

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - September 14, 2021

7:00pm – PUBLIC SESSION

Statement of Open Public Meetings Act Compliance read by Mayor

In accordance with the Open Public Meetings Act, adequate notice of this meeting has been provided by mailing, emailing and/or faxing notice to the Daily Record and the Citizen newspapers, posting notice on the Township website and posting notice on the bulletin boards of the Municipal Building, 195 Changebridge Road, Montville, NJ 07045, and sending notice to those individuals requesting same.

Mayor Cooney notes Conklin's regrets for his absence, and mentions that it's the first time Conklin has missed a meeting in over 7 years on the Committee.

Roll Call Township Committee

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

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

Absent: Richard D. Conklin, Committeeman

Prayer and Pledge of Allegiance by Committeeman Kayne

APPROVAL OF MEETING MINUTES

August 17, 2021 Township Committee Regular Meeting Minutes

August 17, 2021 Township Committee Closed Executive Session Meeting Minutes

Motion by Cook second by Kayne to approve above listed minutes

All in favor – Motion carried

PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION

[Ordinance 2021-20](#) Ordinance of the Township of Montville, County of Morris, State of New Jersey to amend Chapter 230 entitled "Land Use and Development Regulations" of the Revised General Ordinances of the Township of Montville

Motion by Cook second by Kayne to open public hearing on Ordinance 2021-20

All in Favor - Motion Carried

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No Public Comments

Motion by Cook second by Kayne to close public hearing on Ordinance 2021-20

All in Favor - Motion Carried

Motion by Kayne second by Cook to adopt Ordinance 2021-20

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

REPORTS

Administrator's Report

COVID Update 5 new cases / 0 cleared cases / 29 current cases / 1833 total cases cleared to date / 1862 total cases to date

2022 Budget Planning has begun, workshop dates to be scheduled soon

Attorney report

None

Township Committee liaison reports and comments

Kayne

Board of Health met 9/13/2021, looking for Health Director comments sent to admin process salary ordinance 2 candidates for interview anything to add to performance evaluation zoom interview to set up for special meeting follow up with board

Altice Un-redacted response supplied to Township and is in review, further customer service information has been provided and being reviewed for accuracy CBG drive thru observation 2nd week of October and report expected by end of October to continue pursuit until we receive the services we deserve

Witty voices frustration over length of time in resolution of this issue

Attorney states this is the first hearing and investigation prompted by the BPU into services provided by cable t.v. Have to be patient with the unprecedented process to be sure we are thorough and do not miss opportunities to improve / Kayne confirms this process is groundbreaking, and there is a commitment to being as deliberate and complete as possible to reap the best decision from the BPU

Witty

VFW Reflected on success of the 9/11 event / Flag Retirement Ceremony to be held on September 18, 2021 at 10:00am

Open Space plans to visit Cole Avenue site to review possible launch areas

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Request to Administration to review with Fire Commissioners possibly drafting water from the Passaic River at Cole Avenue (nearest hydrant is nearly a mile away)

Housing Committee plans to visit and review regulations and guidelines of a housing development in another town that may be proposed in Montville Township in the future

Rockaway River Watershed Cabinet due to meet 9/22/2021

Cook

Amphitheater continues construction

Board of Adjustment has cleared many of its back cases

Cooney

No report

UNFINISHED BUSINESS

None

NEW BUSINESS

None

ORDINANCE INTRODUCTIONS

Ordinance 2021-21 Ordinance amending Ordinance No. 2020-13 establishing salaries or wages of unrepresented officials and employees of the Township of Montville, in the County of Morris

Motion by Kayne second by Witty to introduce Ordinance 2021-21

All in Favor - Motion Carried

Clerk set public hearing date for September 28, 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 Witty to open public portion

All in favor – Motion Carried

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No Public Comments

Motion by Cook second by Witty to close public portion

All in favor – Motion Carried

RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2021-CA14

Resolution 2021-249 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing and extending temporary outdoor dining

WHEREAS, a worldwide pandemic has occurred involving a novel Coronavirus more commonly known as COVID-19 which continues to impact the State of New Jersey; and

WHEREAS, on June 3, 2020, Governor Murphy issued Executive Order 150 which allows outdoor dining at food or beverage establishments in New Jersey starting on Monday, June 15, 2020, provided that establishments follow a number of COVID-19 health and safety protocols issued by the New Jersey Department of Health; and

WHEREAS, Executive Order 150 further notes that Municipal Governments are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks; and

WHEREAS, the Township Committee recognizes the significant financial loss and hardship incurred by our food establishment community due to the COVID-19 pandemic; and

WHEREAS, in response, the Township wishes to adopt a Temporary Dining Permit Application which allows for a streamlined review process to applicants wishing to offer outdoor dining.

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

1. The Township Administrator has authorized and approved Temporary Outdoor Dining applications and the Township Zoning Officer has issued zoning permits upon approval of completed submissions.
2. The authority subject to this Resolution shall be extended for as long as the Governor's declared state of emergency, and continued concerns by the CDC and State Department of Health as to the spread of the virus, remain.
3. All outdoor dining areas shall comply with the Uniform Fire Code of New Jersey, including, but not limited to, Section 603.4.2 related to portable outdoor gas-fired heating appliances, and Section 3103.2 related to approval of temporary tents.
4. The authority established by this Resolution shall expire as of December 31, 2021, and may be renewed thereafter by the Committee through adoption of a subsequent Resolution.

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5. This Resolution shall take effect immediately.

Resolution 2021-250 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the publication of bid specifications for the purchase of a tree truck

WHEREAS, the Township of Montville is in need of a new tree truck with a 65 foot working height boom to replace the existing truck with a 45 foot working height boom; and

WHEREAS, it is necessary for the Township to publish bid specifications for the purchase.

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 Administrator is hereby authorized to publish bid specifications for the purchase of a new tree truck.

This Resolution shall take effect immediately

Resolution 2021-251 Resolution to cancel grant receivable and/or grant appropriation balance

WHEREAS, there exists a grant receivable balance and a corresponding unexpended grant appropriation which is no longer valid due to the time period of the grant; and

WHEREAS, it is necessary to formally cancel the receivable balance and its' offsetting appropriation balance;

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Montville that the following grant receivable and appropriation balance be cancelled:

<u>Grant Title</u>	<u>Amount Cancelled</u>
Municipal Alliance-2020/2021 Grant	\$ 344.41

Resolution 2021-252 Resolution to cancel outstanding checks

WHEREAS, the following check issued from a Township of Montville bank account has been outstanding for more than 1 year and is now stale-dated; and

WHEREAS, it is necessary to now formally cancel the below outstanding, stale dated check;

<u>PAYROLL FUND</u>			
	<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
	190525	7/2/2020	32.08

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NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Montville that this outstanding check issued from a Township of Montville bank account be cancelled.

Resolution 2021-253 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	Dykstra Walker Design Group	18-01522	6/29/2018	\$ 235.81
CURRENT FUND	Edward J. Albert & Son, Inc.	19-00224	1/23/2019	\$ 500.00
CURRENT FUND	Tri-State Water Main Taps, Inc.	19-00449	2/8/2019	\$ 600.00
CURRENT FUND	Storr Tractor	19-00915	4/9/2019	\$ 385.00
CURRENT FUND	MJM Surveying & Engineering	19-01649	7/17/2021	\$ 1,000.00
CURRENT FUND	Foveonics Imaging Technologies	19-01833	8/14/2019	\$ 34,897.95
CURRENT FUND	Reliable Lift Truck Service	19-01970	9/5/2019	\$ 600.00
				<u>\$ 38,218.76</u>
CAPITAL - Open Space	Newmark Knight Frank Valuation	19-00937	4/10/2019	\$ 5,000.00
CAPITAL - Open Space	The Land Conservancy of NJ	19-00944	4/11/2019	\$ 2,000.00
CAPITAL - Open Space	The Land Conservancy of NJ	19-01650	7/17/2019	\$ 1,170.00
CAPITAL	Serafin Excavating, LLC	19-01938	8/30/2019	\$ 1,800.00
				<u>\$ 9,970.00</u>
			Total	<u>\$ 48,188.76</u>

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 2021-254 Resolution requesting permission for the Dedication By Rider for Donations for the Township of Montville’s “Montville Day” required by NJS 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Township will receive Donations from various businesses and individuals to assist in the preparation and celebration of Montville Day; and

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WHEREAS, these Donations shall only be used for the preparation and celebration of Montville Day; and

WHEREAS, NJS 40A:5-29 provides for receipt of Donations (Acceptance of Bequests and Gifts) by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, the allowance of a Dedication by Rider for the collection and expenditure of said funds would provide for a more orderly method of accounting for said funds;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville, in the County of Morris, that in accordance with N.J.S.A. 40A:4-39 the dedication of funds collected as Donations dedicated for the preparation and celebration of Montville Day taking place in the Township are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Montville, in the County of Morris hereby request permission of the Director of Local Government Services to pay expenditures of said purpose which said revenue is dedicated by statute or other legal requirement.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed in the office of the Director of the division of Local Government Services.

Resolution 2021-255 Resolution of the Township of Montville, in the County of Morris, State of New Jersey, authorizing the release of the cash bond received for work performed at 22 Two Bridges Road, Block 99, Lot 5

WHEREAS, the property owners, Andres and Jennifer Lopez, have requested a release of the cash driveway bond submitted in connection with work being performed at 22 Two Bridges Road, Block 99, Lot 5, 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 September 7, 2021, that the cash driveway bond held in connection with this project, in the amount of \$3,125.00, 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 driveway bond held in connection with this project, which is in the amount of \$3,125.00, be released to the property owner.

This Resolution shall take effect immediately.

Resolution 2021-256 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:

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Block 131.01 Lot 35.02	
7 Freedom Ct	
Lien Redemption Certificate #19-00023	\$33,138.77
Premium Money	<u>\$28,900.00</u>
Total Payment	\$62,038.77

To: Christian T C/F CE1/Firsttrust

Resolution 2021-257 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	\$ 1,074.90
125.1	11	3 White Oak Ln	\$ 2,977.28
125.6	3	185 Pine Brook Rd	\$ 3,037.38
157	8	24 Woodmont Rd	\$ 3,594.38
159	15	346 Changebridge Rd	<u>\$ 2,984.04</u>
Total Refund			\$13,667.98

LERETA

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY LOCATION</u>	<u>AMOUNT</u>
52.02	34.03	105 Louis Dr	<u>\$ 3,193.23</u>
Total Refund			\$ 3,193.23

Caiazzo, Robin S

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY LOCATION</u>	<u>AMOUNT</u>
125.2	13	5 Craig Ct	<u>\$ 3,149.82</u>
Total Refund			\$ 3,149.82

Resolution 2021-258 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to go out to bid for the New Maple Avenue Resurfacing Project

WHEREAS, the Township Engineering Department has determined the need for road resurfacing (milling and paving) of New Maple Avenue; and

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WHEREAS, the Township Engineering Department previously applied for Municipal Local Aid Funds made available by the New Jersey Department of Transportation (NJDOT) for New Maple Avenue as a road in need of resurfacing; and

WHEREAS, the Township was awarded Municipal Local Aid Grant Funding for the Fiscal Year 2021 for the resurfacing of New Maple Avenue; and

WHEREAS, the Township Engineering Department has prepared plans and specifications related to the road resurfacing work; and

WHEREAS, the New Maple Avenue Resurfacing Project must be placed out for public bid.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that the Township Administration and Engineering Department are hereby authorized to move forward with soliciting bids for the New Maple Avenue Resurfacing Project.

This Resolution shall take effect immediately.

Resolution 2021-259 Resolution approving a block party on Avalon Drive – September 18, 2021

WHEREAS, the Township of Montville has received a request for approval of a neighborhood block party to be held on Saturday, September 18, 2021 (rain date on September 19, 2021), on Avalon Drive in Montville; and

WHEREAS, the Township Committee has reviewed the request and approved of the request.

WHEREAS, the applicant has been instructed to be in contact with the Police Department regarding any road closures; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that the request for a block party on Avalon Drive, Montville, to be held on Saturday, September 18, 2021 (rain date on September 19, 2021) is hereby approved. Access must be allowed for emergency vehicles should the need arise and any barricades or cones which are placed on the roadway must be removed if required.

Resolution 2021-260 Resolution authorizing the hiring of Steven R. Groseibl 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 Steven R. Groseibl as a Class III Special Law Enforcement Officer for the 2021/2022 school year; and

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WHEREAS, the Township has determined that Mr. Groseibl 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 Steven R. Groseibl 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.

Resolution 2021-261 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the submission of a grant application to the New Jersey Department of Environmental Protection for the Diesel Retrofit and Replacement Project

WHEREAS, the Township of Montville Engineer and Director of the Department of Public Works has requested authorization to apply for a New Jersey Department of Environmental Protection grant for up to \$43,272.00 to replace one diesel wheel loader with a new diesel wheel loader; and

WHEREAS, the Township meets all of the requirements outlined in the grant proposal.

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 Engineer and Director of the Department of Public Works, and Township Administration, is authorized to submit a grant to the New Jersey Department of Environmental Protection for the above mentioned purpose.

This Resolution shall take effect immediately.

Motion by Kayne second by Witty to adopt consent agenda resolutions, Resolution 2021-249 through Resolution 2021-261

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

RESOLUTIONS

Motion by Cook second by Witty to approve **Resolution** approving listing of bills and signing of checks for September 14, 2021

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

Resolution 2021-262 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the purchase of a 2022 model or newer Ford F350 Supercab 4x4 gas pick-up truck with extended power train warranty for the Engineering/Public Works Departments under the Morris County Cooperative Pricing Council Contract #15-C, Item #12

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WHEREAS, the Montville Township Engineering/ Public Works Departments wish to purchase a new pick-up truck that will be used for daily inspections of public and private construction and development projects as well as being used for snow plowing during winter storm events; and

WHEREAS, DFFLM, LLC has a valid Contract through the Morris County Cooperative Pricing Council – Contract #15-C, Item #12 for a 2022 Model or Newer, Ford F350 SuperCab 4X4 Gas Pick Up Truck with extended powertrain warranty (7 years/100,000 miles); and

WHEREAS, the Township’s Director of Public Works/ Township Engineer and General Supervisor of the Department of Public Works recommend this purchase; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey authorize the purchase of a 2022 Model or Newer, Ford F350 SuperCab 4X4 Gas Pick Up Truck with extended powertrain warranty (7 years/100,000 miles) for a total of \$33,828.00 under the Morris County Cooperative Pricing Council Contract #15-C, Item #12.

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

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

- #2021-16 Engineering: New Pick-Up Truck, C-04-56-154-004, \$33,828.00

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

This Resolution shall take effect immediately.

Motion by Kayne second by Witty to adopt Resolution 2021-262

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

Resolution 2021-263 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing a change to the agreement between the Township and Covino & Sons Construction Co., Inc. for reconstruction of the Montville Amphitheater

WHEREAS, the Township of Montville and Covino & Sons Construction Co., Inc. entered into a contract in the amount of \$335,650.00 for the Montville Amphitheater Reconstruction Project; and

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WHEREAS, it has been determined by the Township Engineer that certain changes to this contract were necessary to perform additional work items as follows:

Change Order # 1

Non-Contract Work Item – Relocate retaining wall

Additions	Additional Cost
Additional wall height	\$5,000.00
Additional Stone veneer	\$5,500.00
Total Net Change:	
	\$10,500.00
Total New Contract Amount:	
	\$346,150.00
Net Percentage Increase:	
	3.13%

; and

WHEREAS, Covino & Sons Construction Co., Inc. has submitted a change order for the additional work noted above (Change Order #1) in the amount of \$10,500.00 for the above-described work; and

WHEREAS, the original contract amount was \$335,650.00; the amended contract amount based upon Change Order #1 is \$346,150.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract price to be exceeded by more than 20 percent; and

WHEREAS, the Township Engineer has reviewed the change order and recommended to the Township Committee that it modify its agreement with Covino & Sons Construction Co., Inc. as a result of the above-referenced change of condition which has occurred on the project and as detailed in the Township Engineer’s Memorandum, dated September 7, 2021; and

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

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 Change Order #1 is hereby approved in the contract between the Township of Montville and Covino & Sons Construction Co., Inc. as follows:

Original Contract:	\$335,650.00
Change Order #1	<u>\$ 10,500.00</u>
New Contract Total:	\$346,150.00

This Resolution will take effect immediately.

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Motion by Cook second by Witty to adopt Resolution 2021-263

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

Resolution 2021-264 Resolution of the Township of Montville, County of Morris, State of New Jersey, authorizing the award through N.J.S.A. 40A:11-4.5, Competitive Contracting, to Visual Computer Solutions, Inc. (Jobs4Blue) for Police Off-Duty Detail Management Services

WHEREAS, there exists a need for Police Off-Duty Detail Management Services for the Township of Montville; and

WHEREAS, the Township wished to use the competitive contracting process to procure these services, requested permission from the State of New Jersey, Department of Community Affairs, and was granted permission from the State in a letter dated June 30, 2021; and

WHEREAS, the Township issued a Request for Proposals for Police Off-Duty Detail Management Services; and

WHEREAS, two (2) proposals were received and opened by the Township on September 1, 2021, at 11:00 A.M. from the following:

1. RollKall Technologies
2. Visual Computer Solutions (Jobs4Blue)

; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.4, the methodology for the awarding of competitive contracts is not solely based upon the proposed amount, but rather can be evaluated and ranked based upon a variety of criteria; and

WHEREAS, the evaluation committee evaluated the two (2) proposals based on criteria including Technical, Management and Cost, and as a result of the evaluation, selected Visual Computer Solutions (Jobs4Blue) for police off-duty detail management services; and

WHEREAS, following review by the Township Attorney and Township Administration, the Township wishes to retain the services of Visual Computer Solutions, Inc. (Jobs4Blue) to provide Police Off-Duty Detail Management Services as provided in its competitive contracting proposal, dated September 1, 2021 pursuant to N.J.S.A. 40A:11-4.3 *et seq.*; and

WHEREAS, as provided by the Local Public Contracts Law 40A:11-4.1 *et seq.*, provides the competitive contracting process and pursuant to N.J.S.A. 40A:11-4.2, the contract award is for a period of three (3) years which may be extended for an additional two (2) years; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) requires that a resolution authorizing the award of a Competitive Contract (N.J.S.A. 40A: 11-4.3 *et seq.*) and the contract itself, be available for public inspection.

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:

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1. The Township of Montville hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Visual Computer Solutions, Inc. (Jobs4Blue) to provide Police Off-Duty Detail Management Services as per its proposal dated September 1, 2021.
2. This contract is awarded pursuant to N.J.S.A. 40A: 11-4.3 *et seq.*, Competitive Contracting, as per the LPCL N.J.S.A. 40A: 11-1 *et seq.*, in accordance with the provisions of the Local Public Contracts Law.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.
4. A copy of this resolution shall be provided to the Township Chief Financial Officer and to Visual Computer Solutions, Inc. (Jobs4Blue) for their information and guidance.

This Resolution will take effect immediately.

Hercek explains that the service was procured by a process called Competitive Contracting, after getting approval from the State of NJ, Department of Community Affairs. The assigned committee reviewed the proposals received and scored them based upon certain criteria. The company awarded held the lower fees and was compatible with the current system.

Motion by Cook second by Kayne to adopt Resolution 2021-264

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

Resolution 2021-265 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing a change to the Professional Services Agreement between the Township and GZA GeoEnvironmental, Inc. for professional engineering phase II soil and groundwater investigation services

WHEREAS, pursuant to Resolution 2021-151, the Township entered into an agreement with GZA GeoEnvironmental, Inc. to perform professional engineering Phase II soil and groundwater investigation services in connection with the Redevelopment Project at 16 Route 46 West in Montville Township; and

WHEREAS, the scope of work required revisions which extended the duration of field services by one (1) day; and

WHEREAS, it has been determined that an increase of \$6,512.37 to the contract amount is necessary to perform the additional field work as required; and

WHEREAS, by Change Order dated September 10, 2021, the Township was advised of said increase in cost; and

WHEREAS, approval of this Professional Services Agreement is subject to funds becoming available in the applicable escrow account for this purpose.

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

The change to the contract amount is hereby approved in the contract between the Township of Montville and GZA GeoEnvironmental, Inc. as follows:

Original Contract:	\$58,500.00
Change	<u>\$ 6,512.37</u>
New Contract Total:	\$65,012.37

NOW, THEREFORE BE IT FURTHER RESOLVED that if the funds are placed in escrow for this purpose, the account to be used will be: P20-10: 12 Route 46/Paul Miller Escrow for an amount not to exceed \$6,512.37. If the funds are not placed in escrow, the contract will not be executed.

This Resolution will take effect immediately.

Motion by Cook second by Kayne to adopt Resolution 2021-265

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

Resolution 2021-266 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 GZA GeoEnvironmental, Inc. to provide a professional phase III soil and groundwater investigation for Montville Township

WHEREAS, there exists a need for professional Phase III soil and groundwater investigation in connection with the Redevelopment Project at 16 Route 46 East, Block 162, Lot 7, in Montville Township; and

WHEREAS, the Township wishes to retain GZA GeoEnvironmental, Inc. to perform such investigation; and

WHEREAS, the maximum amount for the proposed services under this contract shall not exceed \$52,730.00; and

WHEREAS, approval of this Professional Services Agreement is subject to funds becoming available in the applicable escrow account 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 GZA GeoEnvironmental, Inc. is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of

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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. GZA GeoEnvironmental, Inc. shall provide a professional Phase III soil and groundwater investigation to the Township as set forth in its proposal of September 8, 2021.

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

Section 4. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to GZA GeoEnvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, New Jersey 07004, for their information and guidance.

Section 5. If the funds are placed in escrow for this purpose, the account to be used will be: P20-10: 12 Route 46/Paul Miller Escrow for an amount not to exceed \$52,730. If the funds are not placed in escrow, the contract will not be executed.

This Resolution shall take effect immediately.

Motion by Cook second by Kayne to adopt Resolution 2021-266

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

Resolution 2021-267 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing an agreement for labor for removal, transportation, and evaluation for warranty repair/replacement of Riverside Pump Station Pump

WHEREAS, N.J.S.A. 40A:11-4 requires that every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, one of the Grundfos sewer pumps as part of the Riverside Wet Well Project, purchased under Resolution #2019-385 through the North Jersey Wastewater Cooperative Pricing Contract B200-6, Item #0055, failed under warranty; and

WHEREAS, the labor required to remove, transport and evaluate the sewer pump is not covered under the North Jersey Cooperative; and

WHEREAS, in order to maintain all clauses in the warranty, only a Grundfos authorized representative or vendor should perform this work; and

WHEREAS, Municipal Maintenance Co., 1352 Taylors Lane, Cinnaminson, NJ 08077, is an authorized vendor for Grundfos; and

WHEREAS, the Township's Water and Sewer Director recommends this service; and

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

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NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey authorizing an agreement with Municipal Maintenance Co., 1352 Taylors Lane, Cinnaminson, NJ 08077, for the labor required to remove, transport and evaluate the sewer pump at the Riverside Pump Station as it relates to Quote #44695Q.

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

- Sewer, Plant Maintenance, 1-07-55-500-246, \$5,470.00

This Resolution shall take effect immediately.

Motion by Kayne second by Witty to adopt Resolution 2021-267

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

Resolution 2021-268 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing an agreement to proceed with due diligence as it relates to the acquisition of Jean Drive Preserve (also known as Gallen Development Property), Block 39.7, Lots 3 and 4.15

WHEREAS, the Township of Montville made a 2021 application to the Morris County Open Space Trust; and

WHEREAS, the Township is desirous of purchasing Jean Drive Preserve (also known as Gallen Development Property), Block 39.7, Lots 3 and 4.15, for open space and preservation purposes; and

WHEREAS, since portions of the subject property historically consisted of an orchard, the Township wishes to conduct an investigation to confirm the absence or presence of any soil contamination; and

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

WHEREAS, the maximum amount for the proposed services under this contract shall not exceed \$8,790.00; and

WHEREAS, funds are available for this purpose

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 Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Envirotactics, Inc. for site investigation services in connection with the acquisition of Jean Drive Preserve (also known as Gallen Development Property), Block 39.7, Lots 3 and 4.15.

Section 2. Envirotactics, Inc. shall provide site investigation services to the Township as set forth in its proposal of September 13, 2021.

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Section 3. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer and to Envirotactics, Inc., 1330 Laurel Avenue, Building 3, Sea Girt, NJ 08750, for their information and guidance.

Section 4. The account to be used for these services is as follows:
ORD #2021-15 Open Space-Variou Due Diligence;
C-04-56-153-001; not to exceed \$8,790.00

This Resolution shall take effect immediately.

Motion by Witty second by Cook to adopt Resolution 2021-268

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

Resolution 2021-269 Resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing the award of a Professional Services Contract without competitive bidding to Suburban Consulting Engineers, Inc. to provide professional engineering services for Montville Township

WHEREAS, there exists a need for professional engineering services in connection with the preparation of a Water Supply Plan for Montville Township; and

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

WHEREAS, the maximum amount for the preparation of a Water Supply Plan under this contract shall not exceed \$28,900; and

WHEREAS, funds are available for this purpose from Account No. 1-05-55-500-227; and

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

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

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

Section 2. Suburban Consulting Engineers, Inc. shall provide professional engineering services to the Township as set forth in its proposal of August 20, 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.

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

Section 5. The account to be used for these services is as follows:
1-05-55-500-227; Professional Fees; not to exceed \$28.900

This Resolution shall take effect immediately.

Motion by Kayne second by Witty to adopt Resolution 2021-269

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

Motion by Cook second by Witty to add Resolution 2021-270 to the agenda

All in favor - Motion Carried

Resolution 2021-270 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to participate in the New Jersey Department of Health, Office of Local Public Health (OLPH), strengthening New Jersey’s Local Public Health System Initiative

WHEREAS, the New Jersey Department of Health, Office of Public Health (OLPH), seeks capacity building requests from local health departments in New Jersey for the deployment of licensed health officers to bolster local COVID-19 response and recovery; and

WHEREAS, these health officers will work alongside public health professionals in local health department settings and/or remotely to advise on and carry out a variety of COVID-19 duties related to information sharing, isolation and quarantine, surge staffing, and jurisdictional recovery; and

WHEREAS, the Montville Township Health Officer requested the Township’s participation in the program; and

WHEREAS, the OLPH selected Mr. James R. McDonald, III, HO, to meet the Township’s health department’s needs; and

WHEREAS, Mr. McDonald is approved to work up to 15 hours per week through January 2022.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, that the Township of Montville acknowledges the deployment of Mr. James R. McDonald, III, HO, to work alongside our public health staff, both on-site and remotely, to advise on and carry out a variety of COVID-19 duties.

Motion by Kayne second by Witty to adopt Resolution 2021-270

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

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REVIEW OF MEETING ACTION ITEMS

Administration to set up a Zoom meeting with the Board of Health; Review with Fire Commissioners regarding drafting water from the Passaic River at Cole Avenue; Kayne requests info from JCP&L, Canning to re-send

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

Contract Negotiations

PBA; White Collar; Blue Collar

Litigation

Alpine vs. Montville Twp.

Personnel

Administration; Health Department; ADD Public Safety

Attorney-Client Privilege/Potential Litigation

Land Purchases B. 139.3 L. 10; Route 46 West Redevelopment

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

All in favor – Motion carried

Mayor notes that action may be taken after closed session

Motion by Witty second by Cook to add Introduction of Ordinance 2021-22 to the agenda

All in favor – Motion carried

Ordinance 2021-22 Ordinance adopting an amended Route 46 West Condemnation Redevelopment Plan for property designated as Block 162 Lots 4, 6, and 7 on the Tax Map of the Township of Montville and amending Chapter 230, “Land Use and Development Regulations,” of the revised general ordinances of the Township of Montville in order to codify said amended Redevelopment Plan

Motion by Cook second by Witty to introduce Ordinance 2021-22

All in favor – Motion carried

Clerk set public hearing date for September 28, 2021

Attorney states that the Planning Board must review the Plan for consistency. If this is not done before September 28, 2021, the public hearing will have to be carried to the next meeting.

Motion by Cook second by Kayne to adjourn

All in favor – Motion carried

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ADJOURNMENT at 9:20pm

Approved:
Montville Township Committee

Stacy Sullivan-Gruca, Township Clerk

Frank W. Cooney, Mayor

Next Regular Meeting: September 28, 2021, 7pm