

Minutes of the 2019 Organization Meeting of the Township Committee of the Township of Millburn, in the County of Essex, New Jersey, held in the Town Hall starting at 7:30 PM on the above date.

The Township Clerk, Christine Gatti, welcomed those present and read the following notice.

In accordance with Section 5 of the Open Meetings Act, Chapter 231, Public Laws, 1975, be advised that notice of this meeting was made by posting on the Bulletin Board, Town Hall, and faxing the officially designated newspapers, a notice stating that this meeting would take place at the Town Hall at 7:30 PM on January 2, 2019.

All those in attendance joined in the Salute to the Flag.

The Reverend John McCrone, Pastor of St. Rose of Lima Church opened the session with an inspirational message.

Essex County Clerk Christopher Durkin administered the Oath of Office to Tara B. Prupis.

Upon call of the roll, the following Township Committee members were recorded present: Cheryl H. Burstein, Samuel D. Levy, Jackie Benjamin Lieberberg, Tara B. Prupis and Dianne Thall-Eglow.

Township Clerk Gatti called for nominations for Mayor/Committee Chair for 2019. Committeewoman Lieberberg moved the nomination of Committeewoman Thall-Eglow, which was seconded by Committeewoman Prupis. Clerk Gatti asked if she accepted the nomination, which she did. Clerk Gatti called for any other nominations.

Receiving none, she called the roll:

Ayes: Lieberberg, Prupis, Thall-Eglow
Nays: Burstein, Levy

At the completion of the roll call vote, Committeewoman Thall-Eglow was elected Mayor/Chair for the year 2019 and made brief remarks.

Committeewoman Prupis nominated Committeewoman Lieberberg for Deputy Mayor/Vice Chair for 2019, which was seconded by Mayor Thall-Eglow. The nomination was accepted by Committeewoman Lieberberg. Clerk Gatti called for any other nominations.

Receiving none, the Clerk called the roll for Committeewoman Lieberberg:

Ayes: Burstein, Levy, Lieberberg, Prupis, Thall-Eglow

Committeewoman Lieberberg would serve as Deputy Mayor/Vice Chair for 2019.

Mayor Thall-Eglow acknowledged the dignitaries present.

Mayor Thall-Eglow announced the following appointments:

Mayoral Appointments

Mayor Thall-Eglow made the following Mayoral appointments:

The following are appointed to the 2019 Art Advisory Committee:

Victoria Plummer	Amy McGovern	Kathi Hecht
Donna Davis	Andrew Permison	Maren Less
Laraine Barach	Judith Kramer	
Oscar Peterson	Michelle SanFillipo, Advisor	

The following appointments were made to the Environmental Commission:

- Joseph Barbanel reappointed to a three year term ending December 31, 2021
- Edward Hilzenrath appointed to a three year term ending December 31, 2021

- Jorge Mastropietro appointed to fill an unexpired three year term ending December 31, 2019
- Sarah Rosenthal reappointed to a two year term ending December 31, 2020 as Alternate #2

Mayor Thall-Eglow announced the appointment of Elizabeth Vollavanh as Chairperson of the Environmental Commission for a one-year term ending December 31, 2019.

Mayor Thall-Eglow made the following appointments:

The following appointments were made to the Historic Preservation Commission:

- Elizabeth Wanga, Class A, reappointed to a four year term ending December 31, 2022
- Jyoti Sharma, reappointment to a term concurrent with her Zoning Board of Adjustment term, ending December 31, 2022
- Mary Esquivel, Class C, appointed to a four year term ending December 31, 2022
- Dr. Oladimeji Williams Owolabi, Class C, appointed to a two year unexpired term as Alternate #1 term ending December 31, 2019
- Bruce Kramer, Class C, appointed to a two year term as Alternate #2 term ending December 31, 2020

The following appointments were made to the Planning Board:

- Beth Zall, Class IV, appointed to a four year term ending December 31, 2022
- Jorge Mastropietro, Class IV, appointed concurrent with Environmental Commission term, term ending December 31, 2019
- Gaston Hauptert, Class IV, appointed to a four year unexpired term ending December 31, 2021
- Tracy Goldenberg, Class IV, appointed to a two year term as Alternate #2 term ending December 31, 2020

The following appointments were made to the Board of Recreation:

- Stephanie Nesser reappointed to a five year term ending December 31, 2023
- Scott Redler appointed to a five year term as Alternate #2 term ending December 31, 2023

Mayor Thall-Eglow made following appointments:

Committeeman Levy and Committeewoman Prupis were appointed as the Township Committee Trustees of the Cora Hartshorn Arboretum and Bird Sanctuary for a one year term ending December 31, 2019.

Mayor Thall-Eglow was appointed as the Class 1 Mayor's Designee to the Planning Board for a one year term ending December 31, 2019.

Mayor Thall-Eglow announced the appointment of Cheryl Burstein as the member of the Board of Trustees of the Millburn Free Public Library for a one-year term ending December 31, 2019.

Mayor Thall-Eglow announced the designation of the following Township Committee Members as liaisons to boards and committees/commissions for 2019 as follows:

Board of Recreation	Sam Levy
Community Service Award	Jackie Lieberberg
Environmental Commission	Dianne Thall-Eglow
Shade Tree Advisory Board	Dianne Thall-Eglow

Mayor Thall-Eglow announced the members of the Township Committee who will serve on the following ad-hoc sub-committees:

Finance	Dianne Thall-Eglow and Jackie Lieberberg
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Mayoral Appointments with Advice & Consent of Township Committee

Mayor Thall-Eglow announced that pursuant to Statue and with the consent of the Township Committee, as Mayor, she will be the Group 1 member of the Emergency Management Council for a term corresponding with the official tenure as Mayor.

Mayor Thall-Eglow announced the re-appointment with consent of the Township Committee, Sara Sherman as a Trustee of the Millburn Free Public Library for a five-year term ending on December 31, 2023.

Mayor Thall-Eglow announced the appointment, with the consent of the Township Committee of Tara Prupis as Liaison to the Senior Citizen Advisory Board for one year ending on December 31, 2019.

Mayor Thall-Eglow announced the re-appointment, with consent of the Township Committee, of Tina O’Connell-Duggan as member of the Local Assistance Board for a four year term ending on December 31, 2022.

Mayor Thall-Eglow announced the appointment, with consent of the Township Committee, of Annette Romano as a member of the Local Assistance Board for a one year term ending on December 31, 2019.

Mayor Thall-Eglow announced the appointment of Jane Greenwald as member of the Shade Tree Advisory Board for a three-year term ending on December 31, 2021.

Mayor Thall-Eglow announced the following appointments with the consent of the Township Committee, to the 2019 Senior Citizen Advisory Board:

MaryAnn Moore	Ellen Steinberg	Michael Solomon	Annette Romano
Ellen Prach, Chair	Anthony Wolk	Judith Kramer	Fran Feld
Judith Fredman	Robert Vorsanger	Suzanne Zimmer	Trina Frankel
Jaimee Hawkins or town hall designee			

Committeewoman Lieberberg moved that the Township Committee give approval and consent to the Mayor’s appointments, seconded by Committeewoman Prupis and the vote was carried unanimously.

Township Committee Appointments

Committeeman Levy moved that Cheryl Burstein and Tara Prupis be appointed as members of the Board of Education, Township Committee, Board of Recreation Comm. Fields Committee for a one year term ending December 31, 2019, seconded by Mayor Thall- Eglow and the vote was carried unanimously.

Committeewoman Lieberberg moved that the following people be appointed as members of the 2019 Community Service Award Committee, seconded by Committeewoman Burstein and the vote was carried unanimously:

Lynne Raineri	Judith Fredman	Laura Janay
Elaine Becker, Chair	David Siegfried	
Jennifer Mann Rosenblatt	Marilyn Atlas-Berney	

Committeewoman Prupis moved that Janet Lin-Torre, MD be reappointed as a Regular Member of the Board of Health for a three year year term ending December 31, 2021, seconded by Committeewoman Lieberberg and the vote was carried unanimously.

Committeewoman Burstein moved that Joshua Schor, MD be reappointed as Alternate #1 Member of the Board of Health for a two year term ending December 31, 2020, seconded by Committeeman Levy and the vote was carried unanimously.

Mayor Thall-Eglow moved that Tara Prupis and Jackie Lieberberg be appointed as 2019 Board of Education Liaisons, seconded by Committeewoman Lieberberg. Vote: All Ayes

Committeewoman Prupis moved that Michael Wittenberg be appointed as Municipal Prosecutor for the year 2019, seconded by Committeeman Levy and the vote was carried unanimously.

Committeewoman Burstein moved that Robert Bohrod be appointed as Municipal Public Defender for the year 2019, seconded by Mayor Thall-Eglow and the vote was carried unanimously.

Committeewoman Lieberberg moved that Jessica Glatt be re-appointed to the Zoning Board of Adjustment to a four year term ending December 31, 2022, seconded by Committeewoman Prupis and the vote was carried unanimously.

Committeewoman Burstein moved that Jyoti Sharma be reappointed to the Zoning Board of Adjustment for a four year term ending December 31, 2022, seconded by Mayor Thall-Eglow and the vote was carried unanimously.

Mayor Thall-Eglow moved that Wolfgang Tsoutsouris be appointed to the Zoning Board of Adjustment for a two year term as Alternate #1 with the term ending December 31, 2020, seconded by Committeewoman Lieberberg and the vote was carried unanimously.

Committeeman Levy moved that Cheryl Burstein be appointed as a Class 3 member of the Planning Board for a one year term ending on December 31, 2019, seconded by Committeewoman Lieberberg and the vote was carried unanimously.

Committeewoman Prupis moved that Dianne Thall-Eglow, Township Committee Liaison, Alexander McDonald, Township Administrator and Brian Gilfedder, Police Chief be appointed as members of the 2019 Dispatch Joint Meeting, seconded by Committeewoman Burstein and the vote was carried unanimously.

Mayor Thall-Eglow moved that Jackie Lieberberg, Dianne Thall-Eglow, Alexander McDonald (Township Administrator), Donna Ruggiero (Tax Collector), Sgt. Michael Fattal (Police Dept. Rep.), and a Parking Enforcement Officer be appointed as members of the 2019 Parking Ad Hoc Committee, seconded by Committeewoman Prupis and the vote was carried unanimously.

Committeeman Levy moved that Jason Gabloff be reappointed as Treasurer for a term of one year ending December 31, 2019, seconded by Committeewoman Burstein and the vote was carried unanimously.

Committeewoman Lieberberg moved that Alexander McDonald be appointed as Millburn Public Compliance Officer for a one year term ending December 31, 2019, seconded by Mayor Thall-Eglow and the vote was carried unanimously.

Committeewoman Burstein moved that the following members of the Clergy be appointed and designated as Chaplains to the Police Department for the year 2019, seconded by Committeeman Levy and the vote was carried unanimously:

Reverend M. Christen Beirne, St. Rose of Lima Church
Rabbi Steven Bayar, Congregation B’Nai Israel
Rabbi Matthew D. Gewirtz, Congregation B’Nai Jeshurun
Reverend Donny Friederichsen, Covenant Presbyterian Church

Mayor Thall-Eglow moved that the following members of the Clergy be reappointed as Chaplains to the Fire Department for the year 2019, seconded by Committeeman Levy and the vote was carried unanimously:

Reverend M. Christen Beirne, St. Rose of Lima Church

Committeewoman Prupis moved that Robert Hingel be appointed as Representative to the Essex County Transportation Advisory Board and the Lackawanna Coalition for one year terms ending December 31, 2019, seconded by Committeewoman Lieberberg and the vote was carried unanimously.

Committeewoman Lieberberg moved that Dianne Thall-Eglow be appointed as a representative to the Joint Meeting of Essex & Union County, seconded by Committeewoman Prupis.

CONSENT AGENDA

Mayor Thall-Eglow asked if there were any questions or comments regarding the items on the consent agenda. Without additional comments or questions, she asked for a motion to approve the items listed on the consent agenda which was made by Ms. Lieberberg and seconded by Ms. Prupis.

Roll Call Vote: All Ayes, except Mr. Levy, who abstained

**RESOLUTION 19-001
RESOLUTION ADOPTING 2019 TEMPORARY BUDGET
OF THE TOWNSHIP OF MILLBURN**

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Law provides that where any contracts, commitments or payments are to be made prior to the adoption of the budget, temporary appropriations shall be made on or before the 30th day of the budget year; and

WHEREAS, the aggregate of such temporary appropriation is limited to 26.25% of the total appropriations in the preceding budget, exclusive of Debt Service, Capital Improvement Fund and Public Assistance, which amounts to \$14,161,831 for the Current Fund and 130,721 for the Parking Utility Budget;

BE IT RESOLVED that the following temporary appropriations are hereby made for 2019;

CURRENT FUND

Administrative & Executive:

Governing Body	\$ 10,000.00
Salaries - Administrator's Office	\$ 145,000.00
Other Expenses	\$ 37,145.00

Township Clerk:

Salaries	\$ 60,000.00
Other Expenses	\$ 20,764.00

EDP:

Other Expenses	\$ 55,656.00
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Financial Administration:

Salaries	\$ 90,000.00
Other Expenses	\$ 17,246.00

Assessment Of Taxes:

Salaries	\$ 22,000.00
Other Expenses	\$ 22,558.00

Collection Of Taxes:

Salaries	\$ 40,000.00
Other Expenses	\$ 16,776.00

Legal Services & Costs:

Salaries	\$ 8,137.00
Other Expenses	\$ 306,250.00

Public Defender:

Salaries	\$ 3,600.00
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Customer Service:

Salaries	\$ 75,000.00
Other Expenses	\$ 918.00

Public Buildings & Grounds:

Other Expenses	\$ 134,055.00
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Planning Board:

Salaries	\$ 12,000.00
Other Expenses	\$ 9,502.00

Board Of Adjustment:

Salaries	\$ 12,000.00
Other Expenses	\$ 9,293.00

Municipal Court:

Salaries	\$ 95,000.00
Other Expenses	\$ 30,839.00

Inspection Of Buildings:

Salaries	\$ 126,000.00
Other Expenses	\$ 105,674.00

Fire Department:

Salaries	\$ 2,300,000.00
Other Expenses	\$ 172,452.00

Police Department:

Salaries	\$ 2,150,000.00
Other Expenses	\$ 126,174.00

Insurance

Group Insurance	\$ 1,941,729.00
Other	\$ 300,000.00
Workmen's Compensation	\$ 285,000.00

Emergency Management Services:

Other Expenses	\$ 3,900.00
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Engineering Services & Costs:

Salaries	\$ 69,300.00
Other Expenses	\$ 27,741.00

Shade Tree:

Salaries	\$ 275,000.00
Other Expenses	\$ 160,000.00

Road Repair & Maintenance:

Salaries	\$ 975,000.00
Other Expenses	\$ 177,203.00

Street Lighting:

Other Expenses	\$ 84,000.00
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Solid Waste Collections:

Other Expenses	\$ 48,323.00
<u>Historical Preservation Commission:</u>	
Salaries	\$ 1,312.00
Other Expenses	\$ 288.00
<u>Board Of Health:</u>	
Salaries	\$ 10,000.00
Other Expenses	\$ 4,107.00
Livingston	\$ 40,000.00
<u>Environmental Commission</u>	\$ 656.00
<u>Dispatch</u>	
Salaries	
Other Expenses (joint meeting)	\$ 291,544.00
<u>Joint Trunk Sewer Maintenance:</u>	\$ 570,000.00
<u>Sanitary Landfill:</u>	\$ 550,897.00
<u>Vehicle Maintenance</u>	
Salaries	\$ 130,000.00
Other Expenses	\$ 62,735.00
<u>Administration Of Public Assistance:</u>	
Salaries	\$ 4,000.00
Other Expenses	\$ 9,947.00
<u>Parks & Playgrounds:</u>	
Salaries	\$ 222,875.00
Other Expenses	\$ 86,083.00
<u>Senior Citizens Transportation:</u>	
Salaries	\$ 43,911.00
Other Expenses	\$ 3,675.00
<u>Maintenance Of Free Public Library:</u>	\$ 926,937.00
<u>Social Security Taxes:</u>	\$ 270,000.00
<u>Principal on Notes:</u>	\$ 1,680,000.00
<u>Interest on Notes</u>	\$ 280,000.00
<u>Telephone:</u>	\$ 65,000.00
<u>Electricity:</u>	\$ 100,000.00
<u>Natural Gas:</u>	\$ 42,000.00
<u>Gasoline:</u>	\$ 140,000.00

\$16,135,778.00

LESS ITEMS EXCLUDED FROM CALCULATION:

DEBT SERVICE	\$ 1,960,000.00	
PUBLIC ASSISTANCE	\$ <u>13,947.00</u>	
		<u>\$14,161,831.00</u>

PARKING UTILITY

SALARY AND WAGES	\$ 70,000.00	
OTHER EXPENSES	\$ <u>60,721.00</u>	
		<u>\$ 130,721.00</u>

**RESOLUTION 19-002
 AUTHORIZE THE 2019 CASH MANAGEMENT PLAN
 OF THE TOWNSHIP OF MILLBURN**

WHEREAS The Township of Millburn is required to have a Cash Management Plan in accordance with N.J.S.A. 40A:5-14; and

WHEREAS, The Cash Management Plan has been prepared with N.J.S.A 40A:5-14 by the Chief Financial Officer and is on file with the Township Clerk;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex that for the year 2019, that the Chief Financial Officer is directed to deposit, disburse, and invest the Township’s funds in accordance with the Cash Management Plan.

**RESOLUTION 19-003
 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WIRE TRANSFER FUNDS FOR INVESTMENT AND
 PAYMENT OF CAPITAL DEBT**

BE IT RESOLVED by the Township Committee of the Township of Millburn that the Chief Financial Officer is hereby authorized to wire transfer funds for investment of surplus funds, as they become available and payment of capital debt.

**RESOLUTION 19-004
 ESTABLISH A BILL PAYMENT SCHEDULE**

WHEREAS, the Township of Millburn pays its bill and other obligations, with the approval of the Township Committee, on all regular Township Committee meeting dates; and

WHEREAS, the Chief Financial Officer deems it necessary to pay bills and obligations and certain other times in the absence of a Township Committee Meeting; and

WHEREAS, the following dates are set to be the cut-off dates for submission of bills and the scheduled dates for paying bills for 2019;

	<u>Cut-Off Date</u>	<u>Payment Date</u>
January	1/3	1/15
February	1/24, 2/7	2/5, 2/19
March	2/21, 3/7	3/5, 3/19
April	3/21, 4/4	4/2, 4/16
May	4/25, 5/9	5/7, 5/21
June	5/22, 6/6	6/4, 6/18
July	7/2	7/16
August	8/1	8/13
September	8/22, 9/5	9/3, 9/17

October	9/19, 10/3	10/2, 10/15
November	10/31	11/12
December	11/19, 12/5	12/3, 12/17

BE IT RESOLVED that the Township Committee of the Township of Millburn in the County of Essex does hereby approve the above referenced dates for the payment of bills and other financial obligations of the Township.

**RESOLUTION 19-005
DESIGNATE OFFICIAL NEWSPAPERS**

BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex, that the following newspapers be deemed as the "Official" newspapers for the year 2019:

THE ITEM OF MILLBURN AND SHORT HILLS
THE STAR LEDGER

**RESOLUTION 19-006
FILING SIGNATURE WITH SECRETARY OF STATE**

BE IT RESOLVED by the Township Committee of the Township of Millburn that pursuant to N.J.S.A. 40A:9-129 that the Municipal Clerk be directed to file with the Secretary of State facsimiles of her signature and the Mayor's signature, an impression of the municipal seal and a statement of their terms of office, showing the commencement and expiration dates.

**RESOLUTION 19-007
AUTHORIZING THE NECESSITY TO ISSUE PAYMENTS OUTSIDE OF A SCHEDULED TOWNSHIP
COMMITTEE MEETING**

WHEREAS, from time to time, there is a necessity to issue payments outside of a scheduled Township Committee meeting;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn that the Chief Financial Officer has authority to:

- 1) Issue payments for Payroll, Debt Service, Utilities, School Taxes, County Taxes, postage, State and County Agencies, and insurance costs.
- 2) All other bills that may require payment outside of Township Committee approval must contain the signature of approval of the Chief Financial Officer and Business Administrator.

**RESOLUTION 19-008
ADOPT 2019 TOWNSHIP COMMITTEE MEETING SCHEDULE**

WHEREAS, in accordance with Chapter II, "Administration" of the Revised General Ordinances, Township of Millburn, Section 2-1.3b, "Regular Meetings", the following dates are set for 2019:

January	2*, 15	<i>*Reorganization Meeting</i>
February	5, 19	
March	5, 19	
April	2, 16	
May	7, 21	
June	4, 18	
July	16	
August	13	
September	3, 17	
October	2*, 15	<i>*Wednesday due to holiday</i>
November	12	
December	3, 17	
January	7*	<i>*2020 Reorganization Meeting</i>

BE IT RESOLVED in accordance with the Open Public Meetings Act (C. 231, P.L. 1975), that the Township Committee of the Township of Millburn in the County of Essex does hereby notify the public that meetings of the Township Committee for the year 2019 will be held in the Town Hall, Millburn, New Jersey. Meetings will begin at 7:30 p.m., unless otherwise specifically noted.

**RESOLUTION 19-009
ESTABLISH INTEREST AND PENALTY RATES ON NON-PAYMENT
OF TAXES AND SEVEN DAY GRACE PERIOD**

BE IT RESOLVED that interest at the rate of eight percent (8%) per annum be charged for the non-payment of Taxes, Sewer fees, Special Improvement District taxes and other Municipal Charges or Assessments on or after the date when they shall become delinquent as provided by law, on the first \$1,500 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500, and said rates of interest are hereby fixed for the balance of the year 2019; and

BE IT FURTHER RESOLVED that an additional six percent (6%) penalty be charged for delinquencies in excess of \$10,000 remaining unpaid at the end of the calendar year in accordance with the amended provisions of N.J.S.A. 54:4-67; and

BE IT FINALLY RESOLVED that pursuant with the authority granted by N.J.S.A. 54:4-67, interest for delinquency in the payment of taxes and assessments shall not be charged for the failure to pay any such installment during the period of seven (7) days after any such installment became due and payable provided that payment of such installment is received within such seven (7) day period, provided further, however, that if any such installment is not paid within said seven (7) days, interest at the usual rate will be charged from the due date of such installment.

**RESOLUTION 19-010
APPOINTMENT OF 2019 DOMESTIC VIOLENCE
CRISIS INTERVENTION TEAM MEMBERS**

BE IT RESOLVED by the Millburn Township Committee that certain volunteers who have completed a 40-hour Domestic Violence training program, whose names will be held in confidence, are appointed as members of the Millburn Township Domestic Violence Crisis Intervention Team, to serve for a one-year term ending on December 31, 2019.

**RESOLUTION 19-011
APPOINTMENT OF TOWNSHIP REPRESENTATIVES TO
JOINT INSURANCE FUND COMMISSION**

BE IT RESOLVED by the Township Committee of the Township of Millburn, that Jason Gabloff be appointed as representative and Alexander McDonald as alternate representative to the Joint Insurance Fund Commission.

**RESOLUTION 19-012
ADOPT PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, it is the policy of The Township of Millburn to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations;

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Personnel Policies and Procedures Manual is hereby adopted.

**RESOLUTION 19-013
ESTABLISH THE TOWNSHIP'S FUND BALANCE POLICY**

WHEREAS, The Township Committee of the Township of Millburn wish establish policies to ensure the financial stability of the Township; and

WHEREAS, the Fund Balance policy established herein will serve as guidance, for staff and elected official for budgeting and other purposes; and

WHEREAS, the Fund Balance policy will help to ensure the financial strength and long-term financial stability of the Township; and

WHEREAS, the Fund Balance policy will be periodically reviewed and updated to ensure that it is in consonance with the needs and desires of the Township;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millburn that the Fund Balance policy (attached) be approved.

**RESOLUTION 19-014
AUTHORIZING THE CANCELLATION OF SMALL BALANCES**

WHEREAS, NJSA 40A:5-17.1 allows a resolution for the cancellation of small balances to be prepared every January for the current year end; and

WHEREAS, the new tax software program has the ability to automatically cancel these balances pursuant to State Statute;

BE IT RESOLVED, that the Millburn Township Committee hereby authorizes the Tax Collector to cancel all small balances pursuant to State Statute at the end of the calendar year; and to include Taxes, Sewer and Special Improvement District small balances;

BE IT FURTHER RESOLVED, that the Tax Collector is required to include in the Statutory Annual Year End report to the Township Administrator and Governing Body the amount of the cancellations.

**RESOLUTION 19-015
AUTHORIZING THE AWARD OF CONTRACT FOR LEGAL SERVICES – TOWNSHIP ATTORNEY [MARAZITI FALCON, L.L.P.]**

WHEREAS, legal services are required of a Township Attorney, for the normal duties of said position which are described in Section 2-3.1 of the Code of the Township of Millburn and for additional legal services authorized, such as in connection with litigation or other proceedings in or before any court, arbitration board, commission or the like, or examination of title to or other interest in real estate, or any other services appropriate to an attorney; and

WHEREAS, Maraziti Falcon, L.L.P. have provided the Business Entity Disclosure Certification in accordance with the N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that resolution authorizing the payment of such payment of such professional fees, without competitive bidding must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Maraziti Falcon, L.L.P. to be retained as Township Attorney of the Township of Millburn, from January 1, 2019 through March 31, 2019, at a retainer fee of \$15,000, as stated in agreement dated November 16, 2018; and

2. That additional legal services will be at the rate of: \$195.00 per hour for partner; \$170.00 per hour for senior associate; \$150.00 per hour for associates and \$90.00 per hour for law clerks.
3. That the Township will be notified when 80% of the Fee Cap of \$100,000.00 is reached.
4. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.
5. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten days of its passage.

**RESOLUTION 19-016
AUTHORIZING THE AWARD OF FOR COMPUTER MAINTENANCE [ATON COMPUTING]**

WHEREAS, there exists a need for specialized computer maintenance services for the Township’s computers; and

WHEREAS, ATON Computing, 55 Gaston Avenue, PO Box 272, Somerville, NJ can provide such specialized services; and

WHEREAS, funds are available for this purpose; and

WHEREAS, ATON Computing has provided the Business Entity Disclosure Certification in accordance with the N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 (et seq.) requires that the authorizing of the award of a contract for professional services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex, as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with ATON Computing for computer maintenance services for the Township’s computers.
2. This contract is awarded without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law because the contract is for specialized services to be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law.
3. Fees for scope of contract are \$107.10 per hour plus reasonable expenses as per their proposal dated December 3, 2018.
4. A notice of this contract award and the adoption of this resolution shall be published in The Item of Millburn Short Hills as required by law within ten (10) days of passage of this resolution.

**RESOLUTION 19-017
AUTHORIZING THE AWARD OF FOR LEGAL SERVICES [ROGUT MCCARTHY LLC]**

WHEREAS, the Local Bond Law of New Jersey and, in particular, N.J.S.A. 40A:2-38.1, provides that a municipality may agree with an attorney with respect to the issuance of bonds and provides that no municipality shall compensate an attorney for services rendered in connection with the issuance of bonds other than a reasonable rate agreed upon prior to the rendering of services; and

WHEREAS, the Township of Millburn, in the County of Essex, New Jersey, desires to appoint a law firm to serve as bond counsel for the year 2019; and

WHEREAS, the law firm of Rogut McCarthy Troy LLC, of 37 Alden Street, Cranford, NJ 07016 is qualified in training and experience to perform such services; and

WHEREAS, Rogut McCarthy LLC have provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex, New Jersey, as follows:

Section 1. The Township of Millburn, in the County of Essex, New Jersey (the "Township") hereby appoints Rogut McCarthy LLC (the "Law Firm") to act as bond counsel for the Township of Millburn until December 31, 2019 and hereby agrees, prior to the issuance of any bonds, that the Law Firm shall be compensated for professional services rendered in accordance with the Fee Schedule attached to the contract dated November 19, 2018 and the Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Rogut McCarthy LLC.

Section 2. No appropriation is required for the appointment of the Law Firm hereby authorized because the appropriations to pay such fees are appropriated in bond ordinances and chargeable to the cost of the improvements. Appropriations to pay for services rendered and not included in bond ordinances will be made as required.

Section 3. This appointment is made without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law of New Jersey (N.J.S.A. 40A:11-1 et seq.) because legal services are a recognized exception to such Law.

Section 4. Notice of this action shall be published in accordance with law.

RESOLUTION 19-018
AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES – SPECIAL TAX COUNSEL [Chiesa, Shahinian and Giantomasi PC]

WHEREAS, there exists a need in 2019 for special tax counsel in connection with legal services as are necessary to defend certain petitions of tax appeal and/or complaints filed with the Essex County Board of Taxation and/or New Jersey Tax Court from January 1, 2019 through March 31, 2019; and

WHEREAS, the Business Entity Disclosure Certification is required to be filed in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between Chiesa, Shahinian and Giantomasi PC and the Township of Millburn, in connection with legal services as are necessary to defend certain petitions of tax appeals and/or complaints filed with the Essex County Board of Taxation and/or New Jersey Tax Court from January 1, 2019 through March 31, 2019 and further subject to the prior filing of a Business Entity Disclosure Statement. Hourly compensation: \$150.00 per hour attorney rate, \$75.00 p/hr paralegal rate, plus out-of-pocket costs and disbursements with a not to exceed amount of \$125,000.00 without further approval of the Township Committee.
2. That this contract is made without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.

3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law.

**RESOLUTION 19-019
AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING
AND ACCOUNTING [LOUIS C. MAI CPA & ASSOCIATES]**

WHEREAS, there exists a need in 2019 for the performance of the statutory Annual Audit and other related work for the year 2018 for the Township of Millburn, in the County of Essex, New Jersey; and

WHEREAS, Louis C. Mai CPA & Associates has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney as per the 2018 proposal dated November 27, 2018 with Louis Mai to be retained as Auditor (Registered Municipal Accountant) of the Township of Millburn from January 1, 2019 through March 31, 2019.
2. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten (10) days of its passage.

**RESOLUTION 19-020
AUTHORIZING THE AWARD OF A CONTRACT FOR LABOR RELATIONS COUNSEL
[RUDERMAN ROTH, LLC]**

WHEREAS, there exists a need in 2019 for labor relations counsel in connection with legal services as are necessary for the management of labor relations of the Township, including but not limited to participation in collective bargaining negotiations, grievances, administrative proceedings, arbitration and litigation from January 1, 2019 through March 31, 2019; and

WHEREAS, Ruderman Roth, LLC have provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between Ruderman Roth, LLC, 675 Morris Avenue, Suite 100, Springfield, NJ

07081 and the Township of Millburn, in connection with legal services as are necessary for the management of labor relations of the Township, including but not limited to participation in collective bargaining negotiations, grievances, administrative proceedings, arbitration and litigation from January 1, 2019 through March 31, 2019. Hourly compensation: \$235.00 per hour, plus reasonable out-of-pocket costs.

2. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law.

**RESOLUTION 19-021
AUTHORIZING THE AWARD OF A CONTRACT FOR SPECIAL COUNSEL
[HELLRING, LINDEMAN, GOLDSTEIN & SIEGAL LLP]**

WHEREAS, the Township of Millburn requires the services of Special Counsel to assist it in connection with a Preliminary Inquiry by the Office of the U.S. Attorney; and

WHEREAS, the Township Committee has determined that it is in the interest of the Township to retain the services of Jonathan Goldstein, Esq.; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires public advertisement of the award of a contract for professional services, which is exempt from the requirement of competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millburn, in the County of Essex as follows:

1. That the Mayor is hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Jonathan Goldstein, Esq., of Hellring, Lindeman, Goldstein & Siegal, LLP for the provision of legal services at the rate of \$425.00 per hour and as set forth in the proposal of November 29, 2018.
2. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten days of its passage.

**RESOLUTION 19-022
AUTHORIZING THE AWARD OF CONTRACT FOR
TAX APPEAL SERVICES [ASSOCIATED APPRAISAL GROUP]**

WHEREAS, the Tax Assessor anticipates receiving Tax Appeals for the 2019 Tax Year and is in need of appraisal assistance in preparing for these appeals; and

WHEREAS, Associated Appraisal Group has been selected for this assistance; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Associated Appraisal Group has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8 and shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Associated Appraisal Group, 6 Commerce Drive, Suite 303, Cranford, NJ 07016 for this professional service.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are authorized as per proposal dated November 26, 2018 and are not to exceed \$25,000.00.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

RESOLUTION 19-023

AUTHORIZING AND AWARDING A PROFESSIONAL SERVICES CONTRACT WITH MASER CONSULTING PA FOR THE PERFORMANCE OF TRAFFIC ENGINEERING CONSULTING SERVICES

WHEREAS, a Township is authorized to enter into any and all contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Township; and

WHEREAS, there exists a need for retention of a Traffic Engineering Consultant; and

WHEREAS, the Township Committee has determined that those services should be performed by Maser Consulting P.A.; and

WHEREAS, the Business Entity Disclosure Certification and determination of Value shall be placed on file; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement, in a form subject to the approval of the Township Attorney, between Maser Consulting P.A., 1000 Waterview Drive, Suite 201, Hamilton, NJ 08691 to provide professional traffic engineering consulting services to Millburn Township, from the date hereof until March 31, 2019 as per the proposal dated December 3, 2018.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of services provided.
3. A copy of this resolution shall be published in The Item of Millburn Short Hills

RESOLUTION 19-024

**AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES
– SPECIAL COUNSEL [HEROLD LAW, P.A.]**

WHEREAS, there exists a need for retention of Special Counsel in connection with Morris County JIF and MEL Coverage; and

WHEREAS, Herold Law, P.A. have provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney between Herold Law, P.A., 25 Independence Boulevard, Warren, NJ 07059-6747 and the Township of Millburn, in connection with legal services as are necessary. Hourly compensation: \$195.00 per hour for attorneys and \$100.00 per hour for paralegals, plus reasonable out-of-pocket costs.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of services provided.
3. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 19-025
AUTHORIZING THE APPOINTMENT AND AWARD OF A CONTRACT FOR LAND SURVEYOR [GEOD CORPORATION]**

WHEREAS, the Township of Millburn has a need for a Land Surveyor to be responsible for the Tax Maps of the Township; and

WHEREAS, GEOD Corporation, is hereby appointed to this position; and

WHEREAS, Paul J. Emilius, Jr. of GEOD Corporation, has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex as follows:

4. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between GEOD Corporation, 24 Kanouse Road, Newfoundland, NJ 07435 and the Township of Millburn, in connection with Tax Map updates. Hourly compensation: \$139.00 per hour including rates as per the submitted 2019 rate schedule.
5. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
6. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law.

**RESOLUTION 19-026
AUTHORIZING THE AWARD OF CONTRACT FOR
PLANNING SERVICES FOR MILLBURN TOWNSHIP [PAUL PHILLIPS]**

WHEREAS, there exists a need for retention of a Township Planner; and

WHEREAS, the Township Committee has determined that those services should be performed by Paul A. Phillips, AICP, PP of Phillips Grygiel LLC; and

WHEREAS, the Business Entity Disclosure Certification and determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney between Paul A. Phillips, AICP, PP of Phillips Grygiel LLC, 33-41 Newark Street, 3rd Floor, Suite D, Hoboken, NJ 07030 to provide professional planning services to Millburn Township, from the date hereof until December 31, 2019 as per the proposal dated November 26, 2018.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of services provided.
3. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 19-027
AUTHORIZING THE AWARD OF CONTRACT FOR
HISTORIC PRESERVATION CONSULTANT SERVICES [BARTON ROSS & PARTNERS LLC]**

WHEREAS, there exists a need in 2019 for the performance of a Historic Preservation Consultant and other related work for the year 2019 for the Township of Millburn, in the County of Essex, New Jersey; and

WHEREAS, Barton Ross, of Barton Ross & Partners, LLC, has been selected for this service; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Barton Ross, of Barton Ross & Partners, LLC, has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8 and shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Milburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Barton Ross, of Barton Ross & Partners, LLC, 184 S. Livingston Avenue, Suite 9-140, Livingston, NJ 07039 for this professional service from January 1, 2019 through March 31, 2019.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are at a rate of \$75.00 per hour and are authorized as per proposal dated November 30, 2018.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

RESOLUTION 18-028
AUTHORIZING THE AWARD OF A CONTRACT FOR SPECIAL COUNSEL
[KATES NUSSMAN RAPONE ELLIS & FARHI]

WHEREAS, the Township of Millburn requires the services of Special Counsel to assist with litigation; and

WHEREAS, the Township Committee has determined that it is in the interest of the Township to retain the services of Michael Kates, Esq.; and

WHEREAS, the Business Entity Disclosure Certification and Determination of Value shall be placed on file with this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires public advertisement of the award of a contract for professional services, which is exempt from the requirement of competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millburn, in the County of Essex as follows:

1. That the Mayor is hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Michael Kates of Kates Nussman Rapone Ellis & Farhi, LLP, 190 Moore Street, Suite 306, Hackensack, NJ 07601, for the provision of legal services at the rate of \$195.00 per hour for partners and \$170.00 an hour for associates and as set forth in the proposal of November 15, 2017.
2. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten days of its passage.

RESOLUTION 19-029
AUTHORIZING THE AWARD OF A CONTRACT FOR SOFTWARE, MAINTENANCE,
GIS AND RELATED SERVICES [SPATIAL DATA LOGIC]

WHEREAS, there exists a need for specialized software, maintenance, GIS and other related services for the township; and

WHEREAS, Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ can provide such specialized services; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Spatial Data Logic has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8 and shall be placed on file; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Milburn in the County of Essex as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ 08873 for this professional service.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are authorized as per proposal dated December 3, 2018.

4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

RESOLUTION 19-030
AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS AND CERTAIN MORRIS COUNTY COOPERATIVE PRICING COUNCIL VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Township of Millburn, 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 and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

WHEREAS, the Township of Millburn is a member of the Morris County Cooperative Pricing Council; and

WHEREAS, The Township of Millburn is a member of the Middlesex Regional Educational Services Commission (MRESC); and

WHEREAS, The Township of Millburn is a member of the Educational Services County Co-op:

WHEREAS, The Township of Millburn is a member of the Cranford Police Cooperative Pricing Council:

WHEREAS, the Township of Millburn, has the need on a timely basis to purchase goods or services utilizing State contracts, Morris County Cooperative Pricing Council Contract, MRESC, Cranford Police Pricing Council, and the Educational Services County Co-op; and

WHEREAS, the Township of Millburn intends to enter into contracts with the attached Referenced State Contract and Morris County Cooperative Pricing Council Contract Vendors, MRESC, Cranford Cooperative Police Pricing Council, and Educational Services County Co-OP through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State and Cooperative Purchasing Program contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Millburn authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract, Morris County Cooperative Pricing Council Vendors, MRESC, Cranford Police Cooperative Pricing Council, and Educational Services County Co-op on the below list, pursuant to all conditions of the individual State and Cooperative Purchasing contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Millburn pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Township of Millburn and the Referenced State Contract, Morris County Cooperative Pricing Council Vendors, MRESC vendors, Cranford Police Cooperative Pricing Council, and The Educational Services County Commission of Morris County shall be from January 1, 2019 to December 31, 2019.

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State/Co-Op Contract #</u>
General Office Supplies	W.B. Mason	State Contract # 88839
		MRESC Contract # 15/16-13
	W.B. Mason	MCCPC Contract # 30 (paper)
		MRESC Contract # 14/15-51
	The Office Concepts Group	MCCPC Contract # 16 & 30

Road Salt	Morton Salt	MCCPC Contract # 3
Road Paving & Resurfacing	Tilcon New York, Inc Micro-Pave Systems	MCCPC Contract # 5, 6 MCCPC Contract # 6
Line Painting	Denville Line Painting	MCCPC Contract # 36
Tree Removal & Trimming	Tree King	MCCPC Contract # 18
Records Management Services	File Bank	Educational Services County Co- Commission of Morris County Bid # 5210
Electrician Services	MTB Electric	MRESC Contract #15/16-24
Technology Supplies & Services	CDWG Johnston Communications Dell	MRESC Contract # 15/16-11 State Contract #88766 State Contract #88796
Police Uniforms	Atlantic Tactical	State Contract # 86389 MCCPC # 23
Police Vehicles	Beyer Ford	Contract 15-01
Sporting Goods-Clothing	RnR Trophy & Sporting Goods	Co-op Contract # 20-A
Parking Paystations	Integrated Technical Systems	CPCPS Contract# 13-02
Vehicles, Passenger Vans	Mall Chevrolet	State Contract # 88229
Generators	Generator Joe	State Contract # 85477
Video Equipment Bullets	13 Mobile Vision Eagle Point Gun	State Contract # a81311 State Contract # a81296
Street Signs/Cones	Garden State Highway	MCCPC # 28
Police Vehicles	Hertrich Fleet Service	State Contract # a88729
Road Paving & Resurfacing	Stavola Asphalt Company, Inc	MCCPC Contract # 5, 6
Fire Department Equipment	Continental Fire and Safety	State Contract #80970 & #8096
HVAC Services & Repairs	In-Line Air Conditioning Co. Inc.	State Contract #65MCESSCCPS
Copier Services	Ricoh	State contract # A40467
Vehicles & Equipment	Jesco, Inc	MRESC # 15/16-08
Vehicles	National Auto Fleet	120716-NAF
Micro Paving	Asphalt Paving Systems, INC	State Contract T2507
Tree Pruning/Trimming	Nelson Tree Service	State Contract #T0465
Playground Equipment	BCI Burke Company	State Contract # 16-00314
Playground Equipment and Park Site Amenities	Ben Shaffer Recreation Inc	State Contract #16-00135
Police Equipment	Major Police Supply	State Contract # A80311
Office Furniture	National Business Furniture	ESCNJ 17/18-16

Firefighter Equipment	Air and Gas Technologies	State Contract # 80963
Firefighter Equipment	Firefighter One	State Contract # 80949
Firefighter Equipment	Lion Apparel	State Contract # 80947
Firefighter Equipment	Morning Pride Manufacturing	State Contract # 80948

**RESOLUTION 19-031
APPOINTMENT OF TOWNSHIP REPRESENTATIVES TO
ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**

BE IT RESOLVED by the Township Committee of the Township of Millburn, that Martha Callahan, Township Engineer, and Christine Bugel, Assistant Township Engineer, be appointed as representatives to the Essex County Community Development Block Grant Committee.

**RESOLUTION 19-032
CONFIRM APPOINTMENTS TO THE
ESSEX COUNTY SOLID WASTE ADVISORY COUNCIL**

BE IT RESOLVED by the Township Committee confirms that Jesse Moehlman be appointed as the Millburn Township Representative to the Essex County Solid Waste Advisory Council and John Bace as the Alternate with their two-year terms ending on December 31, 2020.

**RESOLUTION 19-033
RESOLUTION TO PROVIDE FOR THE APPOINTMENT OF INDIVIDUALS TO DEPARTMENT OF PUBLIC
WORKS FACILITY REVIEW AD HOC COMMITTEE, TO ESTABLISH THE DUTIES OF THE COMMITTEE AND
OTHER MATTERS**

WHEREAS, Mayor Dianne Thall-Eglow would like to continue the Ad Hoc Committee originally created in 2018 to meet and provide recommendations for suitable alternate locations for the Millburn Township Public Works Facility for consideration by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Millburn, in the County of Essex and State of New Jersey on the 2nd day of January, 2019 as follows:

1. There is hereby reconstituted a Department of Public Works Facility Review Ad Hoc Committee. The Committee shall serve until December 31, 2019.
2. The following persons are hereby appointed to the Department of Public Works Facility Review Ad Hoc Committee:

Jacqueline Benjamin Lieberberg, Committee Member, Chair
Samuel Levy, Committee Member
Alex McDonald, Business Administrator or Designee
John Bace, DPW Director or Designee
Christine Bugel, Assistant Engineer
Amy Lawrence, Resident
Merrily Riesebeck, Resident
Deborah Nevas, Resident

3. The Township Planner is assigned to advise the Department of Public Works Facility Review Ad Hoc Committee, at the request of the Chair, to assist in the consideration of agenda items pertaining to municipal planning and related matters.
4. The Department of Public Works Facility Review Ad Hoc Committee will meet once a month through the end of the year, but may meet more frequently in its discretion as needed.
5. Jacqueline Benjamin Lieberberg shall serve as Chairperson of the Department of Public Works Facility Review Ad Hoc Committee and shall have the right to designate another member of the Committee to serve as temporary Chair in any instance where Jacqueline Benjamin Lieberberg is unable to attend. The Chair shall set an agenda to the extent known, and it shall be circulated at least two days prior to the next meeting, but the Committee shall have the right to take up such

additional agenda items as a majority in attendance shall advance for consideration. The Business Administrator or Designee shall keep a record of the matters discussed in the form of minutes.

6. The Department of Public Works Facility Review Ad Hoc Committee shall file a preliminary report by the end of the year 2019 with the Municipal Clerk, reflecting the results of its investigations and setting forth any recommendations which are being made to the Township Committee.

RESOLUTION 19-034

PROVIDE FOR THE CREATION OF A LITIGATION MANAGEMENT STEERING COMMITTEE TO ACT IN CONNECTION WITH CERTAIN PENDING LITIGATION ASSOCIATED WITH AFFORDABLE HOUSING AND TO APPOINT INDIVIDUALS TO THE STEERING COMMITTEE POSITIONS IDENTIFIED FOR SERVICE ON THE SAID COMMITTEE

WHEREAS, the Township is currently involved in two matters of litigation in the Superior Court of New Jersey, being:

- a) A lawsuit captioned 85 Woodland Road, LLC, et al. v Township of Millburn and the Township of Millburn Planning Board, Docket No. ESX-L-2672-18; and
- b) A Declaratory Judgment action captioned In the Matter of the Application of the Township of Millburn, Docket No. ESX-L-2778-18; and

WHEREAS, the Township desires to continue the Committee established in 2018 consisting of Township Officials and Consultants to act in an advisory capacity to the Township Committee in connection with the management of the foregoing litigation; and

WHEREAS, the Township Committee desires to recreate a subsidiary instrumentality which can convene as and when needed to promptly receive reports of Counsel and Consultants and effectively and expeditiously perform its advisory function; and

WHEREAS, the Membership of the Committee shall be limited to Township Officials and Consultants entitled to participate in attorney-client privileged communications concerning information related to rulings on motions and other procedural developments, evaluation of strategies for anticipated case developments and the formulation of recommendations to the full Township Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millburn in the County of Essex, State of New Jersey, as follows:

- 1) There is hereby established an Affordable Housing Litigation Steering Committee which shall carry out the following duties:
 - a) Monitor developments in the aforementioned cases as well as any cases which may be subsequently brought by others, currently unknown, pertaining to the provision of affordable housing and/or the Township's Housing Element and Fair Share Plan.
 - b) Receive and review copies of relevant litigation documents, recommendations of Counsel, and any other relevant confidential information pertaining to said litigation.
 - c) Make periodic confidential reports through Counsel to the Township Committee.
 - d) Formulate recommendations to the Township Committee concerning material matters requiring Township Committee decisions and actions.
- 2) The Mayor shall serve as Chairperson of the Committee and shall preside at meetings. In the event that the Mayor is unable to attend, she/he shall designate another Member to act as temporary Chairperson.
- 3) The Committee shall meet as frequently as may be needed in order to deal with the volume and immediacy of aspects of the litigation which require attention. Except in emergency circumstances, the Members shall receive at least one week's notice of an upcoming meeting from the Township Clerk of the date, time and place of the meeting.
- 4) The composition of the Steering Committee shall consist of the following Members:
 - a) The Mayor and another Member of the Township Committee

- b) The Chair of the Planning Board or their designee
 - c) The Township Attorney
 - d) The Planning Board Attorney
 - e) The Township Planner
 - f) The Business Administrator
- 5) The individuals to serve on the Committee shall be:
- a) Dianne Thall Eglow and Cheryl Burstein
 - b) Planning Board Chair or designee
 - c) Christopher H. Falcon, Esq.
 - d) Edward Buzak, Esq.
 - e) Paul Phillips, P.P.
 - f) Alex McDonald, Business Administrator

These individuals shall serve until the later of the following: Conclusion of the litigation or Court approval of the Housing Element and Fair Share Plan, unless a vacancy shall occur by virtue of a person leaving office or being otherwise unavailable to serve, in which event, the Township Committee shall appoint a substitute for the applicable category.

- 6) The Committee shall have the right to have such additional Township Consultants or Township Employees, such as the Township Engineer, the Chief Financial Officer and others meet with the Committee on an as needed basis.

PUBLIC DISCUSSION

Mayor Thall-Eglow made the following statement:

“Thank you to my fellow Township Committee members for selecting me to be the Mayor for 2019

Lets all work together to ensure our community will be guided by principles of transparency and respect. I look forward to a productive year where we will work together to achieve common goals and objectives.

Millburn Township residents come from different faiths, ethnicities and viewpoints. We can all work together to participate fully in the Township as a cohesive community.

Like all towns Millburn faces challenges, but we have many assets, amongst them our talented residents. My goal is to bring interested community members into the decision making process for our town.

By encouraging civic engagement and participation in the process I hope to bring a more unified atmosphere to Millburn.

As wonderful as Millburn is, we can make it more vibrant and lively, a better place to do business, to shop, dine and a destination for our residents and others.

As we have seen, anything we do, any change we make anywhere in town has an impact on the rest of the town. We need a thorough, thoughtful and comprehensive approach that is faithful to our taxpayers.

I will form a committee to examine traffic and safety that will include stakeholders from the community: such as residents, merchants, landlords, planers and engineers to review our current infrastructure.

This committee will make recommendations regarding what can and should be done in a fiscally responsible manner.

This will not be limited to the downtown, but also take into consideration Upper Milburn Ave.

Millburn is unique with two train stations. While we don't have control over NJ Transit we must address the safety of our residents.

I will ask the Committee and the Business Administrator to jump start the renewal of both stations, to enhance lighting, manage pedestrian and traffic circulation and parking, to improve overall safety.

Thank you to my family for their support, to the voters who put their trust in all of us and to the many professionals who work for the township.

I look forward to working with my Committee Members, Cheryl, Sam, Jackie and Tara, and Alex.

And Happy New Year!"

Mayor Thall-Eglow asked if anyone had any comments or questions for the Committee. None were presented

ADJOURNMENT

Mayor Thall- Eglow asked if there were any additional comments. Seeing none, Ms. Burstein made a motion to adjourn, seconded by Ms. Prupis and the vote was carried unanimously. The meeting was adjourned at 8:05 PM.

Christine Gatti
Township Clerk

Approved: March 19, 2019