

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 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, or call NJ211, or visit the Township website at 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.

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
Fred Semrau, Esq., Township Attorney
Margaret Shepard, Deputy Clerk

Absent: Rich Cook, Committeeman
Stacy Sullivan-Gruca, Township Clerk

Prayer and Pledge of Allegiance by Deputy Mayor Cooney

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

OATH OF OFFICE

Nicolas Rosenbergen, Patrolman – Interned for NJ Office of the Attorney General summer of 2021, graduated with honors from University of Alabama in May of 2022. Scheduled to graduate from the Morris County Police Academy on June 1, 2023 and will begin as Patrolman for Montville Township.

APPROVAL OF MEETING MINUTES

May 9, 2023 Regular Meeting Minutes
May 9, 2023 Closed Session Meeting Minutes

Motion by Cooney second by Witty to adopt the above listed minutes

All in favor – Motion carried

PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION

[Ordinance 2023-11](#) Ordinance establishing the 2023 salaries or wages of officials and employees of the Township of Montville, in the County of Morris and method of payment of such salaries or wages - unrepresented

Motion by Witty second by Cooney to open public hearing on Ordinance 2023-11

All in Favor - Motion Carried

No public comments

Motion by Conklin second by Witty to close public hearing on Ordinance 2023-11

All in Favor - Motion Carried

Motion by Cooney second by Witty to adopt Ordinance 2023-11

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

REPORTS

Administrator's Report

Enbridge gas pipeline repairs on Changebridge Road for period of June 5 – June 27. Traffic will be reduced to single lane. Project includes installing an additional valve to service 16" line. Township attorneys to review liability documentation.

"No Mow May" Following up on Township Committee questions raised at the May 9 meeting, Township Administrator reported that No Mow May is an initiative to reduce pesticide use and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

promote the safety of pollinating insects which some municipalities have endorsed. Montville Township will continue to enforce its property maintenance ordinance.

Attorney Report

Mr. Semrau mentioned April 30 – May 6 was Municipal Clerk Week and commended Township Clerk Stacy Sullivan Gruca for her excellence in the discharge of her duties.

Township Committee liaison reports and comments

Conklin

Historical Preservation Review Commission met on 5/22 and seeks an update from the Township Committee on the signage for Youngs' Field (Camp Dawson) and 107 Changebridge Road.

Cooney

No Report

Witty

VFW – Memorial Day observation on 5/29 at 11 AM; Flag Retirement on 6/3

Housing Committee met on 5/16 with Administrative Agent for Avalon Bay. Applications are now open online to be placed on the rental wait list. Persons needing assistance can call 609-664-2769 ext. 5.

Environmental Commission met on 5/17 and reviewed a site plan for approval. Work continues on the tree ordinance. A subcommittee is working on outreach and educational efforts about recycling, water conservation and other environmental concerns.

Relay for Life will be 6/10. People can find information at Relay for Life of Greater Montville Township.

Kayne

On 5/23, Mayor Kayne spoke at Morristown Medical Center in an event recognizing Montville Township First Responders Jackie D'Amico and Jim High for their life-saving actions in a recent emergency.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

ORDINANCE INTRODUCTIONS

Ordinance 2023-12 Ordinance of the Township Committee of the Township of Montville, County of Morris, State of New Jersey, authorizing acceptance of dedication of Eckhardt Circle and South Franklin Court within the Meadows at Montville

Motion by Witty second by Cooney to introduce Ordinance 2023-12

All in Favor - Motion Carried

Clerk set public hearing date for June 13, 2023

Ordinance 2023-13 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 \$265,000

Motion by Witty second by Conklin to introduce Ordinance 2023-13

All in Favor - Motion Carried

Clerk set public hearing date for June 13, 2023

Ordinance 2023-14 Bond Ordinance providing for various capital improvements in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$3,390,700 therefor and authorizing the issuance of \$2,616,000 bonds or notes of the Township to finance part of the cost thereof

Motion by Cooney second by Conklin to introduce Ordinance 2023-14

All in Favor - Motion Carried

Clerk set public hearing date for June 13, 2023

Ordinance 2023-15 Bond Ordinance providing for various improvements to the water utility in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$3,813,000 therefor and authorizing the issuance of \$3,612,500 bonds or notes of the Township to finance part of the cost thereof

Motion by Witty second by Cooney to introduce Ordinance 2023-15

All in Favor - Motion Carried

Clerk set public hearing date for June 13, 2023

Ordinance 2023-16 Bond Ordinance providing for various improvements to the sewer utility in and by the Township of Montville, in the County of Morris, New Jersey, appropriating \$720,000 therefor and authorizing the issuance of \$640,000 bonds or notes of the Township to finance part of the cost thereof

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Motion by Cooney second by Witty to introduce Ordinance 2023-16

All in Favor - Motion Carried

Clerk set public hearing date for June 13, 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

No Public Comments

Motion by Conklin second by Cooney to close public portion

All in favor – Motion Carried

RESOLUTION AUTHORIZING CONSENT AGENDA NO. 2023-CA10

Resolution 2023-191 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 85 Taylortown Road, block 33, lot 37

WHEREAS, the developer, J. Cosentino Services, LLC, has requested a release of the cash road opening permit bond submitted in connection with work being performed at 85 Taylortown Road, Block 33, Lot 37, 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 May 16, 2023, that the cash road opening permit bond in the amount of \$750.00, 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 \$750.00, be released to John Cosentino, Cosentino Services, LLC, 699 Boonton Avenue, Boonton, New Jersey 07005.

This Resolution shall take effect immediately.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Resolution 2023-192 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the execution of a loan agreement between the Township of Montville and the Morris County Park Commission

WHEREAS, the Township of Montville ('Township') owns a grinder which is currently on-site at Fosterfields Living Historical Farm and which the Morris County Park Commission ('County') has been using with their engine collection for public demonstrations and programs; and

WHEREAS, the County would like to be able to incorporate the grinder into their planning for the next two years; and

WHEREAS, the parties wish to memorialize an agreement as to the grinder for the period of May 1, 2023 to April 30, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey hereby authorizes the Township Administrator to enter into a Loan Agreement between the Township of Montville and the Morris County Park Commission regarding the Township's grinder, for the period of May 1, 2023 to April 30, 2025. The Loan Agreement is attached hereto and made a part hereof this Resolution.

This Resolution shall take effect immediately.

Resolution 2023-193 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 17 Lot 4

27 Virginia Rd

Mergl, Gelu O & Dana I

Lien Redemption Certificate #20-00001 \$ 56,656.17

Premium Money \$ 45,000.00

Total Payment \$101,656.17

To: TL Six, LLC

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Resolution 2023-194 Resolution approving request from Tax Collector for refund of overpayment

WHEREAS, due to duplicate payments received creating an overpayment of tax for the year 2023

AND, WHEREAS, it is the recommendation of the Tax Collector that these monies are refunded;

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

CORELOGIC

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY LOCATION</u>	<u>AMOUNT</u>
52.02	75.03	6 Jesse Ct	<u>\$2,912.20</u>
Total Refund			\$2,912.20

Resolution 2023-195 Resolution requesting approval of items of revenue and appropriation NJS 40A:4-87 (Highlands Council Plan Conformance Grant)

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$73,000, which is now available from the Highlands Council Plan Conformance Grant Program in the amount of \$73,000.00.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

BE IT FURTHER RESOLVED, that the like sum of \$73,000.00 is hereby appropriated under the caption Highlands Plan Conformance – Trails Planning; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey Highlands Water Protection & Planning Council in the amount of \$73,000.00 for completion of the Township’s Trails Planning (Task 4: Sustainable Economic Development Plan).

Resolution 2023-196 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 20 Indian Hill Road, block 40, lot 43

WHEREAS, the property owner, Suzanne Lyon, has requested a release of the cash bond submitted in connection with work being performed at 20 Indian Hill Road, Block 40, Lot 43, 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 May 17, 2023, that the cash bond in the amount of \$15,000.00, 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 \$15,000.00, be released to Suzanne Lyon, P.O. Box 193, 20 Indian Hill Road, Towaco, New Jersey 07082.

This Resolution shall take effect immediately.

Resolution 2023-197 Resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing property maintenance work to be completed by the Township of Montville Department of Public Works to place the premises at 19 Montgomery Avenue in conformance with the Property Maintenance Ordinance

WHEREAS, there is in existence within the Township of Montville a property located at 19 Montgomery Avenue, designed on the Montville Township Tax Map as Block 125.13, Lot 5 (the “Property”); and

WHEREAS, the Property has not been maintained in compliance with the Township’s Property Maintenance Ordinance; and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

WHEREAS, a Notice of Violation was served on April 25, 2023 requiring compliance; and

WHEREAS, a Notice of Lien was posted upon the front door of the Property and mailed to the property owner on May 8, 2023 requiring compliance on May 18, 2023; and

WHEREAS, to date, the property maintenance violations have not been abated; and

WHEREAS, the Township Property Maintenance Ordinance, §287-33, permits the Township to abate property maintenance violations, the costs of which are to be a lien against the Property; and

WHEREAS, the Township's General Supervisor of the Department of Public Works has performed an inspection of the Property and provided a cost estimate of the work necessary to bring the Property up to Code; and

WHEREAS, the cost estimate for the work on the Property totals \$415.24 as follows:

Lawn Mower Operator x 2 hours	\$51.71/hour	\$103.42
Weed Wacker/Blower x 2 hours	\$48.89/hour	\$ 97.78
Weed Wacker/Blower X 2 hours	\$47.02/hour	\$ 94.04
<u>Equipment X 2 hours:</u>	<u>\$60.00/hour</u>	<u>\$120.00</u>
Total:		\$415.24

; and

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 if the Property is not timely remediated by the property owner, the Township Administration and Department of Public Works is hereby authorized to perform work on the property located at 19 Montgomery Avenue pursuant to the report of the Director of Public Works, attached hereto, in the amount not to exceed \$415.24, said amount to become a lien against the property, in order to remediate the property maintenance violations.

This Resolution shall take effect immediately.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Resolution 2023-198 Resolution authorizing the appointment to Historic Preservation Review Commission

BE IT RESOLVED, that the Township Committee make the following appointment:

HISTORIC PRESERVATION REVIEW COMMISSION:
Lucile Tullo – appoint as Alternate #2, unexpired term ending 1/1/2024

Motion by Witty second by Conklin to adopt consent agenda resolutions, Resolution 2023-191 through Resolution 2023-198

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

RESOLUTIONS

Motion by Witty second by Conklin to adopt Resolution approving the listing of bills and signing of checks for May 23, 2023

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

Resolution 2023-199 Resolution of the Township of Montville, County of Morris and State of New Jersey, authorizing the award of a contract to Phoenix Advisors, LLC to perform municipal advisory services for certain redevelopment projects for Montville Township

WHEREAS, there exists a need for municipal advisory services to be rendered to the Township of Montville in connection with certain redevelopment projects involving the Township; and

WHEREAS, the Township wishes to retain Phoenix Advisors, LLC to perform such services; and

WHEREAS, the maximum amount for services under this contract shall not exceed a total of \$5,000; and

WHEREAS, funds are available for this purpose.

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

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Section 1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Phoenix Advisors, LLC for municipal advisory services in connection with certain redevelopment projects involving the Township.

Section 2. Phoenix Advisors, LLC shall provide municipal advisory services to the Township as set forth in its proposal of April 24, 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 Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, New Jersey 08505, for their information and guidance.

Section 5. The account to be used for these services is as follows:
3-01-20-155-227 Professional Fees not to exceed \$5,000

This Resolution shall take effect immediately.

Motion by Cooney second by Witty to adopt Resolution 2023-199

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

Resolution 2023-200 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing a change to the contract for the Old Lane Sewer Extension Project between the Township of Montville and PM Construction

WHEREAS, pursuant to Resolution, PM Construction was awarded the contract in the amount of \$2,472,800.00 for the Old Lane Sewer Extension Project; and

WHEREAS, the Committee adopted Resolution 2022-266 which approved Change Order No. 1 for S-1, fuel price adjustment and S-2, asphalt price adjustment, and amended the original contract with PM Construction to \$2,479,446.10, a total amount of \$6,646.10; and

WHEREAS, the Committee adopted Resolution 2022-292 which approved Change Order No. 2 for PCO-1 and PCO-2, for extra work due to water main conflicts and rerouting, and UTC-1

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

and UTC-2, for uniformed traffic control officers, and amended the revised contract with PM Construction to \$2,504,907.48, a total amount of \$25,461.38; and

WHEREAS, the Committee adopted Resolution 2022-333 which approved Change Order No. 3 for ADJ-1A, asphalt price adjustment and ADJ-2A, fuel adjustment, and UTC-3, for uniformed traffic control officers, and amended the revised contract with PM Construction to \$2,511,142.52, a total amount of \$6,235.04; and

WHEREAS, the Committee adopted Resolution 2023-85 which approved Change Order No. 4 for ADJ-1B, asphalt price adjustment and ADJ-2B, fuel adjustment and PCO-3R, additional laterals and MH #23 core drill, and PCO-4, additional manholes and repaired damaged water services, and UTC-4 through UCT-10, for uniformed traffic control officers, and amended the revised contract with PM Construction to \$2,573,568.35, a total amount of \$62,425.83; and

WHEREAS, PM Construction has submitted potential change orders for, asphalt and fuel price adjustments, and uniform traffic control, and the Project Engineer and completed the final unit quantities reconciliation since the project work is complete; and

WHEREAS, the total amount for ADJ-1C is \$1,579.92, for asphalt price adjustments for December 2022 and April 2023; and

WHEREAS, the total amount for ADJ-2C is \$6,955.94, for fuel price adjustments for December 2022 and April 2023; and

WHEREAS, the total amount for UTC-11 is \$6,307.20, for the April 6, 2023, Invoice #74000513 for uniformed traffic control; and

WHEREAS, the total amount for UTC-12 is \$1,091.96, for the April 13, 2023, Invoice #730002249 for uniformed traffic control; and

WHEREAS, the total amount for UTC-13 is \$1,125.90, for the April 13, 2023, Invoice #62000455 for uniformed traffic control; and

WHEREAS, the total amount for UTC-14 is \$5,847.12, for the April 13, 2023, Invoice #74000519 for uniformed traffic control; and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

WHEREAS, the total amount for UTC-15 is \$1,036.80, for the April 17, 2023, Invoice #62000462 for uniformed traffic control; and

WHEREAS, the total amount for UTC-16 is \$2,846.88, for the April 20, 2023, Invoice #74000524 for uniformed traffic control; and

WHEREAS, the total amount for Bid Rec. is (\$200,212.70), for the final unit price quantities reconciliation; and

WHEREAS, ADJ-1C, ADJ-2C, UTC-11, UTC-12, UTC-13, UTC-14, UTC-15, UTC-16 and Bid Rec. are to be part of NJDEP/NJIB Change Order No. 5; and

WHEREAS, it has been determined by the Project Engineer and the Director of Water and Sewer that the processing of this change order is required for project closeout; and

WHEREAS, the Township Director of Water and Sewer has recommended the above changes to the contract price by Memorandum dated May 9, 2023, reflecting a decrease to the contract total in the total amount of \$173,420.98 for the above-described additional required work and final unit quantities reconciliation; and

WHEREAS, the original contract amount was \$2,472,800.00; the amended contract amount based upon the additional required work approved in Resolution 2022-266 is \$2,479,446.10; and

WHEREAS, the amended contract amount approved in Resolution 2022-266 was \$2,479,446.10; the re-amended contract amount based upon the additional required work approved in Resolution 2022-292 was \$2,504,907.48; and

WHEREAS, the amended contract amount approved in Resolution 2022-292 was \$2,504,907.48; the re-amended contract amount based upon the additional required work approved in Resolution 2022-333 was \$2,511,142.52; and

WHEREAS, the amended contract amount approved in Resolution 2022-233 was \$2,511,142.52; the re-amended contract amount based upon the additional required work as noted in Resolution 2023-85 was \$2,573,568.35; and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

WHEREAS, the amended contract amount approved in Resolution 2023-85 was \$2,573,568.35; the new contract amount based upon the additional required work and final unit quantities reconciliation, as noted above, is \$2,400,147.37, which is a 2.94% decrease from the original contract amount; and

WHEREAS, in accordance with N.J.A.C. §5:30-11.3, the changes have not caused the originally awarded contract price to be exceeded by more than 20 percent.

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 total final amount of the contract between the Township of Montville and PM Construction shall be reduced by \$200,212.70 (from \$2,472,800.00 to \$2,400,147.37), to be adjusted under this Change Order, as outlined below:

Original Contract:	\$2,472,800.00
Resolution 2022-266 Changes	\$ 6,646.10
Resolution 2022-292 Changes	\$ 25,461.38
Resolution 2022-233 Changes	\$ 6,235.04
Resolution 2023-85 Changes	\$ 62,425.83
ADJ-1C	\$ 1,579.92
ADJ-2C	\$ 6,955.94
UTC-11	\$ 6,307.20
UTC-12	\$ 1,091.96
UTC-13	\$ 1,125.90
UTC-14	\$ 5,847.12
UTC-15	\$ 1,036.80
UTC-16	\$ 2,846.88
Bid Rec.	\$ <u>(200,212.70)**</u>
 Final Contract Total:	 \$2,400,147.37

Decrease of 2.94%

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

**The breakdown of the \$200,212.70 is as follows:

BID ITEM NO.	WORK DESCRIPTION	EST QTY	UN	UNIT COST	SCHEDULED VALUE	TOTAL QUANTITY INSTALLED	VALUE OF WORK INSTALLED	DIFFERENCE IN VALUE INSTALLED VS. ESTIMATED
2	8" PVC PIPE 0'-6'	560	LF	\$ 70.00	\$ 39,200.00	573.00	\$ 40,110.00	\$ (910.00)
3	8" PVC PIPE 6'-9'	4,560	LF	\$ 85.00	\$ 387,600.00	3,758.00	\$ 319,430.00	\$ 68,170.00
4	8" PVC PIPE 9'-12'	3,650	LF	\$ 100.00	\$ 365,000.00	3,378.00	\$ 337,800.00	\$ 27,200.00
5	8" PVC PIPE 12'-15'	830	LF	\$ 150.00	\$ 124,500.00	1,001.00	\$ 150,150.00	\$ (25,650.00)
6	8" PVC PIPE 15'-18'	75	LF	\$ 250.00	\$ 18,750.00	72.00	\$ 18,000.00	\$ 750.00
7	MANHOLE 0'-6'	2	EA	\$ 3,000.00	\$ 6,000.00	7.00	\$ 21,000.00	\$ (15,000.00)
8	MANHOLE 6'-9'	32	EA	\$ 5,000.00	\$ 160,000.00	25.00	\$ 125,000.00	\$ 35,000.00
9	MANHOLE 9'-12'	19	EA	\$ 10,000.00	\$ 190,000.00	19.00	\$ 190,000.00	\$ -
10	MANHOLE 12'-15'	4	EA	\$ 20,000.00	\$ 80,000.00	6.00	\$ 120,000.00	\$ (40,000.00)
11	MANHOLE 15'-18'	1	EA	\$ 50,000.00	\$ 50,000.00	1.00	\$ 50,000.00	\$ -
12	DROP MANHOLE CONNECTION	30	VF	\$ 250.00	\$ 7,500.00	25.51	\$ 6,377.50	\$ 1,122.50
13	8"X4" MAINLINE TEE	95	EA	\$ 500.00	\$ 47,500.00	93.00	\$ 46,500.00	\$ 1,000.00
14	4" PVC LATERAL	3,000	LF	\$ 50.00	\$ 150,000.00	2,435.00	\$ 121,750.00	\$ 28,250.00
15	4" PEEP SIGHT TEE	95	EA	\$ 500.00	\$ 47,500.00	96.00	\$ 48,000.00	\$ (500.00)
16	4" PEEP SIGHT RISER	1,000	VF	\$ 20.00	\$ 20,000.00	438.50	\$ 8,770.00	\$ 11,230.00
17	SELECT BACKFILL	3,850	CY	\$ 5.00	\$ 19,250.00	-	\$ -	\$ 19,250.00
18	ROCK EXCAVATION	500	CY	\$ 250.00	\$ 125,000.00	158.15	\$ 39,537.50	\$ 85,462.50
19	5" HMA 19M64 TRENCH REPAIR	5,500	SY	\$ 30.00	\$ 165,000.00	4,409.41	\$ 132,282.30	\$ 32,717.70
20	2" COVER - MILL AND PAVE	8,000	SY	\$ 20.00	\$ 160,000.00	9,394.00	\$ 187,880.00	\$ (27,880.00)
								\$ 200,212.70

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

This Resolution will take effect immediately.

Motion by Conklin second by Cooney to adopt Resolution 2023-200

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

Resolution 2023-201 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing a contract with John Garcia Construction Co., Inc. for construction, maintenance and/or repair services for Township-owned water and sewer facilities

WHEREAS, the Township of Montville and John Garcia Construction Co., Inc. entered into an Agreement dated June 2022 to perform services based on sealed competitive bids for construction, maintenance and/or repair services for Township owned water and sewer facilities; and

WHEREAS, the Township amended the award to include 2023 services through June 30, 2023, based on Resolution 2023-64; and

WHEREAS, wishes to enter into another contract for additional sewer services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that the Township of Montville hereby awards and authorizes the Township Clerk to execute a contract with John Garcia Construction Co, Inc. for construction, maintenance and/or repair services for Township owned water and sewer facilities for a fee not-to-exceed a total of \$20,000.

NOW, THEREFORE, BE IT FURTHER RESOLVED that funds for these additional services are available through the following account:

- Sewer Operating, Service Contracts 3-07-55-500-209, not to exceed \$20,000

This Resolution will take effect immediately.

Motion by Cooney second by Witty to adopt Resolution 2023-201

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

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

Resolution 2023-202 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the award of a Professional Services Contract without competitive bidding to Suburban Consulting Engineers to perform design, survey, permitting, bid and construction services to upgrade Williams Place Sewer Pump Station

WHEREAS, Capital Ordinance 2022-19 provided Township Committee approval and funding for the Design, Permitting and Construction of necessary upgrades to the Williams Place Sewer Pump Station; and

WHEREAS, Suburban Consulting Engineers (SCE) have been providing Water and Sewer Consulting services for Montville Township since 2021; and

WHEREAS, Suburban Consulting Engineers have gained system knowledge and expertise regarding the Township Water and Sewer Systems; and

WHEREAS, Williams Place Sewer Pump Station Firm Capacity may be insufficient to support flow increases due to development; and

WHEREAS, the current below-grade design has equipment located in permit-required confined space, posing risks to workers during operation and maintenance activities; and

WHEREAS, this project coincides with the Township's Sewer Capital Improvement Program; and

WHEREAS, there exists a need for Sewer Pump Station Design, Permitting, and Construction phase services of a licensed Professional Engineer; and

WHEREAS, The Township wishes to retain Suburban Consulting Engineers to perform such services; and

WHEREAS, the Township's Water and Sewer Director recommends award of these services; 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; and

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

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

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

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

Section 2. Suburban Consulting Engineers shall provide Professional Engineering and Permitting Services for Williams Place Pump Station Improvement project as set forth in its proposal of May 5, 2023.

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

Section 4. A copy of this Resolution shall be provided to Katie Yanke, Chief Financial Officer, and to Suburban Consulting Engineers, 96 U. S. highway 206, Suite 101, Flanders, NJ 07836.

Section 5. The account to be utilized for these services is as follows:

C-08-55-570-506; ORD 2021-18 Design for Williams Place Improvements;
\$97,750.00

This Resolution shall take effect immediately.

Motion by Conklin second by Witty to adopt Resolution 2023-202

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

Resolution 2023-203 Resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the waiver of certain fees for the Montville Township High School Class of 2023 Senior Picnic Event on June 15, 2023

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

WHEREAS, Montville Township Code Chapter 169 requires a fee for a mobile retail food establishment zoning permit and associated Board of Health fees; and

WHEREAS, the Montville Township High School Class of 2023 Senior Picnic is to benefit the senior class of 2023; and

WHEREAS, the Montville Township Board of Education is a government entity; and

WHEREAS, Ben & Jerry's is catering the Montville Township High School Class of 2023 Senior Picnic event on June 15, 2023; and

WHEREAS, the Township Administrator recommends waiving the fee for a mobile retail food establishment zoning permit and associated Board of Health fees for Ben & Jerry's as it relates to their participation in the Montville Township High School Class of 2023 Senior Picnic event on June 15, 2023; and

WHEREAS, while Ben & Jerry's is not required to pay any fees, they are still required to file for all permits for this event.

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:

The mobile retail food establishment zoning permit and associated Board of Health fees are waived for Ben & Jerry's as it pertains to their participation in the Montville Township High School Class of 2023 Senior Picnic event on June 15, 2023.

This Resolution shall take effect immediately.

Motion by Witty second by Cooney to adopt Resolution 2023-203

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

Resolution 2023-204 Resolution of the Township of Montville, in the County of Morris, State of New Jersey, accepting bonds from PBNJ Capital, LLC for work to be completed at 16 Route 46, block 162, lot 7

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

WHEREAS, PBNJ Capital, LLC, the owner and developer of property known as Block 162, Lot 7, 16 Route 46, is required to submit a performance bond in the amount of \$105,036.23, a restoration bond in the amount of \$22,900.00 and a 10% cash bond in the amount of \$11,670.69 to the Township of Montville for the project as detailed on the engineer's cost estimate; and

WHEREAS, PBNJ Capital, LLC has submitted bond number 800144831 in the amount of \$105,036.23 representing the performance bond for the project; bond number 800144832 in the amount of \$22,900.00 representing the restoration bond and check number 10227 in the amount of \$11,670.69 representing the cash bond; and

WHEREAS, the Township Engineer, Township Land Use Department and Township Attorney have reviewed the bonds submitted and have recommended their 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 bonds stated above submitted by PBNJ Capital, LLC is hereby accepted. The Township Clerk is authorized and directed to forward a copy of this Resolution to PBNJ Capital, LLC.

This Resolution shall take effect immediately.

Motion by Conklin second by Witty to adopt Resolution 2023-204

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

REVIEW OF MEETING ACTION ITEMS

Administration to follow up on the following items: signage for Youngs' Field and tree ordinance; compiling a list of capital improvement projects completed for public information.

Regarding Resolution 2023-200, the Old Lane Sewer Expansion project is complete and was finished at 2.94% lower than was estimated in the bid.

REGULAR MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - May 23, 2023

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

Contract Negotiations

Litigation

Monarch/JMC vs. Montville Twp.

Personnel

salary & wages; utilities

Attorney-Client Privilege/Potential Litigation

Block 139.3, Lot 10; Township Committee personnel communications; Board of Education subcommittee

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

All in favor – Motion carried

Closed session

Mayor notes action may be taken after closed session

CLOSED SESSION

Motion by Witty second by Cooney to approve an information session for residents about developments in the Township at a future date and time to be determined.

All in favor - Motion carried

Motion by Cooney second by Conklin to adjourn

All in favor – Motion carried

ADJOURNMENT at 8:45 pm

Approved:
Montville Township Committee

Margaret Shepard, Deputy Clerk

Matthew S. Kayne, Mayor

Next Regular Meeting: June 13, 2023 at 7pm