

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

**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.

We would like to remind residents that the Governor signed into law P.L. 2021, c. 317 which established various COVID-19 relief measures for residential customers of local government water, sewer and electric service. To comply with the law, Montville Township provides installment plans for a minimum 12-month duration for arrearages accruing between March 9, 2020 and March 15, 2022. Residents are encouraged to contact the Water and Sewer Department at (973) 331-3330 for more information about these COVID-19 Ratepayer Relief Payment Agreements.

The State Low Income Household Water Assistance Program (LIHWAP) can help you pay arrears for your water and sewer bills. The program may also be able to help address tax liens due to water and sewer arrears. To get more information and apply, go to [waterassistance.nj.gov](http://waterassistance.nj.gov), or call NJ211, or visit the Township website at [www.montvillenj.org](http://www.montvillenj.org).

The Winter Termination Program helps to prevent service discontinuation for eligible residential customers receiving residential electric, sewer and water service from a local government from November 15th through March 15th. Service cannot be disconnected during this period to those residential customers who meet certain criteria. For more information on this program, please refer to the notice on the Township website at [www.montvillenj.org](http://www.montvillenj.org).

Roll Call Township Committee

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

Also present: June E. Hercek, Township Administrator  
Dawn Sullivan, Esq., Township Attorney  
Stacy Sullivan-Gruca, Township Clerk  
Margaret Shepard, Deputy Clerk

Absent: Rich Cook, Committeeman

Prayer and Pledge of Allegiance by Committeeman Conklin

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

**APPROVAL OF MEETING MINUTES**

June 13, 2023 Regular Meeting Minutes  
June 13, 2023 Closed Session Meeting Minutes

Motion by Witty second by Conklin to approve the above listed meeting minutes

All in favor – Motion carried

**PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION**

**Ordinance 2023-17** Ordinance of the Township of Montville, County of Morris, State of New Jersey, authorizing the acquisition of the property designated as block 139.3, lot 10, 103 Horseneck Road, in the Township of Montville

Motion by Witty second by Cooney to open public hearing on Ordinance 2023-17

All in Favor - Motion Carried

*No Public Comments*

Motion by Conklin second by Witty to close public hearing on Ordinance 2023-17

All in Favor - Motion Carried

Motion by Cooney second by Witty to adopt Ordinance 2023-17

Witty will need to recuse from voting on this Ordinance – Motion defeated

Motion by Cooney second by Conklin to adopt Ordinance 2023-17

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

**Ordinance 2023-18** Ordinance of the Township of Montville, Morris County, New Jersey, authorizing a capital expenditure from the Open Space Dedicated Trust Fund in the amount of \$100,000

Motion by Cooney second by Conklin to open public hearing on Ordinance 2023-18

All in Favor - Motion Carried

*No Public Comments*

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

Motion by Cooney second by Conklin to close public hearing on Ordinance 2023-18

All in Favor - Motion Carried

Motion by Conklin second by Cooney to adopt Ordinance 2023-18

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

**REPORTS**

**Administrator’s Report**

CPR/AED training was held for municipal employees. Approximately 20 employees received the certification

Request for special meeting by the Township Engineer to award a contract for the Barney Lane Drainage Improvement Project & Two Bridges Road Improvement Project. Bids will be collected on July 27, 2023 and the next available meeting to award the contract would be August 22, 2023. The Township Engineer and Administration would prefer the project to begin sooner rather than later.

Motion by Cooney second by Conklin to hold a special meeting on August 1, 2023 at 7pm.

All in favor – Motion Carried

*Cooney requests a remote meeting option be made available – Attorney to review request*

**Attorney Report**

None

**Township Committee liaison reports and comments**

**Cooney**

None

**Witty**

Reports the Information Session (Affordable Housing and development) held on June 14<sup>th</sup> was well-attended

Environmental Commission presentation by Township Engineer, Nick Marucci about stormwater and the new flood plan

**Conklin**

HPRC would like to revive the Historical Society; meeting with Township Engineer to discuss the signage regulations at Camp Dawson for the Young’s Family; discussions of historical properties in disrepair continue

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

**Kayne**

The Information Session on June 14<sup>th</sup> was successful and expression of appreciation for the effort to communicate information to the residents

Congratulations to the graduating seniors from MTHS, as well as the Lazar students who were promoted

4<sup>th</sup> of July Event to be held on June 28<sup>th</sup> through June 30<sup>th</sup> (fireworks on June 30<sup>th</sup>)

Statement read by the Mayor on behalf of Chief Andrew Caggiano:

“The burglary at FSS on January 6, 2023, is still a very active investigation. The investigation is being coordinated between the Montville Township Police Department Detective along with other Law Enforcement agencies.

Bringing this investigation to a close is one of our highest priority. FSS has cooperated with the investigators from the beginning and continues to. I'm unable to comment any further at this time.”

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**ORDINANCE INTRODUCTIONS**

[Ordinance 2023-19](#) Ordinance of the Township Committee of the Township of Montville in the County of Morris and State of New Jersey amending Chapter 230, “Land Use and Development,” of the revised general ordinances of the Township of Montville pertaining to flagpole heights

Motion by Cooney second by Witty to introduce Ordinance 2023-19

All in Favor - Motion Carried

Clerk set public hearing date July 18, 2023

**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 Cooney second by Witty to open public portion

All in favor – Motion Carried

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

*Public Comments*

Shari Seffer, 53 Davenport Road, Montville

Gratitude expressed to the Township Committee for the road improvements being completed on Davenport Road, due to the poor condition of the road.

Motion by Cooney second by Witty to close public portion

All in favor – Motion Carried

**RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2023-CA12**

**Resolution 2023-220** Resolution authorizing contracts with additional approved State Contract vendors for contracting units pursuant to N.J.S.A. 40A:11-12a

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

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

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

| <u>Vendor</u>                   | <u>Contract Description</u>   | <u>State Contract #</u> |
|---------------------------------|---|-------------------------|
| East Coast Emergency Lighting   | Law Enforcement Firearms - Equipment and Supplies   | 17-FLEET-00761          |
| Nielsen Ford of Morristown, Inc | OEM and Non-OEM Maintenance and Repair Services for Light/Medium Duty Vehicles              | 23-FLEET-34919          |
| Gold Type Business Machines     | T0106 - Law Enforcement Firearms Equipment and Supplies                                     | 17-FLEET-00716          |
| Gold Type Business Machines     | Auth Distributor for Panasonic - M0483 - COMPUTER EQUIPMENT, PERIPHERALS & RELATED SERVICES | 89980                   |

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

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

**Resolution 2023-221** Resolution authorizing contracts with certain approved New Jersey Cooperative Purchasing Alliance (Bergen County Cooperative) vendors

WHEREAS, the Township of Montville has availed itself of the right to purchase materials, supplies, and equipment under contracts for such materials, supplies and equipment entered into under the New Jersey Cooperative Purchasing Alliance (Bergen County Cooperative); and

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

WHEREAS, it has been or will be necessary or desirable to obtain materials, supplies and equipment under such Contract or Contracts entered into under the New Jersey Cooperative Purchasing Alliance with the Referenced Cooperative Vendor;

| New Jersey Cooperative Purchasing Alliance |   |                         |
|--|---|-------------------------|
| <u>BC Contract #</u>                       | <u>Description</u>                            | <u>Vendor (s)</u>       |
| BC 22-24                                   | Computer Equipment and Peripherals            | SHI International Corp. |
| BC 22-18                                   | Situational Awareness Equipment & Accessories | Packetalk Corporation   |

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville, County of Morris, and State of New Jersey, that the purchases by the Township of Montville through the several Municipal Departments shall be purchased under a Contract or Contracts for such materials, supplies or equipment entered into under the New Jersey Cooperative Purchasing Alliance (Bergen County Cooperative) with the above referenced cooperative vendors.

**Resolution 2023-222** Resolution authorizing contracts with certain additional approved Morris County Cooperative Pricing Council Contract vendors

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

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

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

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

| <u>MCCPC Contract #</u> | <u>Description</u>                                     | <u>Vendor (s)</u>                                     |
|-------------------------|--|---|
| #5                      | Paving Materials                                       | Tilcon New York, Inc                                  |
| #9                      | Crushed Stone & Sand                                   | Tilcon New York, Inc                                  |
| #18                     | Tree Removal, Trimming, Stump Grinding                 | Tree King, Inc  |
| #17                     | Water Treatment Chemicals                              | Main Pool and Chemical Company                        |
| #14                     | Catch Basins and Manhole Castings                      | General Foundries, Inc<br>Campbell Foundry Company    |
| #24                     | Bagged Cement & Poured Concrete                        | Liberty Building Products                             |
| #28                     | Traffic Sign Materials                                 | Garden State Highway Products                         |
| #49                     | Disposal/Recycling of Municipal Road Clean-up Material | CEMCO - Custom Environmental Management Company, Inc. |

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montville, County of Morris, and State of New Jersey, that the purchases by the Township of Montville through the several Municipal Departments shall be purchased under a Contract or Contracts for such materials, supplies or equipment entered into under the Cooperative Pricing Council of the County of Morris with the additional referenced Cooperative Vendors.

**Resolution 2023-223** Resolution authorizing the renewal of liquor licenses 2023-2024

WHEREAS, applications have been filed online by holders of liquor licenses within the Township of Montville seeking renewal for the period July 1, 2023 – June 30, 2024; and

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

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris and State of New Jersey, that the following liquor licenses are renewed for the years 2023 through 2024, effective 07/01/23 – 06/30/24:

- 1421-33-013-004 The Black Rabbit Saloon, LLC, 8 Main Road, Montville
- 1421-33-011-008 Bonefish Grill, LLC t/a Bonefish Grill, 28 Route 46, Pine Brook
- 1421-32-017-003 Dat Crupa, Inc. t/a, Wine & Whiskey Country 36 Route 46 West, Pine Brook
- 1421-33-004-004 Don Pepe II, Inc. t/a Don Pepe II, 18 Bloomfield Avenue, Pine Brook
- 1421-33-001-007 Don Pepe Steakhouse, Inc., t/a Don Pepe Steakhouse, 58 Route 46 West, Pine Brook
- 1421-33-002-009 Opportunity, Inc., t/a Montville Diner, 4 Route 46 West, Pine Brook
- 1421-44-005-007 Aryanashna, LLC, t/a Montville Wine & Spirits, 223 Changebridge Road, Pine Brook
- 1421-32-003-007 Jay Khodiyar MAA, LLC, ABC Pocket License
- 1421-44-018-003 Wine Outlet North Jersey LLC, ABC Pocket License
- 1421-33-007-007 Artigiano, LLC, t/a Wood Stack Pizza & Kitchen, 29 Route 46, Pine Brook
- 1421-32-016-010 Rails Steakhouse LLC, t/a Rails Steakhouse 8-10 Whitehall Road, Towaco
- 1421-33-006-001 Lake Valhalla Club, 6 Vista Road, Montville
- 1421-33-008-005 83 Mt. Rail Corp. t/a Columbia Inn, 29 Route 202, Montville
- 1421-33-012-007 144 Route Enterprises Inc. t/a Harrigan's, 142 Main Road, Montville
- 1421-32-010-006 Scala 4 LLC t/a Locanda Vecchia, 167 Route 202, Montville
- 1421-33-015-003 Vathiavira, LLC t/a Pine Brook Tavern, 71 Old Bloomfield Avenue, Pine Brook
- 1421-32-014-009 Janlu, LLC, ABC Pocket License

**Resolution 2023-224** 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 21 Roome Road, block 109, lot 41.01

WHEREAS, the developer, Weiss Construction Co., LLC, has requested a release of the cash soil stabilization bond submitted in connection with work being performed at 21 Roome Road, Block 109, Lot 41.01, 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 June 19, 2023, that the cash soil stabilization bond in the amount of \$1,850.00, held in connection with this project, 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 bond held in connection with this project, which is in the amount of \$1,850.00, be released to Weiss Construction Co., LLC, 24 Bellows Lane, Towaco, New Jersey 07082.

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

This Resolution shall take effect immediately.

**Resolution 2023-225** Resolution of the Township of Montville, in the County of Morris, State of New Jersey, authorizing release of the cash soil and stabilization bond, return of the current performance bond and acceptance of a cash performance bond for the work performed at blocks 106 and 109, lots 23.02 and 41, 14 and 16 Roome Road

WHEREAS, the developer, Roome Road, LLC, has requested a release of the cash soil stabilization bond and a replacement of the current performance bond held in connection with work being performed at 14 and 16 Roome Road, Blocks 106 and 109, Lots 23.02 and 41, 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 June 19, 2023, that the cash soil stabilization bond in the amount of \$21,700.98.00, held in connection with this project, be released; and

WHEREAS, the Township Engineer has reviewed the request, performed an inspection of the work completed, and recommend by correspondence, dated June 19, 2023, that the current performance bond held in connection with this project be returned and a cash performance bond in the total amount of \$56,631.24 be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, County of Morris, and State of New Jersey, that it does hereby authorize that the cash soil stabilization bond held in connection with this project, which is in the amount of \$21,700.98, be released to Roome Road, LLC, PO Box 373, Montville, New Jersey 07045 and current performance bond held in connection with this project be returned and a cash performance bond in the total amount of \$56,631.24 be accepted.

This Resolution shall take effect immediately.

**Resolution 2023-226** Resolution approving extension of grace period for payment of taxes due on August 1, 2023

WHEREAS, on July 14, 1994, Governor Christine Todd Whitman signed into law P. L. 1994, C. 72 allowing twenty-five calendar days from the date the tax bills are mailed for payment of taxes: and

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

WHEREAS, due to the delay in receiving the certified tax rate from the County for the year of 2023, tax bills may be mailed sometime after the mandatory date of July 16, 2023.

NOW, THEREFORE, BE IT RESOLVED that the grace period for the August 2023 quarter for tax collection only, has been extended to 25 days after the mailing of the tax bills. As of this date, the date of the mailing is unknown. Tax bills will include a Notice of Extension of Grace Period if tax bills are mailed after the mandatory date of July 16, 2023

**Resolution 2023-227** 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 various years;

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

Valerie Hofer, Esq. trust Account  
for Maletos, Stella Kosivos

|                      |                 |                  |
|----------------------|-----------------|------------------|
| 176 Konner Ave North | 2019 Tax Appeal | \$ 718.99        |
| Block 139.6 Lot 19.7 | 2020 Tax Appeal | <u>\$ 731.72</u> |
|                      | TOTAL REFUND    | \$1,450.71       |

**Resolution 2023-228** Resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township to go out to bid for the Barney Lane Drainage Improvement Project & Two Bridges Road Improvement Project

WHEREAS, the Township Engineering Department has successfully applied for and received grant funding from the New Jersey Department of Transportation Local Aid Infrastructure Fund for Drainage Improvements to Barney Lane; and

WHEREAS, the Township Engineering Department has successfully applied for and received grant funding from the New Jersey Department of Transportation Municipal Aid Grant Fund for the Two Bridges Road Improvement Project; and

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

WHEREAS, the Township Engineering Department has completed the design of Improvements to both Barney Lane and Two Bridges Road; and

WHEREAS, the Township Engineering Department received permission from New Jersey Department of Transportation to combine the improvements of both locations into one project in anticipation of it resulting in a substantial cost savings; and

WHEREAS, the project must be advertised for Public Bidding.

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 construction for the Barney Lane Drainage Improvement Project & Two Bridges Road Improvement Project in the Township of Montville.

This Resolution shall take effect immediately.

[Resolution 2023-229](#) Resolution of the Township of Montville authorizing the execution of memorandum of understanding relating to application for grants under the Federal Emergency Management Agency between the State of New Jersey Office of Emergency Management and the Township of Montville

WHEREAS, the New Jersey Office of Emergency Management (NJOEM), on behalf of the State of New Jersey, is the Grantee receiving funding under the Federal Emergency Management Agency (FEMA) Public Assistance and/or Hazard Mitigation programs as authorized under the Stafford Act and has the fiduciary responsibility to ensure those funds are spent on eligible Subgrantee facilities and activities, and are properly reimbursed to the Subgrantee; and

WHEREAS, under current information provided, FEMA has determined that the Township of Montville, the Subgrantee, is eligible to apply for and/or receive FEMA funding under the Public Assistance and/or Hazard Mitigation programs, subject to approval of a Project Worksheet for Public Assistance or application for a Hazard Mitigation grant; and

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

WHEREAS, the attached agreement is part of the application for Disaster Assistance and will become effective and binding upon approval of a Project Worksheet or Hazard Mitigation Grant and signature on behalf of NJOEM; and

WHEREAS, the Township of Montville desires to enter into the attached Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, County of Morris, and the State of New Jersey that the Mayor and/or Township Administrator be and are hereby authorized to execute the attached Memorandum of Understanding between the New Jersey Office of Emergency Management and the Township of Montville.

This Resolution will take effect immediately.

**Resolution 2023-230** Resolution authorizing the issuance of a Solicitor/Peddler Permit for one year to Tulay Unutmaz for the trade name, Mr. Sam's Ice Cream

WHEREAS, General Ordinance Chapter 281 requires the issuance of a license by the Township of Montville to qualified applicants for canvassing, soliciting, or peddling; and

WHEREAS, the issuance of a permit for canvassing, soliciting, or peddling to an applicant is for that individual applicant's use only and the permit cannot be utilized by another person, even if the permit were to be used by another person for the licensed business; and

WHEREAS, Mr. Sam's Ice Cream, 108 Chatfield Drive, Pompton Plains, NJ, has filed a renewal application and all necessary fees for a soliciting/peddling license as follows: Tulay Unutmaz, 108 Chatfield Drive, Pompton Plains, NJ, 1997 GMC Van, NJ XBWC17; and

WHEREAS, the application from Tulay Unutmaz conforms to the requirements of the Township Ordinance and the Police Department has approved the application; and

WHEREAS, the Health Department has approved the application with respect to the food license;

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

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 above soliciting/peddling license for one year be issued to Tulay Unutmaz for the operation solely by her of Mr. Sam's Ice Cream; and

BE IT FURTHER RESOLVED, that said solicitor is prohibited from operating in the following Township parks during periods when concessionaires authorized by the Township are operating: 86 River Road fields, Community Park on Changebridge Road, and Camp Dawson Park on Jacksonville Road.

Motion by Cooney second by Witty to adopt consent agenda resolutions, Resolution 2023-220 through Resolution 2023-230

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

**RESOLUTIONS**

Motion by Conklin second by Witty to adopt Resolution approving the listing of bills and signing of checks for June 27, 2023

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

Resolution 2023-231 Resolution authorizing the award of a Professional Services Contract without competitive bidding to Uhl & Associates, Inc. to perform professional hydrogeological and environmental services for Montville Township

WHEREAS, there exists a need for professional hydrogeological and environmental services to be rendered to the Township of Montville in connection with the Floodplain Reconnection and Groundwater Recharge Demonstration Project; and

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

WHEREAS, the maximum amount of for services under this contract shall not exceed a total of \$55,670.00; and

WHEREAS, the Highlands Council approved Grant funding in an amount not to exceed \$118,627.00, to support 5 consultant tasks relative to the Floodplain Reconnection and Groundwater Recharge Demonstration Project utilizing project partners Uhl Associates and

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

Princeton Hydro, as outlined in the Highlands Council Scope of Work approval, Plan Conformance Grant # 09-033-011-1421, dated January 5, 2023 ; 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 UHL & Associates, Inc. is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. UHL & Associates, Inc. shall provide professional engineering and environmental services to the Township as set forth in its proposal of May 17, 2023.

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 UHL & Associates, Inc., 278 North Union Street, Suite 106, PO Box 357, Lambertville, New Jersey 08530, for their information and guidance.

Section 5. The account to be used for these services is the following:  
Highlands Groundwater/Floodplain 2023, Acct # 3-01-42-340-296,  
\$55,670.00

This Resolution shall take effect immediately.

Motion by Witty second by Cooney to adopt Resolution 2023-231

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

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

**Resolution 2023-232** Resolution authorizing the award of a Professional Services Contract without competitive bidding to Princeton Hydro LLC, to perform professional hydrogeological and environmental services for Montville Township

WHEREAS, there exists a need for professional hydrogeological and environmental services to be rendered to the Township of Montville in connection with the Floodplain Reconnection and Groundwater Recharge Demonstration Project; and

WHEREAS, the Township wishes to retain PRINCETON HYDRO LLC, to perform such services; and

WHEREAS, the maximum amount of for services under this contract shall not exceed a total of \$62,957.00; and

WHEREAS, the Highlands Council approved Grant funding in an amount not to exceed \$118,627.00, to support 5 consultant tasks relative to the Floodplain Reconnection and Groundwater Recharge Demonstration Project utilizing project partners Uhl Associates and Princeton Hydro LLC, as outlined in the Highlands Council Scope of Work approval, Plan Conformance Grant # 09-033-011-1421, dated January 5, 2023 (Exhibit A); 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 Princeton Hydro LLC, is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 2. Princeton Hydro LLC shall provide professional engineering and environmental services to the Township as set forth in its proposal of June 9, 2023 (Exhibit B).

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

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

Section 4. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to Princeton Hydro LLC, 35 Clark Steet Trenton, NJ, for their information and guidance.

Section 5. The account to be used for these services is the following:  
Highlands Groundwater/Floodplain 2023, Acct # 3-01-42-340-296,  
\$62,957.00

This Resolution shall take effect immediately.

Motion by Conklin second by Witty to adopt Resolution 2023-232

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

**Resolution 2023-233** Resolution of the Township Committee of the Township of Montville, County of Morris, State of New Jersey, appointing Daniel Hagberg to serve as acting public officer to carry out such duties pursuant to §287-31 of Chapter 287, article V of the Township Code with respect to the property located at 63 Route 46, also known as block 183, lot 1 in the Township

WHEREAS, for many years the property located at 63 Route 46, Block 183, Lot 1 in the Pine Brook section of the Township of Montville, State of New Jersey, 07058 (“subject property”) has been vacant and unoccupied; and

WHEREAS, for years the subject property has gone unmaintained and has since fallen into disrepair; and

WHEREAS, on or about July 1, 2022 a vehicle being operated on the adjacent public roadway, lost control and collided into the existing unoccupied building at the subject property; and

WHEREAS, as a result of the above-referenced incident, the existing building at the subject property sustained significant damage, and caused multiple structural walls and the roof to collapse; and

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

WHEREAS, despite good faith efforts by the Township to obtain compliance from the owner of the property, to date the owner of the property has refused to take steps to clean-up and remove the remaining portions of the collapsed structure and the garbage and debris which exists and has otherwise accumulated at the subject property; and

WHEREAS, pursuant N.J.S.A. 40:48-2.5 and §287-31 of Chapter 287, Article V of the Township Code, the Township Administrator upon authorization from the Township Committee is authorized to appoint a public officer to exercise all powers set forth in Chapter 287, including for the purposes of conducting inspections/investigations, issuing complaints/notices, holding hearings, and issuing and enforcing orders to maintain, repair, rehabilitate such property and/or demolish damaged improvements/structures thereon as necessary to correct and abate any nuisances, defects, violations or other conditions rendering such property/buildings unsafe and/or unfit for occupancy, and in the event of non-compliance by the owner, cause such buildings to be removed or demolished, or contract for the removal and demolition thereof and the clean-up and maintenance of such property; and

WHEREAS, the Township Committee may delegate this authority to a qualified individual and desires to do so for the purposes of preventing the unreasonable disruption of the Township's operations and ensuring independence for all parties involved; and

WHEREAS, Daniel Hagberg does possess the requisite qualifications and licenses to serve as Acting Public Officer and exercise all powers and responsibilities associated with this position as outlined in Chapter 287 of the Township Code; and

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

1. The governing body hereby appoints and authorizes Daniel Hagberg to serve as an Acting Public Officer, and Mr. Hagberg is hereby authorized to exercise all powers and authority associated with this position as outlined in Chapter 287 of the Code in relation to the property located at 63 Route 46, Block 183, Lot 1 in the Pine Brook section of the Township of Montville, State of New Jersey 07058.
2. The governing body further authorizes the award of a Professional Services Contract to Mr. Hagberg in an amount not to exceed \$100.00 at an hourly rate of \$50.00 per hour, and directs the Township Administrator/Township Clerk to issue a Purchase Order in an amount not to exceed same in the above-referenced matter.

Motion by Cooney second by Conklin to adopt Resolution 2023-233

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

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

*Clarification requested from audience of Resolution 2023-233: Attorney summarizes that the resolution is for a property maintenance violation where the Township Administrator may be appointed or select another individual to be appointed as public officer to carry out duties to resolve the issue. This resolution is appointing an individual to act in this capacity.*

**REVIEW OF MEETING ACTION ITEMS**

None

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

**Contract Negotiations**

**Litigation**

Altice USA BPU Docket No. CX21020139

**Personnel**

Township Clerk;

**Attorney-Client Privilege/Potential Litigation**

337 & 339 Route 202; Township infrastructure; communications

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

All in favor – Motion carried

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

**CLOSED SESSION**

Motion by Cooney second by Conklin to adjourn

All in favor – Motion carried

**ADJOURNMENT** at 8:08pm

Approved:  
Montville Township Committee

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Stacy Sullivan-Gruca, Township Clerk

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Matthew S. Kayne, Mayor

**REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE**  
**Meeting Minutes - June 27, 2023**

Next Regular Meeting: July 18, 2023 at 7pm