-21 Ordinance of the Township of Montville, County of Morris, and State of New Jersey amending Chapter 10 "Vehicles and Traffic", Article 10.20 "Schedules", Schedule XVII Section 10.20.180 "Speed Limits" of the Code of the Township of Montville, New Jersey

Motion by Conklin second by Cook to introduce Ordinance 2020-21 and set the public hearing for October 13, 2020. All in favor. Motion carried.

Chairman Cooney and Mr. Canning stated that this ordinance amendment is responsive to citizen complaints about speed issues on Brook Valley Road.

Public Portion

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

No public comments.

Motion by Cook second by Conklin to close public portion. All in favor. Motion carried.

Resolution Authorizing Consent Agenda No. 2020-CA17

Resolution 2020-264 Resolution of the Township of Montville, in the County of Morris and State of New Jersey, authorizing the release of the cash bond received for work performed at 5 Prospect Place, block 173, lot 13

WHEREAS, the property owner, William R. Fried, Jr., has requested a release of the cash road opening bond in connection with work being performed at 5 Prospect Place, Block 173, Lot 13, in the Township of Montville; and

WHEREAS, the Township Engineer has reviewed the request, performed an inspection of the work completed, and recommended by correspondence, dated September 15, 2020, that the cash bond held in connection with this project, which is in the amount of \$675.00, be released.

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 the road opening bond held in connection with this project, which is in the amount of \$675.00, be released to the property owner.

This Resolution shall take effect immediately.

Resolution 2020-265 Resolution of the Township of Montville, in the County of Morris and State of New Jersey, authorizing the release of the cash bond received for work performed at 5 Jewel Court, block 76, lot 13.03

WHEREAS, the property owner, Gaurav Patel, has requested a release of the cash soil stabilization bond in connection with work being performed at 5 Jewel Court, Block 76, Lot 13.03, in the Township of Montville; and

WHEREAS, the Township Engineer has reviewed the request, performed an inspection of the work completed, and recommended by correspondence, dated September 15, 2020, that the cash bond held in connection with this project, which is in the amount of \$3,346.00, be released.

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 the cash soil stabilization bond held in connection with this project, which is in the amount of \$3,346.00, be released to the property owner.

This Resolution shall take effect immediately

Resolution 2020-266 Resolution authorizing the cancelation of accounts payable

WHEREAS, there exists certain accounts payable on the books of the Township; and

WHEREAS, the purchase orders creating these accounts payable have been investigated and it has been determined that these purchase orders should be canceled;

<u>FUND</u>	<u>VENDOR</u>	<u>PO #</u>	<u>DATE</u>	<u>AMOUNT</u>
CURRENT FUND	Turn Out Uniforms	18-02890	12/31/2018	\$ 88.04
				\$ 88.04

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Montville, that the above listed accounts payable be and are hereby canceled.

Resolution 2020-267 Resolution authorizing contracts with additional approved state contract vendors for contracting units pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Township of Montville, pursuant to N.J.S.A. 40A: 11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Montville has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, it has been or will be necessary to enter into contracts with the Additional Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts:

<u>Vendor</u>	<u>Description</u>	<u>State Contract #</u>
Lawmen Supply Company of NJ	Law Enforcement Firearms and Supplies	17-Fleet-000754
G.T.B.M	MO-483 Computer Equipment, Peripherals and Related Services	89980

NOW, THEREFORE, BE IT RESOLVED that the Township of Montville authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the above list of additional vendors, pursuant to all conditions of the individual State contracts.

Resolution 2020-268 Resolution authorizing contracts with certain additional approved Morris County Cooperative Pricing Council Contract vendors

WHEREAS, in the past, the Township of Montville has availed itself of the right to purchase materials, supplies, and equipment under contracts for such materials, supplies and equipment entered into under the Cooperative Pricing Council of the County of Morris; and

WHEREAS, it is desirable from time to time to obtain materials, supplies and equipment under Contracts for such materials, supplies and equipment entered into by the Cooperative Pricing Council of the County of Morris without the necessity of advertising for bids or in the cases where no bids have been received; and

WHEREAS, it has been or will be necessary or desirable to obtain materials, supplies and equipment under such Contract or Contracts entered into under the County of Morris Cooperative Pricing Council with the additional referenced Cooperative Vendors;

MCCPC

<u>Contract #</u>	<u>Contract Description</u>	<u>Vendor (s)</u>
#9	Crushed Stone, Gravel and Sand	Eastern Contract Materials, Inc.
#16	Office Supplies	Office Concepts
#17	Water Treatment Chemicals	Main Pool and Chemical Company
#19	Concrete Block and Granite Curb Blocks	Liberty Building Products
#28	Traffic Sign Materials	Garden State Highway Products
#31	Calcium Chloride	Main Pool and Chemical Company
#36	Traffic Striping	Denville Line Painting
#37	Traffic Signal Maintenance & Repairs	Allan Briteway Electrical Utility Contractors, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that the purchases by the Township of

Montville through the several Municipal Departments shall be purchased under a Contract or Contracts for such materials, supplies or equipment entered into under the Cooperative Pricing Council of the County of Morris with the additional referenced Cooperative Vendors.

Resolution 2020-269 Resolution to adopt the Township's Fund Balance Policy

WHEREAS, it is necessary for Governments to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls and unanticipated expenditures; and

WHEREAS, it has been particularly obvious, due to the COVID-19 Pandemic, that maintaining adequate levels of fund balance has allowed the Township to react to unexpected emergencies and revenue shortfalls; and

WHEREAS, The Township Committee believes that maintaining fund balance protects the long term financial integrity of the Township and is vital to the fiscal health of the Township;

WHEREAS, the Township is committed to maintaining a prudent level of financial resources to protect against the need to reduce service levels because of temporary revenue shortfalls or unexpected expenditures; and

WHEREAS, it is recommended by both the GFOA and various rating agencies that a Township adopt a formal Fund Balance Policy;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Montville that the following Fund Balance Policy for the Township of Montville be adopted.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Montville that the Fund Balance Policy be reviewed and adopted annually along with the Cash Management Plan at the annual reorganization meeting.

Resolution 2020-270 Resolution of the Township Committee of the Township of Montville, County of Morris and State of New Jersey, rejecting all bids for the Lake Montowac dam repairs project

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for the Lake Montowac Dam Repairs Project; and

WHEREAS, one (1) sealed bid was received and opened on September 16, 2020, in accordance with the advertised date for acceptance of bids from the following vendor:

Colonnelli Brothers Inc.	\$148,900.00
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; and

WHEREAS, the Mayor and Township Committee find and declare that the one (1) bid received exceeds the Engineer's estimate and the budget for this project; 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 find and declare that in light of the fact that the one (1) bid received is over budget, there are no responsible bidders and all bids are rejected; and

WHEREAS, the Mayor and Township Committee authorize the Lake Montowac Dam Repairs Project to be re-bid.

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 all bids received for the Lake Montowac Dam Repairs Project be and are hereby rejected for the reasons stated in this Resolution.

BE IT FURTHER RESOLVED that the Township Administration is authorized to re-bid the Lake Montowac Dam Repairs Project.

BE IT FURTHER RESOLVED, that this Resolution shall take effect pursuant to law.

Resolution 2020-271 Resolution authorizing the cancellation of the unexpended balance of the 2020 current fund budget appropriation for the 2019/2020 school year SLEO III shared service agreement and the corresponding revenue/receivable balance

WHEREAS, the Township of Montville and the Montville Township Board of Education entered into an agreement for a Class III Special Law Enforcement Officer (SLEO III) for the 2018/2019, 2019/2020 and 2020/2021 school years; and

WHEREAS, the terms that were outlined in the contract for the 2019/2020 school year have been met and the 2019/2020 school year ended as of 6/30/2020; and

WHEREAS, per the agreement, the terms and conditions and corresponding dollar amount will be determined for the new 2020/2021 school year; and

WHEREAS, there remains an unexpended appropriation balance of \$24,607 and a corresponding receivable balance which will not be collected for the 2019/2020 school year due to the timing of the agreement, the end of the 2019/2020 school year as well as the switch to remote learning for the balance of the 19/20 year due to the Coronavirus pandemic; and

WHEREAS, it is necessary to formally cancel said balances;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Montville in the County of Morris, that the unexpended balance of the appropriation in the 2020 Current Fund Budget for the 2019/2020 Shared Services agreement between the Township of Montville and the Montville Township Board of Education be cancelled and that the balance of the receivable in the amount of \$24,607 also be cancelled.

Resolution 2020-272 Resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing property maintenance work to be completed by the Township of Montville Department of Public Works to place the premises at 7 & 7A River Road in conformance with the Property Maintenance Ordinance.

WHEREAS, there is in existence within the Township of Montville a property located at 7 & 7A River Road, designed on the Montville Township Tax Map as Block 51, Lot 49 (the "Property"); and

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

WHEREAS, a Notice of Lien was served on August 25, 2020 by posting same upon the front door of the Property and mailing to the owner, requiring compliance by September 4, 2020; and

WHEREAS, to date, the 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 Property; 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 \$762.00 as follows:

Lawn Mower Operator x 3 hours:	\$32.91/hour	\$ 98.73
Weed Wacker/Blower x 3 hours:	\$26.13/hour	\$ 78.39
Weed Wacker/Blower X 3 hours:	\$24.02/hour	\$ 72.06
Equipment X 3 hours:	\$50.00/hour	\$150.00
Truck Driver X 3 hours:	\$32.91/hour	\$ 98.73
Laborer X 3 hours:	\$27.18/hour	\$ 81.54
Truck & Chipper X 3 hours:	\$60.85/hour	\$182.55
Total:		\$762.00

; 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 7 & 7A River Road pursuant to the report of the Director of Public Works, attached hereto, in the amount not to exceed \$762.00, said amount to become a lien against the property, in order to remediate the property maintenance violations.

Resolution 2020-273 Resolution of the Township of Montville, County of Morris and State of New Jersey appointing Nick Marucci as the Certified Public Works Manager

WHEREAS, the Township of Montville needs to appoint a Certified Public Works Manager to represent the Township of Montville; and

WHEREAS, the Township's Engineer, Nick Marucci, has been approved by the Division of Local Government Services as a Certified Public Works Manager (license number M-2156) through the Professional Engineer exam exemption; and

WHEREAS, the Township Committee desires to appoint Nick Marucci as Certified Public Works Manager; and

WHEREAS, there is no additional salary compensation for this title.

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 Nick Marucci is hereby appointed as the Certified Public Works Manager for the Township of Montville.

This Resolution shall take effect immediately.

Resolution 2020-274 Resolution authorizing the renewal of liquor licenses 2020-2021

WHEREAS, applications have been filed online by holders of liquor licenses within the Township of Montville seeking renewal for the period July 1, 2020 – June 30, 2021; and

WHEREAS, the applications have been reviewed by the office of the Township Clerk, Health Officer, Chief of Police; and the Fire Districts; and

WHEREAS, all fees have been paid and the licenses have met the requirements for license renewal;

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 liquor licenses are renewed for the years 2020 through 2021, effective 07/01/20 – 06/30/21:

- 1421-33-011-008 Bonefish Grill, LLC t/a Bonefish Grill, 28 Route 46, Pine Brook
- 1421-32-017-003 Dat Crupa, Inc. t/a D & D Wine & Liquors, 36 Route 46 West, Pine Brook
- 1421-33-004-004 Don Pepe II, Inc. t/a Don Pepe II, 18 Bloomfield Avenue, Pine Brook
- 1421-33-001-007 Don Pepe Steakhouse, Inc., t/a Don Pepe Steakhouse, 58 Route 46 West, Pine Brook
- 1421-33-002-009 Opportunity, Inc., t/a Montville Diner, 4 Route 46 West, Pine Brook
- 1421-44-005-007 Aryanashna, LLC, t/a Montville Wine & Spirits, 223 Changebridge Road, Pine Brook
- 1421-32-003-006 OKCF, Inc. t/a Stuffed Olive, 100 Bloomfield Avenue, Pine Brook
- 1421-44-018-002 Wine Outlet North Jersey LLC, ABC Pocket License
- 1421-33-007-007 Artigiano, LLC, t/a Wood Stack Pizza & Kitchen, 29 Route 46, Pine Brook
- 1421-32-016-010 Rails Steakhouse LLC, t/a Rails Steakhouse 8-10 Whitehall Road, Towaco
- 1421-33-006-001 Lake Valhalla Club, 6 Vista Road, Montville
- 1421-33-008-005 83 Mt. Rail Corp. t/a Columbia Inn, 29 Route 202, Montville
- 1421-33-012-007 144 Route Enterprises Inc. t/a Harrigan's, 142 Main Road, Montville
- 1421-32-010-006 Scala 4 LLC t/a Locanda Vecchia, 167 Route 202, Montville

Resolution 2020-275 Resolution of the Township of Montville, County of Morris and State of New Jersey amending Resolution 2019-255 which authorizes the purchase of a 2019 model or newer Ford F-450 cab/chassis with dump body for the Montville Township Department of Public Works under the Morris County Cooperative Pricing Council Contract #15-F, Item 2

WHEREAS, Montville Township, by Resolution #2019-255, awarded the purchase of a 2019 or newer Ford F-450 Cab/Chassis with Dump Body for the Department of Public Works under the Morris County Cooperative Pricing Council Contract #15F, Item #2; and

WHEREAS, Route 23 Automall and the Ford manufacturing plant closed down during COVID-19 which delayed delivery of any truck under Item #2; and

WHEREAS, the Township wishes to replace Item #2 with Item #1; and

WHEREAS, the Township wishes to amend the purchase to reflect a 2020 Ford F-450 Cab/Chassis with Dump Body to include the 7.3L gasoline engine which is Morris County Cooperative Pricing Council Contract #15F, Item #1; and

WHEREAS, the vehicle cost, including all applicable delivery charges, totals \$53,105 which will reduce the original purchase order by a total of \$7,703 and is in conformance with Morris County Cooperative Pricing Council Contract #15-F, Item #1; and

WHEREAS, the Township's DPW General Supervisor recommends this replacement.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey authorizes amending Resolution No. 2019-255 with the purchase of a 2020 Model Ford F-450 Cab/Chassis with Dump Body for the Montville Township Department of Public Works Under the Morris County Cooperative Pricing Council Contract #15-F, Item #1.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the replacement vehicle includes a 7.3L gasoline engine, for a total purchase price of \$53,105.00, which reduces the original purchase order by a total of \$7,703.

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.

Resolution 2020-276 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the donation of a 2014 Ford Explorer to the Montville Township First Aid Squad

WHEREAS, pursuant to N.J.S.A. 40A: 11-36(2), the Township may donate to another contracting unit any personal property no longer needed for Township purposes; and

WHEREAS, the Township of Montville Police Department has a 2014 Ford Explorer, VIN #1FM5K8AR9EGC60693, that it no longer needs for law enforcement or any other Township purposes; and

WHEREAS, the Montville Township First Aid Squad is an integral part of the community and provides first responder services to the Township for free through its proactive volunteerism; and

WHEREAS, the Montville Township First Aid Squad is in need of a supervisor's vehicle and the above-mentioned vehicle is suitable for those needs; and

WHEREAS, in the spirit of sharing, the Township wishes to donate the above-mentioned vehicle to the Montville Township First Aid Squad.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, authorizes the donation of a 2014 Ford Explorer, VIN #1FM5K8AR9EGC60693, to the Montville Township First Aid Squad.

This Resolution will take effect immediately upon its passage.

Motion by Cook second by Witty to adopt the above Consent Agenda No. 2020-CA17 Resolution 2020-264 through Resolution 2020-276.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution approving the listing of bills and signing of checks for September 22, 2020

Motion by Cook second by Witty to approve the listing of bills and signing of checks for September 22, 2020.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-277 Resolution of the Township of Montville, County of Morris and State of New Jersey rejecting public improvements and request for release of performance bond for Jewel Estates at Montville, Block 76, Lots 13.01 through 13.06

WHEREAS, pursuant to a letter dated August 24, 2020 and received on August 28, 2020, the Developer requested final acceptance of the project and release of the Developer in full satisfaction of the Developer's Agreement; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-53(3), the governing body must reject the improvements by resolution of cause for rejection; and

WHEREAS, a review of the matter by the Township Engineer indicates that the cause for rejection are the outstanding items necessary to the completion and finalization of the project; and

WHEREAS, specifically, the Township Engineer has requested but not received a sanitary sewer easement, suitable for recording, to memorialize the Township's rights and responsibilities with regard to the sanitary sewer system; and

WHEREAS, the Township Engineer has also requested that update as-built plans be provided, which plans should describe and depict all easements; and

WHEREAS, the Township Engineer has recommended the above items must be provided by the Developer before acceptance of the project and release of the performance bond can occur.

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 request for final acceptance of the project and release of the Developer is hereby rejected until such time as the outstanding items are provided to the Township Engineer.
2. A copy of this Resolution shall be provided to the Developer's attorney, Martin David Katz, Esq., 2 Daniel Road East, Fairfield New Jersey 07004.

This Resolution will take effect immediately.

Motion by Cook second by Conklin to adopt Resolution 2020-277.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-278 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing a collective bargaining agreement between the Township of Montville and Morris Council No. 6, New Jersey Civil Service Association (NJCSA), IFPTE, AFL-CIO

WHEREAS, the Township of Montville and Morris Council No. 6, New Jersey Civil Service Association (NJCSA), IFPTE, AFL-CIO 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 Collective Bargaining Agreement with Morris Council No. 6, NJCSA, IFPTE, AFL-CIO for the years 2019 and 2020.

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 Mayor be and is hereby authorized to sign the Collective Bargaining Agreement with Morris Council No. 6, New Jersey Civil Service Association (NJCSA), IFPTE, AFL-CIO, contingent upon ratification of the same terms by that bargaining unit.

This Resolution shall take effect immediately.

Motion by Cook second by Witty to adopt Resolution 2020-278.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-279 Resolution by the Township of Montville, County of Morris and State of New Jersey appointing a conditional redeveloper and authorizing execution of a Conditional Redeveloper Agreement

WHEREAS, on October 13, 2015, the Township designated the properties identified as Block 162, Lots 4, 6 and 7 on the Township's tax map as the Route 46 West Condemnation Redevelopment Area ("Redevelopment Area") under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL"), and

WHEREAS, the Township has sought a redeveloper for the Redevelopment Area; and

WHEREAS, an affiliate of Paul Miller Auto Group, 12 Route 46, LLC ("12 RT 46"), has submitted a proposal for the redevelopment of the Redevelopment Area (the "Project") which the Township Committee believes to be consistent with the goals, objective and vision for the Redevelopment Area; and

WHEREAS, before the Project can proceed, the parties need to conduct further review of the Project and the feasibility of same; and

WHEREAS, the parties wish to enter into a Conditional Redeveloper Agreement to outline the parties' commitment to further exploring the Project and, if deemed appropriate, negotiate a redevelopment agreement for same; and

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 12 RT 46 is hereby designated as Conditional Redeveloper for the Redevelopment Area subject to the terms and conditions of the Conditional Redevelopment Agreement attached hereto as Exhibit A and that the Township Administrator is hereby authorized to execute the Conditional Redevelopment Agreement on behalf of the Township.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

Motion by Cook second by Kayne to adopt Resolution 2020-279.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-280 Resolution requesting approval of items of revenue and appropriation NJS 40A:4-87 (Montville Township Board of Education Shared Service Agreement – Class III Special Law Enforcement Officer (SLEO III) – 2020/2021 School Year

WHEREAS, NJSA 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 2020 in the sum of \$27,424.70, which is now available from the Montville Township Board of Education 2020-2021 Budget in the amount of \$27,424.70.

BE IT FURTHER RESOLVED, that the like sum of \$27,424.70 is hereby appropriated under the caption Montville Township Board of Education Shared Service – SLEO III; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the Montville Township Board of Education for a shared services agreement – Class III Special Law Enforcement Officer for the 2020-2021 School Year.

Motion by Conklin second by Witty to adopt Resolution 2020-280.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-281 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 Burgis Associates, Inc. to perform professional planning services Montville Township

WHEREAS, there exists a need for professional planning services to be rendered to the Township of Montville in connection with the preparation of a Township-wide build-out analysis in order to assist the Township in determining future demand for water and sewer services; and

WHEREAS, the Township wishes to retain Burgis Associates, Inc. to perform such services; and

WHEREAS, the maximum amount of for services under this contract shall not exceed a total of \$17,500; 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 Burgis Associates, 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. Burgis Associates, Inc. shall provide professional planning services to the Township as set forth in its proposal of August 24, 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. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675, for their information and guidance.

Section 5. The accounts to be used for these services are the following:

Professional Fees – Water = 0-05-55-500-227; \$7,500

Professional Fees – Sewer = 0-07-55-500-227; \$2,500

Professional Fees - Operating Budget = 0-01-20-155-227; \$7,500

This Resolution shall take effect immediately.

Motion by Cook second by Kayne to adopt Resolution 2020-281.

Roll Call:

Yes: Kayne, Witty, Cook | Conklin, Cooney

No: -0-

Resolution 2020-282 Resolution authorizing the hiring of Robert Vogt as a Class III Special Law Enforcement Officer (SLEO III) for the Township of Montville, County of Morris and State of New Jersey

WHEREAS, on November 30, 2016, Governor Chris Christie signed into law P.L. 2016, c. 68 which established Class III Special Law Enforcement Officers (SLEO IIIs) for retired law enforcement officers under 65 years of age to provide security in public and nonpublic schools and county colleges; and

WHEREAS, the Township of Montville wishes to hire Robert Vogt as a Class III Special Law Enforcement Officer for the 2020/2021 school year; and

WHEREAS, the Township has determined that Mr. Vogt meets all of the eligibility requirements of the position.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Montville, County of Morris, State of New Jersey, that the appointment of Robert Vogt as a Class III Special Law Enforcement Officer for the Township of Montville as described hereinabove be and is hereby authorized.

This Resolution shall take effect immediately

Motion by Cook second by Witty to adopt Resolution 2020-282.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-283 Authorize execution of a shared services agreement between the Township of Montville and the Montville Township Board of Education to provide a School Resource Officer (SRO) for the 2020/2021 school year

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., municipalities and local boards of education may enter into agreements for shared services with other municipalities and local boards of education to provide or receive any service that the local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the agreement must comply with the requirements of N.J.S.A. 40A:65-7 and specify the services to be performed under the agreement, procedures for payment, and assignment and allocation of responsibility for meeting standards between and among the parties; and

WHEREAS, the Township of Montville and the Montville Township Board of Education desire to join together to provide a School Resource Officer (SRO) for the 2020/2021 School Year pursuant to the attached Shared Service Agreement; and

WHEREAS, the Township of Montville desires to enter into an Agreement with the Montville Township Board of Education for the purpose of setting forth the terms and conditions regarding the assignment of the School Resource Officer ("SRO") for the 2020/2021 School Year.

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

1. The Mayor is authorized to execute and the Township Clerk to attest to the Shared Services Agreement between the Township of Montville and the Montville Township Board of Education to provide a School Resource Officer (SRO) for the Montville Township School District.
2. A copy of said Agreement will be kept on file within the Township Clerk's Office.
3. No compensation will be due from the Montville Township Board of Education to the Township during the 2020/2021 school year for the services of the SRO.

4. All terms and conditions are in accordance with the attached Shared Services Agreement.
5. Certified copies of this resolution shall be forwarded to the Department of Community Affairs/Division of Local Government Services (DLGS), the Montville Township Board of Education, Superintendent of Schools, School Administrator, Township Administrator, CFO, Chief of Police, Personnel Department and any other interested parties.

This Resolution shall take effect immediately.

Motion by Witty second by Conklin to adopt Resolution 2020-283.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution 2020-284 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
10/01/2020 through 12/31/2020	\$117.30	\$20,000.00

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 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 Kayne to adopt Resolution 2020-284.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Motion by Conklin second by Kayne to add Resolution 2020-285 to the agenda.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution No. 2020 – 285 Resolution of the Township of Montville, in the County of Morris and State of New Jersey, accepting a Safety and Stabilization Bond for 29-46 East, LLC, for Phase I of work to be completed at Woodstack Restaurant, 29 Route 46 East, Block 183, Lots 8 and 9

WHEREAS, 29-46 East, LLC, the owner and developer of property known as Woodstack Restaurant, Block 183, Lots 8 and 9, 29 Route 46 East, is required to submit a safety and stabilization bond to the Township of Montville for the completion of phase I of work as detailed on the engineer's cost estimate; and

WHEREAS, 29-46 East LLC has submitted check number 1823 in the amount of \$21,363.03 representing the safety and stabilization bond for phase I of 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 29-46 East, 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.

Motion by Conklin second by Witty to adopt Resolution 2020-285.

Roll Call:

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Review of Meeting Action Items

Administrator

- Continue efforts to schedule a JCP&L representative to attend the next Township Committee meeting and ask about emulating the Altice service complaint options.
- Begin work on the 2021 Capital Budget including the enclosure of trash containers

Attorney

- Continue to work with Township Administration on issues with JCP&L and Altice Township Committee – none

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

Contract Negotiations

Surprise Lake

Litigation

Affordable Housing; 82934BRP

Personnel

Attorney-Client Privilege

Altice; JCP&L; Government Operations; Overlay

Motion by Kayne second by Witty to adopt the resolution authorizing Closed Executive Session and move into closed session. All in favor. Motion carried.

Chairman Cooney stated for the record that no further official business would be conducted after the closed executive session other than to adjourn the meeting.

Motion by Kayne second by Cook to reconvene public session. All in favor. Motion carried.

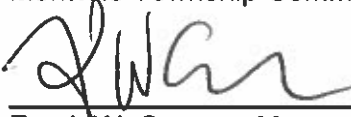
Motion by Cook second by Kayne to adjourn meeting. All in favor.

Adjournment – 8:43 p.m.

Respectfully submitted



Stacy Sullivan-Gruca, Township Clerk

Approved
Montville Township Committee


Frank W. Cooney, Mayor