

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE

Meeting Minutes - Tuesday, March 9, 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.

Roll Call Township Committee

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

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

Prayer read by Committeewoman Witty

Moment of silence for all those lost to COVID19

PROCLAMATION

Reverend Moses Yang – read to recognize and extend wishes for the 2021 Lunar New Year

APPROVAL OF MEETING MINUTES

February 23, 2021 Township Committee Regular Meeting Minutes

February 23, 2021 Township Committee Closed Executive Session Meeting Minutes

Motion by Witty second by Kayne to approve the above listed minutes

All in favor – Motion carried

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION

Ordinance 2021-06 Ordinance to establish and preserve a Cap Bank (calendar year 2021)

Motion by Conklin second by Cook to open public hearing on Ordinance 2021-06

All in Favor - Motion Carried

No Public Comments

Motion by Cook second by Kayne to close public hearing on Ordinance 2021-06

All in Favor - Motion Carried

Phone lines muted

Motion by Conklin second by Cook to adopt Ordinance 2021-06

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

Ordinance 2021-07 Ordinance establishing the 2021 salaries or wages of officials and employees of the Township of Montville in the County of Morris and method of payment of such salaries and wages – Unrepresented Recreation Services

Motion by Cook second by Witty to open public hearing on Ordinance 2021-07

All in Favor - Motion Carried

No Public Comments

Motion by Cook second by Kayne to close public hearing on Ordinance 2021-07

All in Favor - Motion Carried

Phone lines muted

Motion by Cook second by Conklin to adopt Ordinance 2021-07

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

Ordinance 2021-08 Bond Ordinance providing for the Old Lane Sewer Expansion Project and related 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 the cost thereof

Motion by Cook second by Witty to open public hearing on Ordinance 2021-08

Kayne recused himself

All in Favor - Motion Carried

Brief explanation by Hercek to explain that this Ordinance puts in place the funding for the Old Lane Sewer Expansion Project

Public Comments

Ellen Conlon, 26 Old Lane

Thanks the Township Committee for supporting the project

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Motion by Cook second by Conklin to close public hearing on Ordinance 2021-08

All in Favor - Motion Carried

Phone lines muted

Motion by Cook second by Witty to adopt Ordinance 2021-08

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

Mayor Cooney motions to remove the two overlay zones and the Alternate Treatment Centers from Ordinance 2021-03 second by Witty

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

Ordinance 2021-03 An Ordinance of the Township of Montville, County of Morris, and State of New Jersey amending Chapter 230 “Land Use and Development Regulations” and Chapter 169 “Fee Schedule” of the Code of the Township of Montville, New Jersey

Motion by Cook second by Witty to open public hearing on Ordinance 2021-03

All in Favor - Motion Carried

Township Planner, Joe Burgis, explains that the remaining items being considered in revised Ordinance 2021-03 have been recommended by the Planning Board as a result of the Township’s 2019 Master Plan Re-Examination.

Public Comments

The following individuals voiced their opposition to the overlay zones previously included in Ordinance 2021-03 and expressed concerns over notifications to public regarding the public hearing, however were advised that this is no longer to be discussed during public hearing on this ordinance, as it is no longer part of Ordinance 2021-03 being considered for adoption at this time:

John Alexander, 15 Asa Street, Montville

Ralph Fredericks, 240 Main Road, Montville (also requested consideration of the historical structure on the previously proposed site)

Brent Fredericks, 240 Main Road, Montville

Adrian Gill, 222 Main Road, Montville

Ann Demetrio, 3 Grimes Terrace, Montville

Olivia Nasisi, 223 Main Road, Montville

Stefan La Manna, 11 Twaits Road, Towaco

Name Unknown, 90 Louis Drive, Montville

Janice Nasisi, 223 Main Road, Montville

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Adam Raiken, 4 Grimes Terrace, Montville

Tom Radcliffe, 11 Millers Lane, Montville

Alan Rosenberg, 14 Duynecrest Road, Towaco

Additional Public Comments

Brian O'Dowd, 384 Main Road, Montville

Voices opposition to this ordinance and urges the Township Committee to reconsider zoning in the OB4 Zone as it was originally in the Planning Board recommendations, however not included in this ordinance so that this property can be developed

James Sandham, 56 Waterford Drive, Montville

Questions if the road proposed in prior Master Plan that ran North of Route 202 from Changebridge through to the Senior House is still in place

Burgis is uncertain of the answer to the question

Questions if amendment to ordinance significant enough to be reintroduced

Attorney advises that Township Committee may proceed with adoption of Ordinance 2021-03 if they so choose this evening.

Township Clerk confirms that concerns sent by residents will be held on file if this overlay zone is reconsidered and is directed by Township Attorney to forward all to the Township Committee members.

Motion by Cook second by Witty to close public hearing on Ordinance 2021-03

All in Favor - Motion Carried

Phone lines muted

Motion by Cook second by Witty to adopt Ordinance 2021-03 as amended

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

REPORTS

Administrator's Report

COVID update as of March 9, 2021: 18 new cases / 3 cleared cases / 77 current cases / 1334 total cases to date / 1257 total cleared cases to date

Budget 2021: Capital and Open Space Budget recommendations to be discussed during Old Business

Morris County/Sussex County to conduct annual review of Municipal Court on March 18, 2021

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Attorney report

Altice: Hearing to be conducted by BPU on March 16, 2021

Township Committee liaison reports and comments

Cook

Board of Adjustment – Denied application proposed on Changebridge Road near Stiles Lane for expansion of retail into the I2 Zone

Recreation Commission meeting March 10, 2021 at 7pm

Conklin

HPRC –Yueng’s Field at Camp Dawson to be recommended to Township Committee shortly

Witty

Rockaway River Watershed Cabinet – meeting March 24, 2021

Relay for Life – to be held June 16 and 17, 2021, teams can still join

VFW - meeting March 10, 2021

Montville Township Women’s Club – Town-wide Garage Sale to be held first weekend in June

DAC – meeting March 10, 2021

Attended Prevention is Key sponsored webinar - effect of marijuana on youth / review of legislation regarding parental notification of minors

Open Space – Trails continue to be improved through efforts of various groups

Kayne

Board of Health – discussion of increase in cases / requesting signage to urge residents to get vaccinated (Route 46 and in town) / gratitude expressed for the 275+ senior citizens helped by fellow citizens to get vaccine appointments

Environmental Commission – meeting March 17, 2021 / requests Township Committee to review and comment about a letter requested to be sent to local businesses regarding the upcoming plastic ban in May 2022

Altice - Requesting a press release with guidance on how to send complaints about Altice cable, Wi-Fi and customer service to BPU before and up to a week after the public hearing set for March 16, 2021 / complaints should be sent to board.secretary@bpu.nj.gov.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Cooney

Mention of group of residents helping neighbors obtain vaccine appointments

OLD BUSINESS

2021 Capital Budget & Open Space Budget - Administration proposes the following 2021 Capital Budget:

2021 Capital Budget Request

\$31,500	Administration
\$2,320,000	Engineering
\$25,000	Land Use
\$311,000	Police
\$549,000	Fleet
\$50,000	Roads
\$50,000	Facilities
\$43,500	Health
\$344,000	Recreation
\$3,724,000	TOTAL 2021 Capital Budget Request

Administration proposes the following funding sources:

\$3,724,000

- a. (\$444,000) Open Space Trust Fund:
 - \$4,000 Picnic Tables and Benches/all parks
 - \$40,000 Community Park Turf Field
 - \$200,000 Field Fencing/gates/netting all fields
 - \$200,000 Youth Center Sidewalks
- b. (\$200,000) NJDOT grant funds – New Maple Avenue Road Resurfacing
- c. (\$410,000) Capital Improvement Fund
- d. (\$2,670,000) Authorized Debt (i.e., financing for project) **

**NOTE: The \$2,670,000 follows the Township’s established methodology for debt.

NEW BUSINESS

None

ORDINANCE INTRODUCTIONS

Ordinance 2021-09 Ordinance of the Township of Montville, County of Morris, and State of New Jersey amending Chapter 10 “Vehicles and Traffic”, Article 10.20 “Schedules”, Section 10.20.080 “Stop Intersections”, of the Code of the Township of Montville, New Jersey

Motion by Conklin second by Witty to introduce Ordinance 2021-09

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

All in favor – Motion Carried
Clerk set public hearing date for March 22, 2021

PUBLIC PORTION

Motion by Cook second by Kayne to open public portion

All in favor – Motion carried

Phone lines unmuted

No public comments

Motion by Cook second by Kayne to close public portion

All in favor – Motion carried

Phone lines muted

RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2021-CA05

Resolution 2021-79 Resolution approving blue light permit for member of the Montville Township First Aid Squad – Vicki Lyn Klein

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:

Vicki Lyn Klein

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 2021-80 Resolution authorizing appointments to Planning Board

RESOLVED, that the Township Committee make the following Board and Commission appointments:

PLANNING BOARD:

Christine Fano – appoint as Alternate #2, unexpired term ending 01/01/2022

Resolution 2021-81 Resolution approving request from Tax Collector for refund of overpayment

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

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:

Della Vecchia, Catherine	
Block: 52.02 Lot: 109.01	
73 Revere Ct	<u>\$ 293.95</u>
Total Refund	<u>\$ 293.95</u>

CORELOGIC	
Block: 11 Lot: 20	
49 South Lenape Dr	\$1,032.24
Block: 131.01 Lot: 5.04	
9 Russell Ct	\$2,433.07
Block: 139.4 Lot: 37	
48 BrittanyRd	<u>\$4,079.42</u>
Total Refund	<u>\$7,544.73</u>

Resolution 2021-82 Resolution approving request from Tax Collector for cancellation of taxes due to change in assessment per settlement agreement

WHEREAS, property taxes were assessed based on prior year assessment and have been adjusted per settlement agreement for 2021;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Township of Montville be authorized to cancel taxes as follows on the following property:

340 Changebridge Rd		
Block: 159 Lot: 5.1	2021, 1 st Qtr	\$85,543.56
RCS-Montville, LLC	2021, 2 nd Qtr	\$85,543.56

Resolution 2021-83 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 2012 and 2019

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

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Irwin & Heinze, P.A. Attorney Trust Account			
16 Rt 46	Block 162 Lot 7	2012 Tax Appeal	<u>\$6,477.00</u>
		TOTAL REFUND	\$6,477.00

Wolf Vespasiano LLC Attorney Trust Account & Shah, Sachin Kirit/Bonsari Modi			
98 Windsor Dr	Block 163.1 Lot 8	2019 Tax Appeal	<u>\$4,649.11</u>
		TOTAL REFUND	\$4,649.11

Resolution 2021-84 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 125.7 Lot 16	
10 Valley View Dr	
Lien Redemption Certificate #20-00004	\$ 22,037.44
Premium Money	<u>\$ 83,000.00</u>
Total Payment	\$105,037.44

To: TL Six, LLC

Resolution 2021-85 Resolution approving Fourth of July events June 24, 25, & 26 – and fireworks on June 26, 2021 (with a rain date of June 27, 2021)

WHEREAS, the Township Committee has been requested to approve Fourth of July events to be held in the Township on June 24, June 25 and June 26, 2021 and fireworks on June 26, 2021 with a rain date of June 27, 2021; and

WHEREAS, the Township Committee desires to authorize and approve the events and fireworks, provided all NJ Department of Health and State guidelines with regards to outdoor gatherings are able to be complied with at the time of the event, and based on the recommendation of the Health Department in regards to health and safety.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that the Township Committee hereby authorizes and approves Fourth of July events to be held in the Township on June 24, June 25, and June 26, 2021 and fireworks to be held on June 26, 2021 with a rain date of June 27, 2021, provided all applicable health and safety regulations and guidelines are met.

Resolution 2021-86 Resolution recognizing Township Events and Township Endorsed Events

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

WHEREAS, the Township of Montville sponsors certain events throughout the year and endorses other privately held events for which it lends specified assistance; and

WHEREAS, the Township Committee has adopted a policy whereby it will recognize Township and Township endorsed events by Resolution to be considered on an annual basis.

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 there shall be two categories of events run or endorsed by the Township:

Township Events – Events that are run by the Township (including Board of Education Events).

Township Endorsed Events – Privately held events that the Township will lend specified assistance to.

BE IT FURTHER RESOLVED that the Township events and Township endorsed events for the year 2021 shall be as follows:

Township Events	Township Endorsed Events
Senior Picnic	Michelle Sullivan Fund Softball Tournament
Fishing Derby	Women’s Club Town-Wide Garage Sale
Montville Day	Towaco Civic Association Picnic
4 th of July	Towaco Civic Association Music & Arts Festival
Clean Communities Programs	Lacrosse Club Alumni Picnic
Holiday Celebrations	VFW Social Events
Egg Hunt	Pet Parents Events
Pathways/Archway Events	Rotary Club Pancake Breakfast
Concerts	Truck Day – Pine Brook Jewish Center
Halloween	Soccer Association Day
Historical Society Events	Montville Baseball Softball Association Parade
Drug Awareness Events	Kiwanis Events
Fire Department Events	Chamber of Commerce Events (Sr. Seminar)
September 11 Remembrance	Relay for Life Event
VFW Memorial Events	Key Club Volleyball Marathon
First Aid Squad Events	Cali Foundation
	Towaco Civic Association Shop Hop

BE IT FURTHER RESOLVED that the Township endorsed events must meet the following criteria:

Definitions:

A. Impact Review - Administration will conduct a review of the resources, equipment, facilities and personnel required for a second Endorsed Event request to determine if said request will create a hardship on the Township requiring commensurate compensation to cover said impact.

1. The event must be sponsored by a private non-profit organization located within the Township.
2. The event must be open to all Township residents.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

3. Each organization shall be limited to one (1) Endorsed Event; however, a second Endorsed Event may be authorized after Administration completes an Impact Review of second request or any succeeding requests.
4. Organizations utilizing Township resources, equipment, facilities and personnel must be in compliance with Montville Township Code Chapter 271, Sections 1-5, Municipal Code Chapter 169 (Fee Schedule), Board of Health regulations, Fire Department regulations, and all other pertinent Montville Township Ordinances.
5. Organizations sponsoring events where temporary food licenses are required may request a waiver of the food license fee. Requests must be made in writing to the Health Officer upon submission of the temporary food license application. The fee may be waived by the Township Committee upon a favorable recommendation from the Health Officer.
6. Each Organization is required to inform the Township's Department of Administration in writing the date of the event at least thirty (30) days prior to the event. The written notice must also include the request for Township resources, equipment, facilities and personnel, i.e., Department of Public Works (DPW), Recreation Department, Police Department, etc. Sign request(s) must be submitted in writing to the Zoning Officer at least thirty (30) days prior to the event.
7. The following assistance from the Township will be available for each Endorsed Event:
 - a. DPW assistance for a total of eight (8) man-hours, if Endorsed Event is held during a normal workweek.
 - b. DPW assistance for a total of four (4) man-hours during a normal workweek for preliminary set up and four (4) man-hours if the Endorsed Event is held during the weekend.*
 - c. Police Department assistance for a total of eight (8) hours the date of the event.
 - d. Forms regarding the event (Publicity and/or Applications) may be made available in the Town Hall Lobby.

* Administration may, as a result of manpower shortage, storm related events, or an unplanned emergency deny the use of Township Personnel.
8. The Township has the right to withdraw an authorized Endorsed Event assistance at any time.

Resolution 2021-87 Resolution authorizing the renewal of a junkyard license to V&V Recycling, Inc. (block 56, lot 12.01)

WHEREAS, V & V Recycling, Inc., the owner of property known as Block 56, Lot 12.01, as shown on the Tax Map of the Township of Montville and also known as 144 Main Road, has applied for the renewal of its junkyard license for 2020; and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

WHEREAS, the application of V & V Recycling, Inc. has been reviewed by the Land Use, Health, Police, and Fire Departments; and

WHEREAS, the license renewal has been recommended; and

WHEREAS, the Township Committee finds that the requirements of the Township of Montville Junkyard Ordinance have been complied with.

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 V & V Recycling, Inc. shall be issued a junkyard license for Block 56, Lot 12.01, also known as 144 Main Road, for the year 2020.

Resolution 2021-88 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the extension of an agreement between the Township of Montville and the Free Public Library of the Township of Montville for various municipal services essential to the operation of the Library

WHEREAS, there are various services the Free Public Library of the Township of Montville ("Library") requires that are essential to the operation of the Library including facilities maintenance, and professional services such as C.P.R./defibrillator training, health department advisory services, and engineering department advisory services; and

WHEREAS, the Township of Montville ("Township") has the ability to provide these services and is agreeable to providing these services to the Library; and

WHEREAS, the Township and the Library entered into an agreement for 2020 services by adoption of Resolution 2019-375; and

WHEREAS, the agreement between the Township and the Library included the option for renewal of the contract for the same services at the rates defined in the agreement; and

WHEREAS, the Township wishes to exercise this option and extend the agreement with the Library for one year, for a term from January 1, 2021 through December 31, 2021.

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 extension of the agreement between the Township of Montville and the Free Public Library of the Township of Montville in which the Township of Montville will provide various municipal services that are essential in the daily operation of the Library, in accordance with the original agreement.

This Resolution shall take effect immediately.

Motion by Cook second by Witty to adopt consent agenda resolutions, Resolution 2021-79 through Resolution 2021-88

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

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

RESOLUTIONS

Motion by Conklin second by Cook to adopt [Resolution](#) approving listing of bills and signing of checks for March 9, 2021

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

[Resolution 2021-89](#) Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the award of a contract for the 2021 Road Resurfacing Project to American Asphalt & Milling Services, LLC

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for the 2021 Road Resurfacing Project; and

WHEREAS, nineteen (19) sealed bids were received and opened on February 19, 2021, in accordance with the bid specifications:

	<u>Base Bid</u>	<u>Base Bid with Alternate</u>
1) American Asphalt & Milling, LLC	\$485,092.42	\$ 570,546.76
2) Onorati Construction	\$492,269.37	\$ 614,861.58
3) JA Alexander	\$492,541.72	\$ 606,957.29
4) DLS Contracting	\$501,713.75	\$ 590,611.65
5) Stanziale Construction	\$508,197.70	\$ 597,631.80
6) AJM Contractors	\$511,752.00 ¹	\$ 599,748.50
7) Mike Fitzpatrick Contractors	\$536,211.00	\$ 630,938.80
8) Crossroads Pavement Maintenance	\$540,605.17	\$ 638,043.12
9) DS Meyer Enterprises	\$543,694.15	\$ 636,933.22
10) Esposito Construction	\$545,357.50	\$ 637,737.50
11) Carroccia Co. Contractors	\$547,585.00	\$ 644,305.80
12) 4 Cleanup, Inc.	\$551,516.17	\$ 648,391.42
13) Top Line Construction	\$552,491.19	\$ 649,746.39
14) Smith-Sondy	\$552,947.69	\$ 649,246.67
15) Rockborn Trucking & Excavation	\$568,975.55	\$1,238,097.67
16) Reivax Contracting	\$569,784.75	\$1,241,269.00
17) Schifano Construction Corp.	\$574,621.86	\$ 672,902.13
18) Paving Materials & Contracting	\$575,576.00	\$ 664,663.00
19) D&L Paving Contractors, Inc.	\$586,085.85	\$ 591,940.96

; and

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

¹ There was a calculation error in the base bid of \$35.00; the amount included in the bid package was \$511,787.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

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

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

WHEREAS, the bid received from American Asphalt & Milling Services, LLC at a base bid price of \$485,092.42 and a base with alternate bid price of \$570,546.76 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written; and

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

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

1. The Township Committee hereby awards a contract to American Asphalt & Milling Services, LLC, 96 Midland Avenue, Kearny, New Jersey 07032, for the 2021 Road Resurfacing Project in accordance with the bid specifications at the pricing set forth in its bid proposal at a base bid price not to exceed \$485,092.42, or a base with alternate bid price not to exceed \$570,546.76.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with American Asphalt & Milling Services, LLC in accordance with its bid for the 2021 Road Resurfacing Project.

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

4. 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 Cook second by Kayne to adopt Resolution 2021-89

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

Resolution 2021-90 Transfer of Funds Resolution

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

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Montville, (not less than two-thirds of all members thereof affirmatively concurring) that the following transfers be made between the 2020 Budget Appropriation Reserves as follows:

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

From	Amount	To	Amount
Current Fund			
Group Health Insurance	\$ 150,000.00	Unemployment Insurance	\$ 75,000.00
Roads S&W	9,000.00	Public Employees Retirement System	9,000.00
Facilities S&W	25,000.00	Reserve for Pending Tax Appeals	50,000.00
Celebration of Public Events OE	25,000.00	Capital Improvement Fund	100,000.00
Social Security (FICA)	25,000.00		
	\$ 234,000.00		\$ 234,000.00

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

Motion by Kayne second by Witty to adopt Resolution 2021-90

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

Resolution 2021-91 Transfer of Funds Resolution

WHEREAS, N. J. S. 40A-4-49 provides that all unexpected balances carried forward after the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year.

WHEREAS, permission has been received from the Director of the Division of Local Government Services for approval as a Dedication of Rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJAC 5:30-15 permits municipalities to receive amounts for costs incurred for accumulated absences; and

WHEREAS, NJSA 40A: 12A-3 et seq. permits municipalities to receive amounts for costs incurred for affordable housing; and

WHEREAS, P. L. 2001 c. 138 permits municipalities to lapse unexpended balances budgeted annually for snow removal and or storm recovery;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville that the transfer in the amount of \$375,000 be made between the 2020 Budget Appropriation Reserves as follows:

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

From	Amount	To	Amount
<u>Current Fund</u>			
Police S&W	\$ 200,000.00		
Roads S&W	\$ 150,000.00		
Information Systems & Technology OE	\$ 25,000.00		
		Affordable Housing OE	\$ 25,000.00
		Roads - Snow/Ice Removal	\$ 150,000.00
		Provision for Accumulated Sick and Vacation	\$ 200,000.00
	\$ 375,000.00		\$ 375,000.00

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to lapse the unexpended balance of the Road OE-Snow and Ice Removal line to the Snow Removal/Storm Recovery Trust Fund for future storms.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to lapse the unexpended balance of the Provision for Accumulated Sick and Vacation line to the Accumulated Absence Trust Fund for future obligations/payouts.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to lapse the unexpended balance of the Affordable Housing OE – Misc. line to the Affordable Housing Trust Fund for future obligations.

Motion by Conklin second by Kayne to adopt Resolution 2021-91

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

Resolution 2021-92 Resolution establishing reserve for tax appeals

WHEREAS, the Township of Montville wishes to fund the Reserve for Pending Tax Appeals; and

WHEREAS, there is a balance of \$50,000 in the Tax Appeal line item in the 2020 Reserve Year budget; and

WHEREAS, the Tax Appeal line item totaling \$50,000 is to be charged off and utilized to fund the Reserve account for pending tax appeals.;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Montville, County of Morris and State of New Jersey, hereby authorize the Chief Financial Officer to fund the Reserve for Tax Appeals in the amount of \$50,000.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Motion by Cook second by Kayne to adopt Resolution 2021-92

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

Resolution 2021-93 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the extension of a contract with J. Fletcher Creamer & Son, Inc. for the installation of insert valves for Township-owned Water and Sewer Infrastructures

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for the installation of insert valves for township-owned water and sewer infrastructures; and

WHEREAS, two (2) sealed bids were received and opened on January 10, 2020, in accordance with the bid specification; and

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

WHEREAS, a contract was awarded to J. Fletcher Creamer & Son, Inc. in accordance with the Local Public Contracts Law by adoption of Resolution 2020-55; and

WHEREAS, the contract between J. Fletcher Creamer & Son, 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 J. Fletcher Creamer & Son, Inc. for one year, for a term from January 1, 2021 through December 31, 2021; and

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

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

1. The Township Committee hereby authorizes the extension of the contract with J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601, for the construction, maintenance and/or repair services for township-owned water and sewer infrastructures in accordance with the initial contract at the pricing set forth in Attachment A to this Resolution at a total price not to exceed \$55,000.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with J. Fletcher Creamer, & Son, 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.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

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

Water Operating, Service Contracts, 1-05-55-500-209, \$44,000.00
Sewer Operating, Service Contracts, 1-07-55-500-209, \$11,000.00

This Resolution will take effect immediately.

Motion by Cook second by Witty to adopt Resolution 2021-93

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

Resolution 2021-94 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the extension of a contract with J. Fletcher Creamer & Son, Inc. for construction, maintenance and/or repair services for Township-owned Water and Sewer Infrastructures

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

WHEREAS, three (3) sealed bids were received and opened on January 10, 2020, in accordance with the bid specifications; and

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

WHEREAS, a contract was awarded to J. Fletcher Creamer & Son, Inc. in accordance with the Local Public Contracts Law by adoption of Resolution 2020-54; and

WHEREAS, the contract between J. Fletcher Creamer & Son, 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 J. Creamer & Son, Inc. for one year, for a term from January 1, 2021 through December 31, 2021; and

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

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

1. The Township Committee hereby authorizes the extension of the contract with J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601, for the construction, maintenance and/or repair services for township-owned water and sewer

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

infrastructures in accordance with the initial contract at the pricing set forth in Attachment A to this Resolution at a total price not to exceed \$55,000.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with J. Fletcher Creamer, & Son, 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:

Water Operating, Service Contracts, 1-05-55-500-209, \$40,000.00
 Sewer Operating, Service Contracts, 1-07-55-500-209, \$15,000.00

This Resolution will take effect immediately.

Motion by Conklin second by Cook to adopt Resolution 2021-94

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

Resolution 2021-95 Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the award of a contract for Water and Sewer Pump Stations Preventative Maintenance Inspections and Field Services to AC Schultes, Inc.

WHEREAS, pursuant to authorization by the Mayor and Township Committee of the Township of Montville, the Township received sealed competitive bids for Water and Sewer Pump Stations Preventative Maintenance Inspections and Field Services; and

WHEREAS, three (3) sealed bids were received and opened on February 25, 2021, in accordance with the bid specifications:

	1A Preventative Maintenance Inspections	2 Field Services	% markup on materials
1) AC Schultes, Inc.	\$47,800	\$158,000	11%
2) Rapid Pump & Meter Service Co., Inc.	\$66,960	\$187,350	20%
3) Longo Electrical- Mechanical, Inc.	\$180,000	\$179,000	30%

and;

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

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

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

WHEREAS, the bid received from AC Schultes, Inc. at \$47,800 for Item 1A Preventative Maintenance Inspections and \$158,000 for Item 2 Field Services has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written; and

WHEREAS, the bid specifications for Item 1A requested total bid amounts for four (4) preventative maintenance inspections, but gave the Township the discretion to award between two (2) and four (4) such inspections; and

WHEREAS, Administration conferred with the Director of the Water and Sewer Utility to determine that two (2) preventative maintenance inspections would be sufficient at this time for a total of \$23,900; and

WHEREAS, the bid specifications for item 2 requested an hourly rate for an estimated amount of time necessary to perform field services, but gave the Township the discretion to award an amount lower than the estimated amount of time used for that bid; and

WHEREAS, Administration conferred with the Director of the Water and Sewer Utility to determine that the cost for the amount of time to be allotted for item 2 at the rates provided by AC Schultes, Inc. shall not exceed \$100,000 which should be sufficient at this time; and

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

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

1. The Township Committee hereby awards a contract to AC Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, New Jersey 08097, Water and Sewer Pump Stations Preventative Maintenance Inspections and Field Services in accordance with the bid specifications at the pricing set forth in its bid proposal at a total price not to exceed \$123,900.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with AC Schultes, Inc. in accordance with its bid for Water and Sewer Pump Stations Preventative Maintenance Inspections and Field Services.

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

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:

1A Preventative Maintenance Inspections

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

- Water Operating, Service Contracts, 1-05-55-500-209, \$8,365
- Sewer Operating, Service Contracts, 1-07-55-500-209, \$15,535

Item 2 Field Services

- Water Operating, Service Contracts, 1-05-55-500-209, \$10,000
- Sewer Operating, Service Contracts, 1-07-55-500-209, \$10,000
- ORD #2020-11, Pumps, Drives, Controls, Meters, etc, C-06-55-571-501, \$25,000
- ORD #2020-12, Pumps, Comminutors, Meters, etc, C-08-55-568-501, \$55,000
- 11% markup on materials

This Resolution will take effect immediately.

Motion by Kayne second by Witty to adopt Resolution 2021-95

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

REVIEW OF MEETING ACTION ITEMS

Administration

Follow up with Burgis regarding Extension Road on 202

Notice on Route 46 and electronic boards to encourage COVID19 vaccination

Attorney

Draft Press Release for Altice Public Hearing

Township Committee

None

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

Contract Negotiations

Litigation

Personnel

Attorney-Client Privilege/Potential Litigation

Historic Sites; Altice; Block 113 Lot 27

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

All in favor – Motion carried

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021

Time 8:42pm

CLOSED SESSION

Motion by Cook second by Kayne to ADJOURN
All in favor – Motion carried

ADJOURNMENT at 9:06pm

Next Regular Meeting: Monday, March 22, 2021, 7pm

Approved:
Montville Township Committee

Stacy Sullivan-Gruca, Township Clerk

Frank W. Cooney, Mayor

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - Tuesday, March 9, 2021