

MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes – May 26, 2020

****This meeting was conducted via teleconferencing due to the Coronavirus disease (COVID-19). ****

Montville Township Committee Regular Meeting

Tuesday, May 26, 2020, 2:30 p.m.

Montville Township Municipal Building, 195 Changebridge Road, Montville, New Jersey

2:30 p.m. – Public Session

Statement of Open Public Meetings Act Compliance read by Mayor Frank W. Cooney

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and more specifically, N.J.S.A. 10:4-8, which permits public meetings to be held via communications equipment, and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, and a further Order that residents shelter at home, and the Township of Montville's declaration of a Local State of Emergency on March 16, 2020, the Township does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, a telephonic public meeting of the Mayor and Township Committee will be held on Tuesday, May 26, 2020, at 2:30 p.m. Town Hall will not be open to the public to physically attend the meeting. Any members of the public who wish to attend the meeting telephonically may do so by calling into the service number, (978) 990- 5000, followed by access code 424062.

The location of the meeting remains the same: Montville Township Municipal Building, 195 Changebridge Road, Montville, NJ.

Notice mailed, e-mailed, and/or faxed to the following Newspapers: The Daily Record and The Citizen. Notice/agenda posted on the bulletin boards at the Municipal Building and the Township's website agenda center at www.montvillenj.org.

Roll Call Township Committee

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

Also present: Victor M. Canning, Township Administrator
June E. Hercek, Assistant Administrator
Fred Semrau, Township Attorney
Leena M. Abaza, Township Clerk

Chairman Cooney asked for a moment of silence to honor those lost to the COVID19 virus.

Prayer read by Committeewoman Witty.

Public Hearing on Ordinance for Final Adoption:

None.

Reports:

1. Administrator's report

- Administrator Victor Canning addressed concerns by the Township Committee about the Governor's state budget cut notices. He identified two areas: 1) Delaying state aid payment from September to October, and 2) Grants from Highlands funding and local grants. Montville's state aid money is \$2,146,059 received in installments. Mr. Canning sees nothing in Governor's memo specifically impacting Montville except possibly the delay for the last installment. He directed Township Committee members to Sheet 5 of municipal budget for state aid and Sheet 9 for Highlands (about \$100,000) and R.O.I.D. (about \$35,000) grants as possible areas Montville could be affected.
- Road paving project – Mr. Canning provided an update on streets that have been paved or were in the process of being paved.
- COVID19 summary – Mr. Canning thanked Health Officer Aimee Puluso and the Health Department. Over last 26 days, 15 were 0 case days and others had minimal infection numbers. Residents have been diligent in following preventative measures.
- Land Use – Formulating a plan for reopening local businesses and owners for reopening once allowed.
- All full-time staff have returned to work as of May 26, 2020. Part time staff are being reviewed for essential status. Staff were provided with PPE and briefed on preventative practices. The municipal building is still closed to the public

Committeeman Conklin asked for instructions for Township Committee members who need to come to the municipal building.

Administrator Victor Canning responded that Township Committee members must wear masks and wash hands upon entering the building before visiting any of the offices.

Chairman Cooney notified public in attendance by phone that they will be muted until the meeting is opened for public comments.

2. Attorney's report

- Tax Appeals – Following the last revaluation, a number of tax appeal litigations involving commercial properties have persisted. He will be recommending securing an expert on two commercial tax appeals at a future executive session as a cost-saving measure.

3. Township Committee liaison reports and comments

Committeewoman Witty

- Drug Awareness Council still has lawn signs for graduation. The cost of signs is \$35 and deadline for ordering is June 12. Signs are available to all who wish to support the graduating class.
- V.F.W. held a flag raising/lowering ceremony to commemorate Memorial Day. The ceremony can be viewed on TAP into Montville at <https://preview.tinyurl.com/y8ayq7eu>

There were no reports from other Township Committee members.

Old Business:

1. Project status report

No discussion

New Business:

- Chairman Cooney asked for an ad hoc committee to be formed to review re-opening restaurants and expanding outdoor dining.

Administrator Victor Canning suggested Committeeman Conklin, Police Captain Marucci, Jane Mowles, himself, Assistant Administrator June Hercek, a Chamber of Commerce member, and some restaurant owners comprise the committee for assessing needs.

Township Attorney Fred Semrau stated that allowing outdoor seating without adding to seating capacity can be achieved as a temporary relief, offering owners some flexibility in the current situation once COVID-19 restrictions are lifted.

- Chairman Cooney asked about the status of vacant or bank-owned properties that would be subject to a "clean to lien" action. Specifically, there are complaints about the grass at the cemetery on Hook Mountain Road.

Administrator Victor Canning responded that zoning inspectors have continued with due diligence and have sent the required notifications to the property owners. Mr. Canning anticipates resolutions for the next meeting related to this topic.

Ordinance Introductions:

None.

Resolution Authorizing Consent Agenda No. 2020-CA10:

Resolution # 2020-163 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, authorizing the release of a cash bond received for work performed at 437 Main Road, Block 81 Lot 2

Resolution # 2020-164 resolution authorizing contracts with certain additional approved Morris County Cooperative Pricing Council Contract Vendors

Resolution # 2020-165 resolution authorizing contracts with additional approved State Contract Vendors for Contracting Units pursuant to N.J.S.A. 40A:11-12a

Resolution # 2020-166 resolution authorizing contracts with certain additional approved North Jersey Wastewater Cooperative Pricing System Vendors

Resolution # 2020-167 resolution authorizing contracts with certain additional approved Educational Services Commission of NJ Cooperative Pricing System Vendors

Resolution # 2020-168 resolution approving request from Tax Collector for refund of overpayment

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

Roll Call

Yes: Kayne, Witty, Cook, Conklin, Cooney

No: -0-

Resolution # 2020-163 a resolution of the Township of Montville, in the County of Morris and State of New Jersey, authorizing the release of a cash bond received for work performed at 437 Main Road, Block 81 Lot 2

WHEREAS, the owner, Eli Youssef, has requested a release of the cash bond submitted in connection with lighting work performed at 437 Main Road, Block 81 Lot 2, 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 14, 2020, that the cash bond held in connection with this project, which is in the amount of \$4,000.00, be released.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Montville, in the County of Morris and State of New Jersey, that it does hereby authorize that the cash bond held in connection with this project, which is in the amount of \$4,000.00, be released to the owner.

This Resolution shall take effect immediately.

Resolution # 2020-164 resolution authorizing contracts with certain additional approved Morris County Cooperative Pricing Council Contract Vendors

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>
#14	Catch Basins and Manhole Castings	General Foundries Campbell Foundry Company
#1	Gasoline	Allied Oil
#5	Paving Materials	Tilcon New York, Inc.
#6	Road Resurfacing and Curb Repair	Tilcon New York, Inc. Cifelli & Son, General Contracting
#12	Diesel	Allied Oil
#18	Tree Removal	Tree King
#24	Bagged Cement & Poured Concrete	Continental Hardware, Inc.
#27	Traffic Paint	The Sherwin Williams Company
#33	Clay and Infield Mix for Athletic Fields	Whibco of NJ, Inc.
#49	Disposal/Recycling of Municipal Road Clean-up Material	Deer Carcass Removal Service, LLC

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 # 2020-165 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>
Turn Out Uniforms	Law Enforcement Firearms – Equipment and Supplies	17-FLEET-00752, 751, 778, 813
Eagle Point Gun	Law Enforcement Firearms – Equipment and Supplies	17-FLEET-00721

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 # 2020-166 resolution authorizing contracts with certain additional approved North Jersey Wastewater Cooperative Pricing System 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 North Jersey Wastewater Cooperative Pricing System, NJWCPS; 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 NJWCPS 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 NJWCPS with the Referenced Cooperative Vendors;

<u>Vendor:</u>	<u>Contract #:</u>	<u>Contract Purpose/Description:</u>
Applied Analytics	NJWCPS B195-3	Furnish and Deliver Manufacturer's Equipment & Spare Parts
Precision Electric Motor Works	NJWCPS B200-11	Pumps and Motors – Repair and Replacement
Reiner Pump Systems	NJWCPS B195-4	Furnish and Deliver Manufacturer's Equipment & Spare Parts

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 North Jersey Wastewater Cooperative Pricing System, NJWCPS with the above referenced cooperative vendors.

Resolution # 2020-167 resolution authorizing contracts with certain additional approved Educational Services Commission of NJ Cooperative Pricing System Vendors

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 Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ); 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 ESCNJ 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 ESCNJ with the additional Referenced Cooperative Vendors;

<u>Vendor:</u>	<u>Contract #:</u>	<u>Contract Purpose/Description:</u>
Cliffside Body	ESCNJ Co-op Contract 17/18-30	Trucks – 26,000 lbs GVW or Greater

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 Educational Services Commission of New Jersey Cooperative Pricing System with the additional above referenced cooperative vendors.

Resolution # 2020-168 resolution approving request from Tax Collector for refund of overpayment

WHEREAS, due to duplicate payments received creating an overpayment of tax for the year 2019 and 2020

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:

LERETA LLC

Block: 149.3 Lot: 19	4 TH Qtr 2019	\$3,251.96
12 Buckingham Circle	1 st Qtr 2020	<u>\$3,221.47</u>
Total Refund		\$6,473.43

WELLS FARGO

Block: 40.5 Lot: 6		
20 Marguerite Ln	2 nd Qtr 2020	<u>\$2,927.51</u>
Total Refund		\$2,927.51

CORELOGIC

Block: 1 Lot: 11.62		
7 Patrick Ct	2 ND Qtr 2020	\$ 7,750.74
Block: 52 Lot: 65		
57 River Rd	2 ND Qtr 2020	\$ 3,216.65
Block: 59.4 Lot: 11		
18 River Rd	2 ND Qtr 2020	\$ 235.62
Block: 95 Lot 11		
17 Pomona Ave	2 ND Qtr 2020	\$ 1,668.43
Block: 122 Lot 11		
192 Pine Brook Rd	2 ND Qtr 2020	<u>\$ 2,326.56</u>
Total Refund		\$15,198.00

Resolutions:

1. **Resolution** approving the listing of bills and signing of checks for May 26, 2020.

Motion by Kayne second by Witty to approve the listing of bills and signing of checks for May 26, 2020.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

2. **Resolution # 2020-169** resolution authorizing the award of a Professional Services Contract without competitive bidding to Newmark Knight Frank to perform Real Estate Appraisal Services for Montville Township

WHEREAS, there exists a need for professional real estate appraisal services for a property to be determined by the Township Administrator; and

WHEREAS, the Township wishes to retain Newmark Knight Frank to perform such services; and

WHEREAS, the maximum amount of for services under this contract shall not exceed \$3,500.00; 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 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 Newmark Knight Frank 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. Newmark Knight Frank shall provide real estate appraisal services to the Township as set forth in its proposal of May 8, 2020.

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 Newmark Knight Frank, 80 South Jefferson Road, Suite 204, Whippany, New Jersey 07981, for their information and guidance.

Section 5. The Township's Chief Financial Officer has certified the availability of funds for this contract as follows: Professional Fees 0-01-20-155-227 \$3,500.00

This Resolution shall take effect immediately.

Motion by Conklin second by Kayne to adopt Resolution #2020-169.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

3. **Resolution #2020-170** resolution of the Township of Montville, County of Morris and State of New Jersey amending the contract for Electrical Services for Township owned facilities

WHEREAS, the Township Committee awarded a contract to Benito Quilici Electrical Contractor for electrical services for Township owned facilities; and

WHEREAS, the agreement with Benito Quilici Electrical Contractor was in accordance with the bid specifications at a base rate of \$94.11 per hour, \$141.17 per hour for overtime, \$141.17 per hour for Sunday/holiday time and a 0% markup; and

WHEREAS, the Recreation Department has the need for electrical services as they relate to all Township recreational fields; and

WHEREAS, the Township wishes to extend the not-to-exceed amount of the agreement with Benito Quilici Electrical Contractor from fifteen thousand dollars (\$15,000.00) per annum to twenty thousand dollars (\$20,000.00) per annum; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montville, in the County of Morris, and State of New Jersey, that the appropriate municipal officials are hereby authorized to amend the contract for electrical services for Township owned facilities from a not-to-exceed amount of fifteen thousand dollars (\$15,000.00) per annum to twenty thousand dollars (\$20,000.00) per annum.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the account to be used for these services is as follows: T-13-57-850-001, Recreation Assessments, \$5,000.00

This Resolution will take effect immediately.

Motion by Kayne second by Witty to adopt Resolution #2020-170.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

4. **Resolution #2020-171** resolution of the Township of Montville, County of Morris and State of New Jersey authorizing the purchase of Water Meters/Data Recorders and Radio Frequency Meter Interface Units for the Water Department under the Morris County Cooperative Pricing Council Contract #47, Category B, #1.B. and Category D, #1.B.

WHEREAS, the Montville Township Water Department wishes to purchase various Neptune Pro-Coder Meters and Neptune R900 Radio Frequency Meter Interface Units to keep on hand as part of its water meter replacement program; and

WHEREAS, Rio Supply, Inc. has a valid Contract through the Morris County Cooperative Pricing Council - Contract #47, Category B, #1.B. for Neptune Pro-Coder Meters and Category D, #1.B. Neptune R900 Radio Frequency Meter Interface Units; and

WHEREAS, the Montville Township Water Department also wishes to purchase wire backplate used to connect the meters; and

WHEREAS, the Township's Water and Sewer Utilities staff recommend this purchase; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11(5), the New Jersey Local Public Contracts Law which permits contracting units to participate in cooperative pricing systems; and

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

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

- Rio Supply, Inc. - \$3,294.00 (Morris County Cooperative Pricing Council Contract #47, Category B, #1. B., eighteen (18) Neptune Pro-Coder Meters at \$183.00 per meter)
- Rio Supply, Inc. - \$7,800.00 (Morris County Cooperative Pricing Council Contract #47, Category D, #1. B., sixty (60) Neptune R900 Radio Frequency Meter Interface Units at \$130.00 per unit)
- Rio Supply, Inc. - \$625.00 (2-3 Wire Backplate for R900, twenty five (25) backplates at \$25.00 each - not part of the Morris County Cooperative Pricing Council Contract)

and;

BE IT FURTHER RESOLVED that the Township's Chief Financial Officer has certified the availability of funds for this purchase.

BE IT FURTHER RESOLVED that the account to be used for this purchase is the following:

- Water Operating, Meters, 0-05-55-500-245, \$11,719.00

BE IT FURTHER RESOLVED that this resolution shall be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

Motion by Witty second by Conklin to adopt Resolution #2020-171.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

5. **Resolution #2020-172** 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 6 Lot 5

5 Afterglow Way

Lien Redemption Certificate #19-00002

\$1,003.44

To: Palmisano, Robert or Nancy

Motion by Kayne second by Witty to adopt Resolution #2020-172.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

6. **Resolution # 2020-173** resolution amending the Professional Services Contract for Professional Engineering Services for Montville Township

WHEREAS, the Township awarded a professional engineering services contract to Anderson & Denzler Associates, Inc. to perform the Township's water and sewer licensing requirements; and

WHEREAS, the maximum amount for services under that contract shall not exceed a total of \$12,000 (six (6) months at \$2,000 per month); and

WHEREAS, the Township amended the professional engineering services contract for an additional \$1,200 to cover the costs associated with preparation of the Consumer Confidence Report for reporting year 2019; and

WHEREAS, the Township now wishes to amend the professional engineering services contract for an additional \$522 to cover the cost associated with preparation of the Consumer Confidence Report for reporting year 2019 which totals \$1,722; 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 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, that the appropriate municipal officials are hereby authorized to amend the Professional Engineering Services Agreement with Anderson & Denzler Associates, Inc. to include preparation of the Consumer Confidence Report for reporting year 2019 for an amount not-to-exceed \$522.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the accounts to be used for these services are the following:

Professional Fees - Water = 0-05-55-500-227; \$261

Professional Fees - Sewer = 0-07-55-500-227; \$261

This Resolution shall take effect immediately.

Motion by Witty second by Kayne to adopt Resolution #2020-173.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

Motion by Conklin second by Witty to add Resolution #2020-174 to agenda. All in favor. Motion adopted.

7. **Resolution #2020-174** Resolution authorizing various matters in connection with the New Jersey Infrastructure Bank Construction Financing Loan Program

Be it hereby resolved by the Township of Montville as follows:

Section 1. The Township of Montville, in the County of Morris, New Jersey, is hereby authorized to undertake and complete the Expansion of the Old Lane Sewer System (the "Project") pursuant to the New Jersey Infrastructure Bank Construction Financing Loan Program.

Section 2. The Township of Montville is hereby authorized to consummate the transactions contemplated by the Construction Financing Loan Program Notes (the "Notes") to be issued by the Township of Montville ("the "Borrowers") to the New Jersey Infrastructure Bank pursuant to the program.

Section 3. The Mayor or designee and the Township Clerk are hereby further authorized to (i) execute and deliver, and the Secretary is hereby further authorized to attest to such execution and affix the corporate seal of the Township of Montville to, any agreement, document, instrument or certificate deemed necessary, desirable or convenient by the Authorized officers or the Township Clerk, as applicable, in their respective sole discretion, to be executed in connection with the issuance of the Notes by the Borrowers and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificated or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 4. This resolution shall take effect immediately.

Section 5. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to bond counsel to the Borrowers and bond counsel to the New Jersey Infrastructure Bank.

This Resolution shall take effect immediately.

Motion by Witty second by Conklin to adopt Resolution #2020-174.

Roll Call:

Yes: Kayne, Witty, Conklin, Cooney

No: -0-

Due to technical problems, Deputy Mayor Cook's vote was unable to be recorded.

Public Portion

Motion by Conklin second by Witty to open for public comments. All in favor. Motion adopted.

Due to technical difficulties, meeting attendees were instructed to hang up and dial in again. Members of the public were given the host number 8822# in order to offer public comments.

No public comments.

Motion by Conklin second by Witty to close public comments. All in favor. Motion adopted.

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

1. Attorney-Client Privilege: Drug Awareness-Municipal Alliance Council (DAC) donation request.
2. Litigation: Affordable Housing.

Motion by Kayne second by Cook to adopt the resolution authorizing closed executive session and move into closed session. All in favor. Motion adopted.

Chairman Cooney stated for the record that no official business would be conducted at the conclusion of closed session other than to adjourn the meeting.

Assistant Administrator June Hercek reminded Township Committee members to terminate their calls and to redial for the closed executive session.

Adjournment

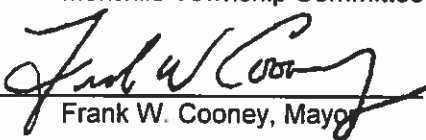
Motion by Conklin second by Witty to reconvene the public session. All in favor. Motion adopted.

Motion by Kayne second by Witty to adjourn the meeting. All in favor. Motion adopted.

Respectfully Submitted,



Leena M. Abaza, Township Clerk

Adopted: 08/18/2020
Montville Township Committee


Frank W. Cooney, Mayor