

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - September 28, 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.

Roll Call Township Committee

Present: Rich Cook, Deputy Mayor  
Matthew S. Kayne, Committeeman  
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  
Joseph Burgis, Burgis Associates, Township Planner

Tardy: Richard D. Conklin, Committeeman

Absent: June Witty, Committeewoman

Prayer and Pledge of Allegiance by Committeeman Cook

**APPROVAL OF MEETING MINUTES**

September 14, 2021 Township Committee Regular Meeting Minutes  
September 14, 2021 Township Committee Closed Executive Session Meeting Minutes

Motion by Kayne second by Cook to adopt the above listed minutes

All in favor – Motion carried

**PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION**

[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 Cook second by Kayne to open public hearing on Ordinance 2021-21

All in Favor - Motion Carried

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*No Public Comments*

Motion by Cook second by Kayne to close public hearing on Ordinance 2021-21

All in Favor - Motion Carried

Motion by Kayne second by Cook to adopt Ordinance 2020-13

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

**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 Kayne second by Cook to open public hearing on Ordinance 2021-22

All in Favor - Motion Carried

*No Public Comments*

Motion by Cook second by Kayne to close public hearing on Ordinance 2021-22

All in Favor - Motion Carried

*Committeeman Conklin entered the council chambers*

*Joe Burgis, Township Planner* – reports a brief timeline for the area: 2015 area designated in need of redevelopment. 2016 redevelopment plan adopted. This ordinance is modifying the plan to add parking garages, and make minor adjustments, including phasing of development

*Attorney* notes the first phase is demolition of the structure currently on site (hotel), potentially within 30-45 days. Anticipated developer - one or two car dealerships, no garages for auto repair, and parking garage to improve the aesthetic of the area, avoiding multiple cars being parked on site.

Planning Board adopted resolution identifying that the plan is consistent with the Master Plan and the goals and objectives of the Township’s vision for the area.

Motion by Cook second by Kayne to adopt Ordinance 2021-22

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

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**REPORTS**

**Administrator's Report**

COVID Update: 6 new / 5 cleared / 22 current / 1874 total cleared to date / 1896 total cases to date

2022 Budget Planning: Potentially schedule a work session December 4, 2021 9am-noon

Administration attended the Planning Board meeting, regarding the HPRC recommendation to designate Hierwarter Property as historic. Determination was made that it is not advantageous to designate this green acres property as historical.

Masar Park Hockey Rink: Recreation to maximize the usage of the property by adding 2 basketball courts and 3 pickleball courts

Chamber of Commerce at luncheon on October 13, 2021 the Mayor presenting a speech regarding the state of Montville Township

**Attorney report**

None

**Township Committee liaison reports and comments**

**Conklin**

HPRC met 9/27/2021 – further discussion regarding the Hierwarter property and reminder to protect the historical properties we have by putting money aside in the budget for necessary repairs, in accordance with our demo by neglect ordinance

**Cook**

Montville Day is October 3, 2021 at 1-6pm behind the library by the amphitheater

**Kayne**

Environmental Commission meeting was cancelled

**UNFINISHED BUSINESS**

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Old Lane Sewer Expansion – lowest bid \$2,472,800, Kleinfelder has reviewed and sent the letter to NJ DEP, per the requirements. Anticipated award of project to PM Construction Corp. on October 12, 2021 agenda

**NEW BUSINESS**

None

**ORDINANCE INTRODUCTIONS**

**Ordinance 2021-23** Ordinance of Township Committee of the Township of Montville, County Morris, State of New Jersey, authorizing the acceptance of a deed of declaration stormwater management infrastructure maintenance requirements for the property designated as Block 183, Lot 8.01 on the Montville Township Tax Map

Motion by Cook second by Kayne to introduce Ordinance 2021-23

All in Favor - Motion Carried

Clerk set public hearing date for October 12, 2021

**PUBLIC PORTION**

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

Motion by Kayne second by Cook to open public portion

All in favor – Motion Carried

*Public Comments*

Vijay Saraiya, 1 Crane Drive, Pine Brook

Concerns over the recent flooding in his home due to Hurricane Ida. Believes the water was diverted and directed to his home from a nearby development, causing the flooding issue.

Engineer to look at the property and contact the homeowner.

Motion by Conklin second by Kayne to close public portion

All in favor – Motion Carried

**RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2021-CA15**

**Resolution 2021-271** Resolution accepting resignations of the Township of Montville Design Review Committee and Library Board of Trustee members

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BE IT RESOLVED, By the Township Committee of Montville that Design Review Committee member Thomas Burn's resignation as of September 30, 2021; and Library Board of Trustee member Carmen Allora's resignation as of August 25, 2021, are accepted with regret.

**Resolution 2021-272** 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 109 Lot 18	
81 RT 202	
Tokarski, George A Jr	
Lien Redemption Certificate #09-00030	\$5,001.01

To: Gale, Stephen

*Administration advises that Resolution 2021-273 is the payment of a tax lien totaling over \$145,000, which took two years to settle, with notice of Attorney effort*

**Resolution 2021-273** Resolution authorizing cancellation of Municipal Tax Sale Certificate

WHEREAS, Certificate of Sale #12-00028 on Block 109 Lot 18 (811 Rt 202) was issued to Montville Township for delinquent taxes and/or water/sewer charges, at a tax sale held on October 17, 2012 and,

WHEREAS, the assessed owner, Tokarski, George A Jr has redeemed Certificate #12-00028 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of Montville Township are hereby authorized to endorse Certificate of Sale #12-00028 for cancellation.

**Resolution 2021-274** Resolution approving the Township of Montville, County of Morris through the Montville Township Police Department, participation with the State of New Jersey Grant Program administered by the Office of the Attorney General, Department of Law and Public Safety

WHEREAS, the Township of Montville wished to apply for funding of approximately \$95,786.00 with a match of \$0.00 for an approximate project total cost of \$95,786.00 for a project under the State of New Jersey Body-Worn Camera Grant Program; and

WHEREAS, the Township Committee has approved the application submitted by the Chief of Police of the Montville Township Police Department; and

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WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Montville for the purpose described in the application;

NOW THEREFORE BE IT RESOLVED by the *TOWNSHIP COMMITTEE* of the *TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS* that:

1. The *MONTVILLE TOWNSHIP POLICE DEPARTMENT* is hereby authorized to participate to the fullest extent possible with the Department of Law and Public Safety and does accept grant number 21-BWC-282 for the period 01/01/2021 to 12/31/2025.
2. The Office of the Attorney General shall be responsible for the receipt and review of the application for said funds.
3. The Office of the Attorney General shall initiate allocations to each applicant as authorized.

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 2021-275](#)** Resolution of the Township of Montville, County of Morris and State of New Jersey rescinding Resolution 2021-215

WHEREAS, on July 20, 2021, the Township Committee adopted Resolution 2021-215 for a professional services agreement; and

WHEREAS, the Township wishes to procure these services in a different manner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey that the Township Administration is hereby authorized to rescind Resolution 2021-215.

This Resolution will take effect immediately.

**[Resolution 2021-276](#)** Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the publication of bid specifications for electrical services for Township-owned facilities

WHEREAS, the Township of Montville is in need of electrical services for Township-owned facilities; and

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

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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, that the Township Administration is hereby authorized to publish bid specifications for electrical services for Township-owned facilities.

This Resolution shall take effect immediately.

Motion by Cook second by Kayne to adopt consent agenda resolutions, Resolution 2021-271 through Resolution 2021-276

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

**RESOLUTIONS**

Motion by Kayne second by Conklin to approve [Resolution](#) approving listing of bills and signing of checks for September 28, 2021

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

[Resolution 2021-277](#) Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the extension of a contract with Hoff, Inc. for 2021/2022 snowplowing services

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for 2020/2021 Snowplowing Services for the Township; and

WHEREAS, one (1) sealed bid was received and opened on October 22, 2020, in accordance with the bid specifications:

Type of Vehicle	Hourly Rate per Vehicle	Number of Vehicles
Pick up Truck with Snow Plow	0	0
Mason Dump Truck with Snow Plow	\$300	1
Dump Truck, five (5) yards or larger, single rear axle, with Snow Plow	\$325	3

; and

WHEREAS, a contract was awarded to Hoff Inc. in accordance with the Local Public Contracts Law by adoption of Resolution 2020-322; and

WHEREAS, the contract between Hoff Inc. and the Township of Montville included the option for renewal of the contract for the same services at the same rates as bid; and

WHEREAS, the Township wishes to exercise this option and extend the contract with Hoff Inc. for the 2021/2022 snowplowing season; and

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WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for these services.

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

1. The Township Committee hereby authorizes the extension of the contract with Hoff Inc., 57 Stiles Lane, Pine Brook, New Jersey 07058, for 2021/2022 Snowplowing Services in accordance with the initial contract.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Hoff Inc. in accordance with its bid and the original contract.

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

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

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

1-01-26-290-254; Roads – Snow & Ice Removal; not to exceed \$15,000

T-16-56-601-005; Snow Removal/Storm Recovery Trust; not to exceed \$25,000

2-01-26-290-254; Roads – Snow & Ice Removal; not to exceed \$50,000\*\*

\*\* (based on budget appropriation and subject to availability of funds)

6. While it is impossible to predict the weather, the “not to exceed” amounts are best guesses based on early weather predictions; any excess funds will be canceled and additional funds, if necessary, will be authorized when needed.

This Resolution will take effect immediately.

Motion by Kayne second by Cook to adopt Resolution 2021-277

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

**[Resolution 2021-278](#)** Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the extension of a contract with Thomas English & Associates, Inc. for the gas chlorination system repair, installation and maintenance services for Township-owned water facilities

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for the gas chlorination system repair, installation and maintenance services for Township owned water facilities; and



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WHEREAS, one (1) sealed bid was received and opened on February 19, 2020, in accordance with the bid specifications:

Company	Base Rate	Overtime Rate	Sunday/Holiday Rate	Markup on Materials
Thomas English & Associates, Inc.	\$100.00 per hour	\$150.00 per hour	\$200.00 per hour	12%

; and

WHEREAS, a contract was awarded to Thomas English & Associates, Inc. in accordance with the Local Public Contracts Law by adoption of Resolution 2020-102; and

WHEREAS, the contract between Thomas English & Associates, Inc. and the Township of Montville included the option for renewal of the contract for the same services at the same rates as bid; and

WHEREAS, the Township wishes to exercise this option and extend the contract with Thomas English & Associates, Inc. through December 31, 2021; and

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

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

1. The Township Committee hereby authorizes the extension of the contract to Thomas English & Associates, Inc., 290 Barrow Street, Jersey City, New Jersey 07302, for the gas chlorination system repair, installation and maintenance services for Township owned water facilities in accordance with the initial contract.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Thomas English & Associates, Inc. in accordance with its bid and the original contract.

3. Funds for these services are available from the following account:

- Water Operating, Service Contracts, 1-05-55-500-209, not to exceed \$10,000

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

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

This Resolution will take effect immediately.

Motion by Kayne second by Cook to adopt Resolution 2021-278

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

**REVIEW OF MEETING ACTION ITEMS**

Administration

Funds for historic sites, follow up with Mr. Saraiya who spoke during public portion

**\*Public Announcement read by Mayor Cooney** - As a governing body, we want to inform the public of our updated town-wide security measures. Over the last several years, in an effort to address Montville Township's overall security for our residents and business owners, we have appropriated funding which has allowed us to install security cameras at several locations which are designed to protect the community at large.

Recently we had an incident at one of our community parks and to assure the public's concerns, we are currently in the process of continuing to install security cameras throughout all of our recreational buildings, facilities and parks.

Attorney

Altice update, follow up on Redevelopment Plan, update on Rachel Gardens litigation at next meeting

**Boards and Commissions Appointment**

Motion by Cook second by Kayne to appoint member to Historic Preservation Review Commission, Christopher Stohls

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

**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 / Block 39.7 Lots 3 & 4.15

**Litigation**

Alpine vs. Montville Township; Meadows at Montville vs. Montville

**Personnel**

Administration / Recreation / Construction

**Attorney-Client Privilege/Potential Litigation**

Separation Agreement

Motion by Kayne second by Conklin to adopt the above Resolution authorizing closed executive session

All in favor – Motion carried

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*Mayor notes that no action will be taken after closed session.*

Motion by Kayne second by Conklin to adjourn

All in favor – Motion carried

**ADJOURNMENT** at 8:55pm

Approved:  
Montville Township Committee

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

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

Next Regular Meeting: October 12, 2021, 7pm