

**MONTVILLE TOWNSHIP COMMITTEE  
MEETING MINUTES— January 22, 2019**

Montville Township Committee Regular Meeting  
Tuesday, January 22, 2019 7:00 p.m.  
Montville Township Municipal Building, 195 Changebridge Road, Montville, New Jersey

Statement of Open Public Meetings Act Compliance read by Township Clerk Leena Abaza.

Roll Call Township Committee:

Present:           Committeeman Matthew S. Kayne  
                  Committeewoman June Witty  
                  Committeeman Richard Cook  
                  Chairman Richard D. Conklin

Also present:    Victor Canning, Township Administrator  
                  June Hercek, Assistant Township Administrator  
                  Dawn Sullivan, Esq., Township Attorney  
                  Leena Abaza, Township Clerk

Absent:           Deputy Mayor Frank Cooney with prior notice.

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

1. Contract Negotiations: Montville Township Policemen's Benevolent Association # 140 (PBA); Chief of Police Contract; Dr. Golub / Rt. 202 property.
2. Litigation: Affordable Housing; Police.
3. Potential Litigation: IT incident.
4. Personnel: Court Personnel.

Motion by Kayne second by Witty to approve Closed Executive Session Resolution and move into closed session. All in favor. Resolution adopted.

At 7:00 p.m. – Closed Session.

**8:00 p.m. – Public Session**

Statement of Open Public Meetings Act Compliance read by Township Clerk Leena Abaza.

Roll Call

Prayer & Pledge of Allegiance

Chairman Conklin introduced Township Planner Joseph Burgis who would provide an overview of the Redevelopment Plan (Avalon Bay) to the public.

Joseph Burgis, Township Planner- this a Non- Condemnation Redevelopment Plan because this municipality will not utilize their condemnation power to execute this plan. The statutes identify the responsibilities of the Governing Body and the Planning Board in this process. They also identify what sites can be considered and the zoning laws that would apply. In these statutes the municipalities can identify the need of redevelopment. It would essentially be adopted as an ordinance. You cannot reverse the judgement of Non- Condemnation. You can issue bonds for redevelopment, tax exemption, etc. This plan identifies many steps that need to be taken. We are now in the process of adopting this Redevelopment Plan and we will send it to the Planning Board to make sure it is consistent with the Township Master Plan. He explained the location of the property. Goals and objectives are listed. High quality, non-age restricted. This plan creates an Affordable Housing Redevelopment area. He stated this plan promotes the revitalization of this site on Route 46 and is referred to as the GI Auto area. There are 349 units that will be built with this Redevelopment Plan with a 15% set aside for Affordable Housing units. This is a Multi-Family dwelling and they are rental units. There are some exemption issues that the

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property owner wants addressed - one is to exempt them from identifying each tree on the property. He stated the other exemption is not to file the plan with the Design Review Committee.

Committeewoman Witty questioned how many acres this project covers.

Joseph Burgis, Township Planner responded by stating 14 acres.

Committeewoman Witty- she questioned if the 1.4 parcel (would the residents that reside in that part of the site) will they have to be relocated?

Joseph Burgis, Township Planner stated yes.

Committeeman Cook- he questioned if the entrance and exit would be from Route 46?

Joseph Burgis, Township Planner stated there is a secondary means of access/exit, but he would have to get back to Governing Body.

**Introduction of the Montville Township Redevelopment Plan**

- Introduction of the Non – Condemnation Redevelopment Plan (Avalon Bay)

Motion by Cook second by Kayne to introduce and have the public hearing on February 26, 2019.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

**Public Hearings on Ordinances for Final Adoption:**

None.

**Reports:**

1. ADMINISTRATOR

- Reminder to the residents - dual stream recycling will begin on February 6, 2019.

2. ATTORNEY'S REPORT

- No official report.

3. TOWNSHIP COMMITTEE LIAISON REPORTS AND COMMENTS

Committeeman Kayne- he thanked the Montville Township Department of Public Works and Office of Emergency Management (OEM) for their work during the recent storm.

Committeewoman Witty- she reported the Veterans of Foreign Wars Post 5481 (VFW) will be selling poppies throughout the Township- please support them. She reported Drug Awareness –Municipal Alliance Council met and mentioned there were 96 total deaths in Morris County from opioids. She also mentioned the following events:

- Relay for Life on June 1, 2019. She suggested the Township Committee being a team for that day.
- Round Table on February 3, 2019 from 4 p.m. to 6 p.m. to discuss the dual stream recycling program.

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She mentioned the Open Space Committee is looking for sponsors to blaze trails.

Committeeman Cook- he reported he recently attended the Township Board of Adjustment meeting and there is an issue with pools that are being installed in the Township. The companies that are installing the pools are putting them too close to the property lines and are not installing them in accordance to the Township Code. We need some sort of procedure in place so the homeowners do not have to come before the Board of Adjustment.

Chairman Conklin – he reported the Library Board of Trustees had their Reorganization meeting and all the board members remain the same. Economic Development Committee also had their Reorganization meeting. He mentioned the Montville Township First Aid Squad had their Annual Installation Dinner – thanked them for their invitation and their service to the Community.

**Old Business:**

1. Project Status Report

**New Business:**

None.

**Ordinance Introductions:**

**Ordinance # 2019 – 04** an Ordinance establishing the 2019 salary range for the position of Assistant Animal Control Officer of the Township of Montville, in the County of Morris, State of New Jersey – White Collar

Motion by Kayne second by Cook to introduce Ordinance # 2019-04 and have the public hearing on February 12, 2019.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

**Public Portion**

Motion by Cook second by Kayne to open public portion of meeting. All in favor. Motion adopted.

Daniel Grant, 109 Revere Court- he requested status of the Demolition by Neglect Ordinance.

Township Attorney Dawn Sullivan - she stated there are several different versions of the Ordinance and we will have a draft of the Ordinance for the next meeting for the Township Committee to discuss.

Committeeman Cook- he mentioned he contacted the State and he has a couple of sample Ordinances.

Eileen Cole, 799 Main Road – she stated she would like to speak to the Governing Body about two properties (located at 803 & 811 on Route 202). She said one was George’s Volkswagen Repair Shop. She heard that all the equipment and cars will be auctioned since Montville Township owns it. She mentioned when she lived there she did what she could to clean up the environmental issues on the property. Department of Environmental Protection (DEP) took out tanks and they did some soil clean-up. She said since there will be new residential buildings at The Sea Breeze property by the Towaco Train Station and the GI Auto area, maybe the Township will consider having an ambulance station on the George’s Volkswagen Repair Shop property instead of auctioning the property. She also hoped the Township can get more volunteers.

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Chairman Conklin – he stated the Township Committee will take her suggestions into consideration, but they have to discuss this further. He stated re- possession of property is not one of the Township Committee's goals.

Motion by Cook second by Witty to close public portion of meeting. All in favor. Motion adopted.

**Resolution Authorizing Consent Agenda No. 2019-CA03:**

**Resolution # 2019 – 36** resolution approving Fourth of July events June 27, 28 & 29 – and fireworks on June 29, 2019 (with a rain date of June 30, 2019)

**Resolution # 2019 – 37** resolution authorizing the issuance of a Tourist Accommodation License for the year 2019 to Knights Inn

**Resolution # 2019 – 38** resolution accepting resignation of the Township of Montville Historic Preservation Committee Member – Vincent J. Failla, Esq.

**Resolution # 2019 – 39** resolution of the Township of Montville, County of Morris, and State of New Jersey authorizing the sale of property no longer needed for public use on an online auction website

**Resolution # 2019 – 40** resolution recognizing Township events and Township endorsed events

**Resolution # 2019 – 41** resolution approving request from Tax Collector for transfer of overpayment (tax appeals)

**Resolution # 2019 – 42** resolution approving request from Tax Collector for refund of overpayment

**Resolution # 2019 – 43** resolution approving request from Tax Collector for refund of overpayment (tax appeals)

**Resolution # 2019 – 44** resolution accepting a safety and stabilization bond for McDonald's USA, LLC, Block 176 Lot 15.02, 54 Route 46

**Resolution # 2019 – 45** resolution of the Township of Montville, County of Morris and State of New Jersey approving the Treatment Works Application by the Township of Montville for the Old Lane Sewer Project, various sites throughout Montville Township for submission to the State of New Jersey Department of Environmental Protection, Division of Water Quality

**Resolution # 2019 – 46** resolution authorizing participation in Pathways of History 10<sup>th</sup> Anniversary Tour on September 22, 2019

**Resolution # 2019 – 47** resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township of Montville to go out to bid for the Jacksonville Road Sidewalk Replacement Project

**Resolution # 2019 – 48** resolution authorizing the issuance of Limousine Business License – Syrose Circle, LLC

**Resolution # 2019 – 49** resolution authorizing the submission of an application for the 2020 (July 2019 through June 2020) Supplemental Municipal Alliance Program Grant Funds to the County of Morris

**Resolution # 2019 – 49A** resolution authorizing the issuance of Limousine Business License – Bari's Limousine Service, LLC

Motion by Cook second by Witty to approve the above consent agenda resolutions.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

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**Resolution # 2019 – 36** resolution approving Fourth of July events June 27, 28 & 29 – and fireworks on June 29, 2019 (with a rain date of June 30, 2019)

WHEREAS, the Township Committee has been requested to approve Fourth of July events to be held in the Township on June 27, June 28 and fireworks on June 29, 2019 with a rain date of June 30, 2019; and

WHEREAS, the Township Committee desires to authorize and approve the events and fireworks.

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 27, June 28, and fireworks to be held on June 29, 2019 with a rain date of June 30, 2019.

**Resolution # 2019 – 37** resolution authorizing the issuance of a Tourist Accommodation License for the year 2019 to Knights Inn

WHEREAS, Knights Inn, 55 Route 46 East, Pine Brook, New Jersey, (Block 183, Lot 4), has submitted an application and appropriate fees for a Montville Township Tourist Accommodation License for the year 2019; and

WHEREAS, pursuant to Revised General Ordinance Chapter 353, the Application has been reviewed and the Township Committee finds that the requirements for a Tourist Accommodation License Application for the year 2019 have been met.

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 a Tourist Accommodation License for the year 2019 shall be issued to Knights Inn, 55 Route 46 East, Pine Brook, New Jersey, (Block 183, Lot 4).

**Resolution # 2019 – 38** resolution accepting resignation of the Township of Montville Historic Preservation Committee Member – Vincent J. Failla, Esq.

BE IT RESOLVED, By the Township Committee of Montville that Historic Preservation Committee Member Vincent J. Failla's resignation is accepted with regret as of January 4, 2019.

**Resolution # 2019 – 39** resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the sale of property no longer needed for public use on an online auction website

WHEREAS, the Township of Montville has surplus property that is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

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WHEREAS, the Township of Montville intends to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and

WHEREAS, the sale of the surplus property shall be conducted through GovDeals pursuant to New Jersey State Contract 83453/T2581 in accordance with the terms and conditions of the State Contract; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9.

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 move forward with the sale of property no longer needed for public use through the use of GovDeals, an online auction service who has the New Jersey State Contract for these services.

**Resolution # 2019 – 40** resolution recognizing Township events and Township endorsed events

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 2019 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 <sup>th</sup> 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	MTHS Mustangs Color Run
First Aid Squad Events	Cali Foundation
	Towaco Civic Association Shop Hop

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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.
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 # 2019 – 41** resolution approving request from Tax Collector for transfer of overpayment (tax appeals)

WHEREAS, The TAX COURT OF NJ has entered judgment on appeals filed by taxpayers in the Township of Montville;

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WHEREAS, The judgment reduced assessments and cancelled tax creating an overpayment of taxes for the years 2015, 2016, 2017 & 2018;

WHEREAS, The taxpayer, Carpel Plaza LLC has requested in the stipulation of settlement to apply the refund to pre-pay a portion of 2019, 1<sup>st</sup> Qtr tax;

NOW, THEREFORE, BE IT RESOLVED that the tax collector be authorized to transfer this overpayment as follows:

Block 170 Lot 17            18 Hook Mt Rd Carpel Plaza LLC

	<u>FROM</u>	<u>TO</u>
2015 (Tax Appeal)	\$2,032.20	
2016 (Tax Appeal)	\$2,065.50	
2017 (Tax Appeal)	\$2,110.50	
2018 (Tax Appeal)	\$2,165.40	
2019, 1 <sup>st</sup> Qtr Tax		\$8,373.60

**Resolution # 2019 – 42** resolution approving request from Tax Collector for refund of overpayment

WHEREAS, due to duplicate payments received creating an overpayment of tax for the year 2018

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:

Wells Fargo Bank		
Block: 52.02 Lot: 4.04	34 Wedgewood Dr	\$3,518.78
Nova UA		
Block: 52.02 Lot: 90.04	7 Jesse Ct	\$2,709.65
Corelogic		
Block: 141.4 Lot: 55	4 Avalon Dr	\$3,574.68

**Resolution # 2019 – 43** 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 2014, 2015 & 2017

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

Jennifer R. Jacobus, Trustee for Leeb, Scott M & Elizabeth M  
Block 109 Lot 42.3            33 Redding PI

2014 Tax Appeal	\$1,514.85
2015 Tax Appeal	<u>\$1,537.26</u>
TOTAL REFUND	\$3,052.11



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Heavey, Joseph T. & Bogert, Lisa K.  
Block 3 Lot 47.10            6 Masar Rdl

2017 Tax Appeal	<u>\$2,840.73</u>
TOTAL REFUND	\$2,840.73

**Resolution # 2019 – 44** resolution accepting a safety and stabilization bond for McDonald’s USA, LLC, Block 176 Lot 15.02, 54 Route 46

WHEREAS, McDonald’s USA, LLC, the developer of property known as Block 176 Lot 15.02, 54 Route 46, is required to submit a Safety and Stabilization Bond to the Township of Montville; and

WHEREAS, McDonald’s USA, LLC has submitted check number 2489 in the amount of \$5,000.00 representing the Safety and Stabilization Bond for the project; and

WHEREAS, the Planning Board Engineer, Township Land Use Department and Township Attorney have reviewed the Safety and Stabilization Bond submitted and have recommended its acceptance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, that the Safety and Stabilization Bond stated above submitted by McDonald’s USA, LLC is hereby accepted. The Township Clerk is authorized and directed to forward a copy of this Resolution to the developer.

**Resolution # 2019 – 45** resolution of the Township of Montville, County of Morris and State of New Jersey approving the Treatment Works Application by the Township of Montville for the Old Lane sewer project, various sites throughout Montville Township for submission to the State of New Jersey Department of Environmental Protection, Division of Water Quality

WHEREAS, the Township of Montville is the owner of various parcels of property in the Old Lane area in the Township of Montville; and

WHEREAS, the Township of Montville seeks approval of a Treatment Works Application (“TWA”) for the Old Lane Sewer Project to be submitted to the State of New Jersey Department of Environmental Protection, Division of Water Quality for the construction of 8,794 LF of 8” PVC sanitary sewer lines to service ninety-five (95) existing homes on various streets in the Old Lane area of Montville Township; and

WHEREAS, the Township Health Officer has reviewed and approved of the TWA; and

WHEREAS, the Mayor and Township Committee believe it is in the best interests of the Township to approve submission of the TWA.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Montville, in the County of Morris and State of New Jersey approves of the submission of the TWA for the Old Lane Sewer Project.

**Resolution # 2019 – 46** resolution authorizing participation in Pathways of History 10<sup>th</sup> Anniversary tour on September 22, 2019

WHEREAS, the Township of Montville has been approached by the Pathways of History organization requesting participation in the organization’s 10<sup>th</sup> Anniversary Tour on Saturday, September 21, 2019 and Sunday, September 22, 2019; and

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WHEREAS, Pathways would like the Township to open its museum to the public as part of the anniversary tour.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, authorizes Administration to coordinate participation in the Pathways of History 10<sup>th</sup> Anniversary Tour on Saturday, September 21, 2019 and Sunday, September 22, 2019, which includes opening the Montville Museum to the public.

**Resolution # 2019 – 47** resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the Township of Montville to go out to bid for the Jacksonville Road Sidewalk Replacement Project

WHEREAS, the asphalt sidewalk on the easterly side of Jacksonville Road (across from Camp Dawson) was installed by the Township approximately 25 years ago;

WHEREAS, the asphalt sidewalk is in disrepair and the Township has received numerous complaints about the condition of the sidewalk; and

WHEREAS, asphalt sidewalks are substandard and the Township wishes to bring the sidewalk it constructed 25 years ago up to today's standards; and

WHEREAS, the asphalt sidewalk will be replaced with the standard 4-foot wide concrete sidewalk along this stretch of Jacksonville Road, totaling approximately 1,200 linear feet of replacement sidewalk.

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 is hereby authorized to go out to bid for the Jacksonville Road Sidewalk Replacement Project.

**Resolution # 2019 – 48** resolution authorizing the issuance of Limousine Business License – Syrose Circle, LLC

WHEREAS, Revised General Ordinance Chapter 342 requires the issuance of a license by the Township of Montville for Limousine Services; and

WHEREAS, Syrose Circle, LLC. has filed an application and all necessary fees for the renewal of a limousine business license for the year 2019:

Syrose Circle, LLC, 1 Eckhardt Circle  
Parking Location: 1 Eckhardt Circle  
2018 Ford Expedition EL Black 4 Door

; and

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

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 a limousine business license be issued to Syrose Circle, LLC for the year 2019.

**Resolution # 2019 – 49** resolution authorizing the submission of an application for the 2020 (July 2019 through June 2020) Supplemental Municipal Alliance Program Grant Funds to the County of Morris

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents,

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youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of Montville Township of Morris County of the State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Township of Montville in the County of Morris in the State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Montville Municipal Alliance grant for fiscal year 2020 (July 2019 through June 2020) in the amount of:

DEDR	\$15, 244.00
Cash Match	\$3, 811.00
In-Kind	\$20, 437.50

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**Resolution # 2019 – 49A** resolution authorizing the issuance of Limousine Business License – Bari’s Limousine Service, LLC

WHEREAS, Revised General Ordinance Chapter 342 requires the issuance of a license by the Township of Montville for Limousine Services; and

WHEREAS, Bari’s Limousine Service, LLC. has filed an application and all necessary fees for the renewal of a limousine business license for the year 2019:

Bari’s Limousine Service, LLC, 339 Main Road, Suite 2, Montville  
Parking Location: 159 Wilson Street, Boonton  
2014 Chevrolet Suburban

; and

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

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 a limousine business license be issued to Bari’s Limousine Service, LLC for the year 2019.

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**Resolutions:**

1. **Resolution** approving the listing of bills and signing of checks for January 22, 2019.

Motion by Kayne second by Cook to approve the listing of bills and signing of checks for January 22, 2019.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No: -0-

2. **Resolution # 2019 – 50** resolution approving request from Tax Collector for cancellation of taxes

WHEREAS, property taxes for 2019 are to be cancelled due to an In rem Foreclosure by the Township of Montville, County of Morris, New Jersey,

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

<u>Block</u>	<u>Lot</u>	<u>Property Location</u>	<u>1<sup>st</sup> Qtr 2019</u>	<u>2<sup>nd</sup> Qtr 2019</u>
1	1	Kincaid Rd	\$ 144.79	\$ 144.78
3	11	Stony Brook Rd	\$ 5.41	\$ 5.41
3	37	Mars Ct (Rear)	\$ 660.83	\$ 660.82
18	32	17 Taylortown Rd	\$ 37.85	\$ 37.85
35	2	Silver St	\$ 28.84	\$ 28.83
41	17	Bellows Ln	\$ 496.88	\$ 496.87
56	1	16 Taylortown Rd	\$ 22.83	\$ 22.83
63	6	9 Rosewood Ave	\$ 69.69	\$ 69.69
70	3	31 Millers Ln	\$ 34.85	\$ 34.84
71	7	19 Lake Ave	\$ 34.85	\$ 34.84
10912		803 Rt 202	\$ 34.98	\$ 34.97
10918		811 Rt 202	\$1,638.96	\$1,638.95
11323		56 Peace Valley Rd	\$ 75.38	\$ 75.37
11324		54 Peace Valley Rd	\$ 401.00	\$ 400.99
11327		42 Peace Valley Rd	\$ 686.22	\$ 686.21
11328		38 Peace Valley Rd	\$ 3.02	\$ 3.01
1205		Peace Valley Rd	\$1,081.18	\$1,081.18
12010		Peace Valley Rd R	\$ 177.29	\$ 177.28
12044		16 Longview Dr	\$ 204.42	\$ 204.42
13810.1		234 Change Bridge Rd	\$ 319.40	\$ 319.40
15212.1		Woodmont Rd	\$ 21.06	\$ 21.05
1591		63 Hook Mt Rd	\$ 617.14	\$ 617.14

Motion by Kayne second by Witty to approve Resolution # 2019 – 50.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

3. **Resolution # 2019 – 51** resolution of the Township of Montville, County of Morris, State of New Jersey to authorize the execution of the agreement between the Township of Montville and Andrew Caggiano for the position of Montville Township Police Chief

WHEREAS, Rudolf “Rudy” Appelman will retire from his position as Chief of Police from the Montville Township Police Department effective December 31, 2018; and

WHEREAS, Mr. Appelman’s retirement will leave a vacancy in the position of Chief of Police; and

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WHEREAS, Andrew Caggiano has more than 21 years of service with the Montville Township Police Department; and

WHEREAS, Mr. Caggiano currently serves as the Captain of Police and it is recognized that his years of service in various capacities within the Montville Township Police Department and his current service as Captain qualify him for this position; and

WHEREAS, based upon his service and qualifications, the Township has decided to appoint Mr. Caggiano as the Chief of Police; and

WHEREAS, Mr. Caggiano shall be sworn in as the Chief of Police on January 1, 2019; and

WHEREAS, accordingly, the Township Committee of the Township of Montville wishes to execute the Agreement it has made with Mr. Caggiano for the position of the Township of Montville Police Chief.

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 Agreement for the position of Township of Montville Police Chief between the Township of Montville and Andrew Caggiano be executed by the Mayor and Township Clerk and made a part of this Resolution; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Andrew Caggiano, the Township Administrator, the Chief Financial Officer, the Township Auditor, and the New Jersey Civil Service Commission for their records.

Motion by Cook second by Kayne to approve Resolution # 2019 – 51.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

4. **Resolution # 2019 – 52** resolution of the Township of Montville, County of Morris, State of New Jersey authorizing the award of a Professional Services Contract without competitive bidding to Burgis Associates, Inc. – Joseph H. Burgis, PP, ACP – to provide in – house planning services and general planning services

WHEREAS, there exists a need for in-house planning services and general planning services for the Township of Montville and it has been determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of NJSA 19:44A-205; and

WHEREAS, the Township wishes to retain the services of Joseph H. Burgis, PP, ACP of Burgis Associates, Inc. to provide such services as identified in its proposals dated November 15, 2018 and December 4, 2018; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of

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Montville, in the County of Morris, and State of New Jersey, as follows:

1. The Township of Montville hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Joseph H. Burgis, PP, ACP, to conduct in-house planning services at a rate of \$110.00 per hour as per his proposal dated November 15, 2018, and to conduct general planning services at a rate of \$150.00 per hour as per his proposal dated December 4, 2018; and
  
2. The CFO has certified the following funds are available:  
Burgis Associates, Inc. – not to exceed \$10,000 for in-house planning services  
Burgis Associates, Inc. – not to exceed \$25,000 for general planning services  
9-01-21-180-221 (Planning Consultant) not to exceed \$35,000
  
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
  
4. The total fee authorized for this contract shall not exceed \$35,000 without the prior written approval of the Township Committee.
  
5. Notice of this action shall be published once in the Township's official newspaper as required by law.
  
6. A copy of this resolution shall be provided to the Township's Chief Financial Officer and to Joseph H. Burgis, PP, ACP, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 for their information and guidance.

Motion by Kayne second by Witty to approve Resolution # 2019 – 52.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

5. **Resolution # 2019 – 53** resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing the Township of Montville Planning Board to undertake a preliminary investigation to determine whether the proposed study area, which includes property designated as Block 159, Lot 5.01, qualifies as an area in need of non – condemnation redevelopment pursuant to N.J.S.A. 40A:12A et seq.

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WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (“Redevelopment Law”), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A-12A-5 and N.J.S.A. 40A:-12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:-12A-6, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condensation Redevelopment Area”); and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township’s Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6 to undertake such preliminary investigation of the study area which includes property designated as Block 159, Lot 5.01 (“study area”); and

WHEREAS, the Township of Montville wishes to direct the Planning Board to undertake a preliminary investigation utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the

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preliminary investigation to determine whether the proposed study area qualifies as an area in need of Non-Condensation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

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 Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Joseph H. Burgis, PP, AICP, of Burgis Associates, Inc. to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Non-Condensation Redevelopment according to the criteria set forth in N.J.S.A. 4A:12A-5.

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:12A-1 *et seq.*, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”).

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of Montville.

BE IT FURTHER RESOLVED, that this Resolution shall take effect pursuant to law.

Motion by Cook second by Kayne to approve Resolution # 2019 – 53.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

**6. Resolution # 2019 – 54** resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the payment of a stipend to certain Construction Department Staff Members

WHEREAS, the Township of Montville and the Township of Boonton have entered into a shared services agreement for construction department services effective January 1, 2019; and

WHEREAS, pursuant to the shared services agreement, the Township of Montville Construction Department staff shall undertake certain services for the Township of Boonton; and

WHEREAS, as a result of the additional services, the Township wishes to provide certain Construction Department staff members with a stipend for performance of the additional duties; and

WHEREAS, Deborah Gamsby shall receive an annual stipend of \$4,000; and



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WHEREAS, Maureen Laverty shall receive an annual stipend of \$2,000; and

WHEREAS, the annual stipends shall only be provided to these specific employees while performing additional services under the shared services agreement for construction department services between the Township of Montville and the Township of Boonton; and

WHEREAS, said annual stipends shall be provided to these employees only so long as the shared services agreement for construction department services between the Township of Montville and the Township of Boonton is in effect.

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 Committee authorizes payment of stipends to Deborah Gamsby and Maureen Laverty as set forth above.

Motion by Cook second by Witty to approve Resolution # 2019 – 54.

Roll Call

Yes: Kayne, Witty, Cook, Conklin.

No:-0-

**REVIEW OF MEETING ACTION ITEMS:**

1. Administrator

- Speak to the Township Engineer regarding a pool installation procedure.

2. Attorney

- Continue to work on Affordable Housing Settlements.
- Follow up on Demolition by Neglect Ordinance.

3. Township Committee

Committeewoman Witty- she stated she attended a NJ Highlands Council meeting. She questioned if the Township has a coalition from the Township to represent the town.

Administrator Victor Canning stated he and Assistant Administrator June Hercek attend the meetings.

Chairman Conklin questioned if this would this be a prior approval from the Township Committee?

Township Attorney Dawn Sullivan stated yes.

Committeeman Cook - he stated some towns transferred their Affordable Housing litigation issues to the Highlands Council.

Committeewoman Witty- she stated her last action item – she is requesting the Township Committee pass an Ordinance to keep the marijuana industry out of Montville Township.

Administrator Victor Canning suggested giving the Long Term Financial Planning Committee the Old Lane Sewer Project so they can come up with a methodology for financing the project.

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Chairman Conklin stated the Township Committee needs to discuss this suggestion further before it is given to the Long Term Financial Planning Committee.

**Adjournment**

Motion by Kayne second by Cook to adjourn public portion of meeting and go into Closed Executive Session. All in favor. Motion adopted.

Motion by Cook second by Kayne to close Closed Executive Session. All in favor. Motion adopted.

Motion by Cook second by Kayne to open public session of meeting.

Motion by Witty second by Cook to close public session and adjourn meeting. All in favor. Motion adopted.

Time adjourned: 9:30 p.m.

Respectfully submitted,

Approved: March 26, 2019  
Montville Township Committee

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Leena M. Abaza, Township Clerk

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Richard D. Conklin, Mayor