

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE

Meeting Minutes - Tuesday, May 25, 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.

Phone lines muted

Roll Call Township Committee

Present: Rich Cook, Deputy Mayor
Matthew S. Kayne, Committeeman
June Witty, Committeewoman
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 Committeeman Kayne

PROCLAMATIONS

June 2021 - Pride Month

APPROVAL OF MEETING MINUTES

May 11, 2021 Township Committee Regular Meeting Minutes
May 11, 2021 Township Committee Closed Executive Session Meeting Minutes
Motion by Kayne second by Witty to approve above listed minutes.
All in favor – Motion carried

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PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION

Ordinance 2021-13 Bond Ordinance reappropriating \$156,234.81, including \$151,834.81 of proceeds of obligations not needed for their original purposes and \$4,400 from the Capital Improvement Fund, in order to provide for various capital improvements in and by the Township of Montville, in the County of Morris, New Jersey

Motion by Conklin second by Witty to open public hearing on Ordinance 2021-13

All in Favor - Motion Carried

Phone lines unmuted

No Public Comments

Motion by Kayne second by Conklin to close public hearing on Ordinance 2021-13

All in Favor - Motion Carried

Phone lines muted

Motion by Cook second by Witty to adopt Ordinance 2021-13

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

REPORTS

Administrator's Report

COVID Update

0 new cases (for past 4 days) / 0 cases cleared / 5 current cases / 1623 total cases cleared to date / 1628 total cases to date

Re-Opening Plan

Town Hall to reopen full open to public hours starting June 1, 2021, from 8:30am to 4:30pm, Monday through Friday

In Person meetings to resume, starting with Township Committee regular meeting of June 22, 2021

Preparing a Food Truck Ordinance, request for a temporary food truck permit for scheduled events

Attorney report

Tax Appeals

Tax Board hearing held, summary to be sent

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Township Committee liaison reports and comments

Cook

Recreation Commission meeting cancelled

Board of Adjustment adding a meeting in June to handle requests

Conklin

Historical Preservation Review Commission met May 24, 2021 – Preliminary proposal from Fogelson property (including Jacobus House)

Canal Society Dorsey Pond – ideas to be presented to Township Committee and Engineering Department for signage

Open Space & TCA – met at Towaco Beach Club Property, coming up with ideas for trails to present

Kayne

Environmental Commission – opening for Alternate 2, reviewing applications

Altice – Deadline for response to BPU is May 27, 2021, hoping for update soon

Witty

Housing Committee – met May 13, 2021 - presentation from a future developer, reviewing applications for a vacancy

DAC/Municipal Alliance – Graduation lawn sign fundraiser continues

VFW – Memorial Day Event May 31, 2021 at 11am / poppy drive upcoming weekend at Community Park

Relay for Life – Reminder to sign up for June 16 & 17, 2021 event

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

UNFINISHED BUSINESS

None

NEW BUSINESS

Motion by Cook second by Kayne for food trucks to obtain temporary license through the Health Department until adoption of Food Truck Ordinance All in favor – Motion carried

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ORDINANCE INTRODUCTIONS

Ordinance 2021-14 Ordinance prohibiting the operation of any class of cannabis businesses within the Township of Montville and amending the supplementing Chapter 230, "Land Use and Development", of the Township Code and Chapter 276, "Peace and Good Order", of the Township Code

Motion by Conklin second by Witty to introduce Ordinance 2021-14

All in favor – Motion Carried

Clerk set public hearing date for June 22, 2021

Ordinance 2021-15 Ordinance of the Township of Montville, Morris County, New Jersey, authorizing the amount of \$30,000 be appropriated and disbursed from the Open Space Dedicated Trust Fund for appraisals, surveys, titles, preliminary assessment reports, deeds, environmental studies, professional services and other due diligence on Open Space properties.

Motion by Cook second by Witty to introduce Ordinance 2021-15

All in favor – Motion Carried

Clerk set public hearing date for June 22, 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 Cook second by Kayne to open public portion

All in favor – Motion Carried

Public comments

Ellen Conlon, 26 Old Lane, Towaco

Requesting an update on the progress of the Old Lane Sewer Expansion Project

Hercek explains: Township has fulfilled all requirements, awaiting NJ DEP notice to proceed. Kleinfelder is prepared to go to bid as soon as we are approved to do so.

Motion by Cook second by Conklin to close public portion

Phone lines muted

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RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2021-CA10

Resolution 2021-152 Resolution of the Township of Montville, in the County of Morris, State of New Jersey, accepting a safety and stabilization bond from 29-46 Route 46 East, LLC, Woodstack Restaurant, for work to be completed at 29 Route 46 East Block 183, Lots 8 & 9

WHEREAS, 29-46 Route 46 East, LLC, the owner and developer of property known as Block 183, Lots 8 & 9, 29 Route 46 East, is required to submit a safety and stabilization bond to the Township of Montville for Phase II of the Woodstack Restaurant project as detailed on the engineer's cost estimate in the amount of \$10,569.85; and

WHEREAS, 29-46 Route 46 East, LLC has submitted check number 1928 in the amount of \$10,569.85 representing the safety and stabilization bond for Phase II 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 Route 46 East, LLC is hereby accepted. The Township Clerk is authorized and directed to forward a copy of this Resolution to 29-46 Route 46 East, LLC.

This Resolution shall take effect immediately.

Resolution 2021-153 Resolution approving Blue Light Permit for member of the Montville Township First Aid Squad Sai Pamula

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

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:

Sai Pamula

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.

Resolution 2021-154 Resolution approving volunteer firefighter certificates of exemption

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WHEREAS, Certificates of Exemption for the following persons have been approved by the respective Fire Departments and the New Jersey State Firemen's Association:

Nicholas D. Schmitt, Pine Brook Fire Department

Eric J. Holswade, Towaco Fire Department

Alex M. Maletto, Pine Brook Fire Department

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 Certificates of Exemption be approved, and the Township Clerk is authorized to file said Certificates with the Morris County Clerk.

Resolution 2021-155 Resolution of the Township of Montville, in the County of Morris, State of New Jersey, authorizing the release of the cash Road Opening Permit Bond received for work performed at 27 Brittany Road, block 139.02, lot 4

WHEREAS, the property owner, August Kuhling, has requested a release of the cash road opening permit bond submitted in connection with work being performed at 27 Brittany Road, Block 139.02, Lot 4, in the Township of Montville; and

WHEREAS, the Township Engineer has reviewed the request, performed an inspection of the work completed, and recommend by correspondence, dated May 14, 2021, that the cash road opening permit bond held in connection with this project, in the amount of \$750, 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 road opening permit bond held in connection with this project, which is in the amount of \$750.00, be released to the property owner.

This Resolution shall take effect immediately.

Resolution 2021-156 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 2015, 2016, 2017 and 2018

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

Bruce J. Stavitsky, Esq. for the benefit of Home Depot	2015 Tax Appeal	\$ 35,834.46
C/O Stavitsky & Associates LL	2016 Tax Appeal	\$ 35,522.01
79 Route 46	2017 Tax Appeal	\$ 47,427.63

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Block 180 Lot 2.1	2018 Tax Appeal	\$ <u>49,294.13</u>
	TOTAL REFUND	\$168,078.23

Resolution 2021-157 Resolution approving request from Tax Collector for refund of overpayment

WHEREAS, due to duplicate payments received creating an overpayment of tax for the year 2021

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:

CORELOGIC

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY LOCATION</u>	<u>AMOUNT</u>
11	20	49 South Lenape Dr	\$ 1,032.24
33	49.4	3 Woodside Dr	\$ 6,391.50
39.1	2	25 Old Ln	\$ 4,405.38
40	24	20 Jacksonville Rd	\$ 1,944.19
40	45	14 Indian Hill Rd	\$ 3,378.12
42	4	34 Bellows Ln	\$ 2,035.44
51	19.4	20 Renshaw Dr	\$ 4,660.20
51.2	27	11 Cooks Farm Rd	\$ 5,738.10
52.1	14	5 Earl Ct	\$ 4,987.21
79	7	15 Mountain Ave	\$ 1,945.43
109	28	10 Bonnie Ln	\$ 2,645.01
119	14	13 Longview Dr	\$ 2,831.24
125.12	24	1 Deerhill Dr	\$ 2,710.19
131.2	8	2 Green Meadows Rd	\$ 2,091.31
138	5	3 Green Meadows Rd	\$ 2,585.71
139.11	2.02	71 Gabriel Dr	<u>\$ 2,082.66</u>
Total Refund			\$51,463.93

Resolution 2021-158 Resolution authorizing the processing of certain tax sale certificate redemptions

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

Block 39.6 Lot 1	
15 Old Ln Extension	
Lien Redemption Certificate #18000005	\$121,164.74
Premium Money	<u>\$110,000.00</u>
Total Payment	\$231,164.74

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To: US Bank Cust Tower DBVIII

Resolution 2021-159 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the submittal of the 2022 NJDOT Municipal Aid application for the Two Bridges Road Roadway Improvement Project

WHEREAS, 2022 Municipal Aid Funds are available through the New Jersey Department of Transportation; and

WHEREAS, the Township Committee of the Township of Montville has identified the Two Bridges Road Improvement Project as the Township's priority project for 2022.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Township Administrator, Township Clerk, and Township Engineer are hereby authorized to submit an electronic grant application identified as MA-2022-Two Bridges Road Roadway Improvement Project-00080 to the New Jersey Department of Transportation on behalf of the Township of Montville for the Two Bridges Road Roadway Improvement Project.

BE IT FURTHER RESOLVED that the Township Administrator, Township Clerk, and Township Engineer are hereby authorized to sign the grant agreement on behalf of the Township of Montville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

This Resolution shall take effect immediately.

Motion by Conklin second by Cook to adopt consent agenda resolutions, Resolution 2021-152 through Resolution 2021-159

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

RESOLUTIONS

Motion by Cook second by Kayne to adopt **Resolution** approving listing of bills and signing of checks for May 25, 2021

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

Resolution 2021-160 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 Newmark Knight Frank Valuation & Advisory, LLC to provide professional appraisal services for Montville Township

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WHEREAS, there exists a need for professional appraisal services in connection with the potential open space acquisition of two adjacent properties in Montville Township; and

WHEREAS, the Township wishes to retain Newmark Knight Frank Valuation & Advisory, LLC to perform such services; and

WHEREAS, the maximum amount for the proposed services under this contract shall not exceed \$5,000.00; and

WHEREAS, payment for the appraisal services provided by Newmark Knight Frank Valuation & Advisory, LLC shall be shared equally between the Township and the owner of the two adjacent properties, specifically 57 Old Lane (Block 39.7, Lot 3) and 21 Jean Drive (Block 39.7, Lot 4.15); 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 Newmark Knight Frank Valuation & Advisory, 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 performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. Newmark Knight Frank Valuation & Advisory, LLC shall provide professional appraisal services to the Township as set forth in its proposal of May 17, 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, the property owner and to Newmark Knight Frank Valuation & Advisory, LLC, 80 South Jefferson Road, Whippany, New Jersey 07981, for their information and guidance.

Section 5. The accounts to be used for these services are as follows:
1-01-20-155-227, Professional Fees, \$3,644.00
ORD 2014-32 Open Space – Due Diligence, C-04-56-120-001, \$1,356.00

This Resolution shall take effect immediately.

Motion by Cook second by Kayne to adopt Resolution 2021-160

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

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Resolution 2021-161 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of a contract to Denville Line Painting for traffic striping work under the Morris County Cooperative Pricing Council

WHEREAS, a Morris County Cooperative Pricing Council contract is available for road resurfacing (Contract #36, Category A.: Traffic Striping on Roadways): and

WHEREAS, the Township has a need for traffic striping for the following projects:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2021 Road Resurfacing	C-04-56-150-001	\$20,000
	NOT TO EXCEED	\$20,000

; and

WHEREAS, the Township of Montville wishes to award the contract for traffic striping of the above-referenced projects to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, New Jersey, under the Morris County Cooperative Pricing Council in the total amount 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 Denville Line Painting, Inc. is hereby awarded the Contract for the following municipal projects under the Morris County Cooperative Pricing Council, Contract #36, Category A: Traffic Striping for Roadways:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2021 Road Resurfacing	C-04-56-150-001	\$20,000
	NOT TO EXCEED	\$20,000

This Resolution will take effect immediately.

Motion by Cook second by Conklin to adopt Resolution 2021-161

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

Resolution 2021-162 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of a contract to Schifano Construction Corporation for road resurfacing work under the Morris County Cooperative Pricing Council

WHEREAS, a Morris County Cooperative Pricing Council contract is available for road resurfacing (Contract #6 Road Resurfacing, Category ‘A’, Hot Mix Asphalt and Category ‘B’, Milling of Hot Mix Asphalt); and

WHEREAS, the Township has a need for road resurfacing for the following projects:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2021 Road Resurfacing	C-04-56-150-001	\$ 400,000.00
	NOT TO EXCEED	\$ 400,000.00

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; and

WHEREAS, the Township of Montville wishes to award the contract for the road resurfacing of the above-referenced projects to Schifano Construction Corporation, 1 Smalley Avenue, Middlesex, New Jersey, under the Morris County Cooperative Pricing Council in the total amount not to exceed \$400,000.

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 Schifano Construction Corporation is hereby awarded the Contract for the following municipal projects under the Morris County Cooperative Pricing Council, Contract #6 Road Resurfacing:

<u>Project</u>	<u>Account #</u>	<u>Amount</u>
2021 Road Resurfacing	C-04-56-150-001	\$ 400,000.00
	NOT TO EXCEED	\$ 400,000.00

This Resolution will take effect immediately.

Motion by Witty second by Cook to adopt Resolution 2021-162

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

Resolution 2021-163 Resolution of the Township of Montville, in the County of Morris, New Jersey, determining the form and other details of its “Note relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank”, to be issued in the principal amount of up to \$4,250,000, and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such note by the Township of Montville in favor of the New Jersey Infrastructure Bank, all pursuant to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank

WHEREAS, the Township of Montville (the “Local Unit”), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to construct a project consisting of Old Lane Sewer Expansion Project and related roadwork, including all work and materials necessary therefor and incidental thereto (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the construction of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Water Bank Construction Financing Program of the New Jersey

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Infrastructure Bank” in an aggregate principal amount of up to \$4,250,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #2021-08 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE OLD LANE SEWER EXPANSION PROJECT AND RELATED ROAD WORK IN AND BY THE TOWNSHIP OF MONTVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$4,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on March 9, 2021, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$4,250,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB-CFP-2021-01”
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor

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and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC, is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

Motion by Cook second by Conklin to adopt Resolution 2021-163

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

REVIEW OF MEETING ACTION ITEMS

Administration

Continue to draft Food Truck Ordinance with Township Attorney

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

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Contract Negotiations

Block 39.7 Lot 3 & Block 39.7 Lot 4.15; Parsippany-Troy Hills Sewer Agreement;
Capstick Right of Way

Litigation

None

Personnel

None

Attorney-Client Privilege/Potential Litigation

Food Truck Ordinance; Affordable Housing Update; Route 46 West Redevelopment

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

All in favor – Motion carried

Time 7:24pm

Mayor noted that no action will be taken after closed session

CLOSED SESSION

Motion by Cook second by Kayne to ADJOURN

All in favor – Motion carried

ADJOURNMENT at 8:27pm

Next Regular Meeting: June 22, 2021, 7pm

Approved:
Montville Township Committee

Stacy Sullivan-Gruca, Township Clerk

Frank W. Cooney, Mayor