



Township of Montclair - 205 Claremont Avenue Montclair, New Jersey 07042
Telephone: 973-744-1400 - Website: www.montclairnjusa.org

TOWNSHIP COUNCIL CONFERENCE MEETING

February 7, 2023

6:00 PM

COUNCIL CHAMBERS

Announcement: *This is a conference meeting of the Council of the Township of Montclair*

Sunshine Statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting was included in the annual notice of the meeting schedule as set forth in Resolution R-22-245 adopted by the Township Council at its Regular Meeting of December 20, 2022; advertised in the official newspaper on December 29, 2022 and January 5, 2023, posted on the bulletin boards outside of the Municipal Building, and has remained continuously posted. In addition, a copy of the annual notice is and has been available to the public and is on file in the Office of the Township Clerk.

OPEN SESSION

Pledge of Allegiance

Roll Call

STATE OF TOWNSHIP ADDRESS - Mayor Sean M. Spiller

PUBLIC COMMENT

All speakers must complete the sign-in sheet next to the podium before addressing the Council. Please limit your comment to three minutes. If you wish to comment on a pending ordinance listed on this evening's agenda, please make your comment during the public hearing for that ordinance.

PRESENTATION(S)

IMAC: Employee Health Benefits

APPROVAL OF MINUTES

There have been presented to us the minutes of December 6, 2022. Are there any corrections or additions? MOTION TO ADOPT.

PROCLAMATION(S)

Resident Proclamation for Black History Month

PENDING ORDINANCE(S)/SECOND READING

- A. **Ordinance O-22-23:** Ordinance to amend Section 347 Zoning of the Code of the Township of Montclair, New Jersey

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- B. **Ordinance O-23-01:** Bond Ordinance providing for the relining of culvert walls in and by the

Township of Montclair, in the county of Essex, New Jersey, appropriating \$1,315,000.00 therefor and authorizing the issuance of \$1,249,250.00 bonds or notes of the Township to finance part of the costs thereof

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- C. **Ordinance O-23-02:** Bond Ordinance providing for various capital improvements in and by the Township of Montclair, in the County of Essex, New Jersey, appropriating \$3,700,00 therefor and authorizing the issuance of \$3,515,000 bonds or notes of the Township to finance part of the cost thereof

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

- D. **Ordinance O-23-03:** Bond Ordinance amending Section 3 of Bond Ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2020, in order to amend the project description

[OPEN HEARING] *I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance?* [CLOSE HEARING]

Without objection I am closing the hearing.

NEW BUSINESS ORDINANCE(S)

- E. **Ordinance O-23-04:** Ordinance establishing residential dwelling relief fund

NEW BUSINESS RESOLUTION(S)

- F. **Resolution R-22-022:** Resolution awarding a contract to All City Management Services for Crossing Guard Services Provider (BID 22-17)
- G. **Resolution R-23-023:** Resolution authorizing the execution of a contract amendment with Bright View Engineering to include additional data collection and analysis for the traffic study for Lakawanna Plaza Redevelopment Plan (RFP 22-19)
- H. **Resolution R-23-024:** Bills List Resolution

DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS

1. Resolution authorizing appointment to the Essex County Solid Waste Advisory Council
2. Resolution authorizing the execution of an agreement with Insurance Management and Consulting Agency ("IMAC") for Consultancy Services and Insurance Brokerage for year 2023
3. Resolution authorizing the execution of an agreement with Insurance Management and Consulting Agency ("IMAC") for risk management consulting services
4. Resolution authorizing purchase of contract with Riverview Paving, Inc. through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A. 40a:11-10(a)(1)
5. Resolution authorizing purchase of contract with Schifano Construction Corporation through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A. 40a:11-10(a)(1)
6. Resolution authorizing purchase contract with Denville Line Painting Inc. through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A. 40a:11-10(a)(1)
7. Resolution awarding a fair and open contract to Cleary Giacobbe Alfieri Jacobs LLC for Labor and Employment/Labor Relations & Affirmative Action and Ethics Special Counsel for CY 2023 (RFP #22-29)
8. Resolution authorizing the Township to accept and qualify responses to the request for qualifications (RFP 22-27) for professional services for vacant and abandoned properties attorney

and to authorize the award of a professional services contract for vacant and abandoned properties attorney to Santarcangelo Law LLC for CY 2023

9. Resolution authorizing the Township to accept and qualify responses the request for qualifications (RFP 22-28) for professional services for conflict and general litigation attorney and to authorize the award of a professional services contract for conflict and general litigation attorney to Riker Danzig LLC for CY 2023
10. Resolution amending non-fair and open contract of Lindabury, McCormick Estabrook & Cooper, P.C. as special counsel to conduct and independent employment practices investigation by adding additional funds (\$17,500.00)
11. Resolution authorizing additional funds (\$30,000.00) to be paid to Genova Burns, LLC as Labor/Employment Counsel and Special Legal Counsel for year 2022
12. Resolution authorizing additional funds (\$30,000.00) to be paid to Riker Danzig LLC as litigation counsel and special legal counsel for year 2022
13. Resolution authorizing the change in custodian and change in monetary amount of petty cash fund for the Finance Department
14. Resolution authorizing notice of intention to issue one new Plenary Retail Consumption License in accordance with N.J.S.A. 33:1-19.8 by the Historical Method pursuant to N.J.S.A. 33:1-19.1 and 19.2
15. Resolution accepting maintenance responsibility for installation, maintenance, and liability for rectangular rapid flashing beacon at Grove Street and Summit Avenue intersection

EXECUTIVE SESSION

Resolution R-23-025: Resolution authorizing executive session without the public being permitted to attend in accordance with N.J.S.A. 10:4-12(b)

ADJOURNMENT



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-22-23:** Ordinance to amend Section 347 Zoning of the Code of the Township of Montclair, New Jersey

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[Item 0A NO VB PENDING AMENDED O-22-23 O-Zoning Amendments_Residential Impervious Coverage_Updated 1.17.23.pdf](#)

**AMENDED PENDING ORDINANCE O-22-23
TOWNSHIP OF MONTCLAIR**

ORDINANCE TO AMEND SECTION 347 ZONING OF THE CODE OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY

September 28, 2022 (date of introduction)

October 25, 2022 (date of first public hearing)

January 17, 2023 (date of amendment and re-introduction)

February 7, 2023 (date of second public hearing)

WHEREAS, the 2016 Master Plan Reexamination Report adopted by the Montclair Township Planning Board recommends that maximum impervious coverage ratios be established for all zones; and

WHEREAS, the Planning Board proposed changes to Chapter 347 Zoning to establish maximum impervious coverage requirements for residential zone districts as recommended in the Master Plan Reexamination Report and the Conservation Plan of the Master Plan; and

WHEREAS, Montclair's stormwater management infrastructure does not effectively address stormwater where it falls, leading to problems of localized flooding, and the efforts are needed to reduce stormwater flow using alternative techniques to reduce the environmental and fiscal cost of treating stormwater; and

WHEREAS, reduction in impervious surface is effective in reducing the volume and flow of stormwater runoff from development;

NOW, THEREFORE BE IT ORDAINED by the Council of the Township of Montclair, in the County of Essex, State of New Jersey that it hereby amends Chapter 347 of the Montclair Code as follows (deletions are shown as ~~striketroughs~~ and additions are shown in underlined text):

1. Article III General Lot and Building Regulations

§347-20 ~~Number of dwellings on lot~~ **Additional requirements for residential uses.**

A) Number of dwellings on lot. For one-and two-family dwellings, there shall be no more than one principal building per lot, and each lot shall front on a public street, except for carriage houses as provided in §347-9.

B) Maximum impervious coverage.

1) For lots less than 10,000 square feet in area, the maximum impervious coverage shall be 55 percent of the lot area.

2) For lots over 25,000 square feet in area, the maximum impervious coverage shall be 35 percent of the lot area.

3) For lots with areas between 10,000 square feet and 25,000 square feet in area, the maximum

**TOWNSHIP OF MONTCLAIR
AMENDED PENDING ORDINANCE O-22-23**

impervious coverage shall be equal to 55 divided by the square root of the lot area.

- C) The requirements set forth in Montclair Code §294 Steep Slopes and Montclair Code §295 Stormwater Control are also applicable to residential uses.

Article IV R-O Mountainside Zone

§347-33 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. The maximum building coverage shall be 20% and the maximum impervious coverage shall be as set forth in Montclair Code §347-20B.

2. Article V R-O(a) One-Family Zone

§ 347-39 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. The maximum building coverage shall be 20% and the maximum impervious coverage shall be as set forth in Montclair Code §347-20B.
- E. No change.

3. Article VI R-1 One-Family Zone

§ 347-45 ~~Height and setback of principal structures~~ Bulk requirements.

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. No change.
- F. No change.
- G. The maximum impervious coverage shall be as set forth in Montclair Code §347-20B.

4. Article VII R-2 Two-Family Zone

§ 347-51 ~~Height and setback of principal structures~~ Bulk requirements.

Height and setback of principal structures Bulk requirements shall be the same as in the R-1 zone.

**TOWNSHIP OF MONTCLAIR
AMENDED PENDING ORDINANCE O-22-23**

5. Article VIII R-3 Garden Group Zone

§ 347-57 ~~Height and setback of principal structures~~ Bulk requirements.

- A. For one- and two-family dwellings and all other permitted buildings, except townhouses and new multifamily dwellings, and for all conditional uses when a new building or enlargement of an existing building is proposed, the ~~height and setback~~ bulk requirements shall be as specified as for the R-1 Zone in § 347-45.
- B. For new multifamily dwellings, the following requirements shall apply:
 - (1) No change.
 - (2) No change.
 - (3) No change.
 - (4) No change.
 - (5) The principal building or buildings shall not occupy more than 20% of the ground area of the site and the maximum impervious coverage shall not exceed 65% of the ground area of the site.
 - (6) No change.
 - (7) No change.
 - (8) No change.
 - (9) No change.
 - (10) No change.
 - (11) No change.
- C. No change.

6. Article X R-4 Three-Story Apartment Zone

§347-70 ~~Height and setback of principal structures~~ Bulk requirements.

Height and setback of principal structures shall be the same as in the R-3 Garden Group Zone, except that for multifamily dwellings, the following requirements shall apply:

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. ~~Lot coverage: maximum 30%~~ The maximum building coverage shall be 30% and the maximum impervious coverage shall be 65%.
- F. No change.
- G. No change.
- H. No change.

**TOWNSHIP OF MONTCLAIR
AMENDED PENDING ORDINANCE O-22-23**

I. No change.

J. No change.

Article XVII Off-Street Parking and Loading

§347-102 Design of parking spaces and access.

~~A.~~ Required garages and parking areas and spaces shall be paved with either a hard-surface pavement or a pervious paving system as detailed in the latest edition of the New Jersey Stormwater Best Management Practices Manual paving and shall be accessible from similarly paved areas (herein called "aisles") which must be connected directly or by means of a similarly paved driveway to a public street. Any driveway used as an aisle must satisfy the aisle width requirements. All such paving shall be drained and properly maintained. ~~For single and two-family dwellings, gravel may be used in lieu of hard-surface paving for parking areas and driveways or aisles.~~

B. No change.

C. No change.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-01:** Bond Ordinance providing for the relining of culvert walls in and by the Township of Montclair, in the county of Essex, New Jersey, appropriating \$1,315,000.00 therefor and authorizing the issuance of \$1,249,250.00 bonds or notes of the Township to finance part of the costs thereof

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

Item 0B NO VB PENDING O-23-01 Bond Ordinance for Culvert appropriating \$1315000 therefor and authorizing the issuance of \$1249250 bonds.pdf

**PENDING BOND ORDINANCE O-23-01
TOWNSHIP OF MONTCLAIR**

BOND ORDINANCE PROVIDING FOR THE RELINING OF CULVERT WALLS IN AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,315,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,249,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

January 17, 2023 (date of introduction)

February 7, 2023 (date of public hearing)

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Montclair, in the County of Essex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,315,000, including the sum of \$65,750 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,249,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the relining of the existing culvert walls between Bloomfield Avenue and Church Street and, if necessary, the reconstruction of the sidewalk, the repointing of the stone culvert walls and the milling and resurfacing of South Park Street between Bloomfield Avenue and Church Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer.

**TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-01**

The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,249,250, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$130,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

**TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-01**

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-02:** Bond Ordinance providing for various capital improvements in and by the Township of Montclair, in the County of Essex, New Jersey, appropriating \$3,700,00 therefor and authorizing the issuance of \$3,515,000 bonds or notes of the Township to finance part of the cost thereof

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

[Item 0C NO VB PENDING O-23-02 Bond Ordinance \\$3700000-\\$3515000 Multi Purpose Paving and Essex and Nishuane Pools.pdf](#)

**PENDING BOND ORDINANCE O-23-02
TOWNSHIP OF MONTCLAIR**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN
AND BY THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW
JERSEY, APPROPRIATING \$3,700,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$3,515,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE
PART OF THE COST THEREOF**

January 17, 2023 (date of introduction)
February 7, 2023 (date of public hearing)

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Montclair, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,700,000, and further including the aggregate sum of \$185,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,515,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-02

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Paving and curbing of various roads, all as set forth on a list on file in the Department of Community Services, as determined by the engineer as needed, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$3,000,000	\$2,850,000	10 years
b) Improvements to Essex Pool and Nishuane Pool, all as set forth on a list on file in the Department of Community Services, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	<u>\$700,000</u>	<u>\$665,000</u>	15 years
Total	<u>\$3,700,000</u>	<u>\$3,515,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation

**TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-02**

notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.94 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,515,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$185,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

**TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-02**

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Ordinance

AGENDA SECTION: **PENDING ORDINANCE(S)/SECOND READING**

SUBJECT: **Ordinance O-23-03:** Bond Ordinance amending Section 3 of Bond Ordinance O-20-19 of the Township of Montclair, in the County of Essex, New Jersey, finally adopted August 4, 2020, in order to amend the project description

[OPEN HEARING] I am going to open the public hearing without objection. Is there anyone in present who wishes to be heard in relation to the proposed Ordinance? [CLOSE HEARING] Without objection I am closing the hearing.

ATTACHMENTS:

Item 0D NO VB PENDING O-23-03 Bond Ordinance Amending Sec 3 of Bond Ord O-20-19.pdf

**PENDING BOND ORDINANCE O-23-03
TOWNSHIP OF MONTCLAIR**

**BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE O-20-19 OF THE
TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, FINALLY
ADOPTED AUGUST 4, 2020, IN ORDER TO AMEND THE PROJECT DESCRIPTION**

January 17, 2023 (date of introduction)

February 7, 2023 (date of public hearing)

WHEREAS, The Board of Education of the Township of Montclair in the County of Essex, New Jersey (the "Board of Education") previously determined by resolution duly adopted on May 16, 2020 that it was necessary to raise the aggregate amount of \$4,834,850 for masonry improvements at various Board of Education facilities and had delivered a copy of the resolution to each member of the Board of School Estimate (the "Board of School Estimate"); and

WHEREAS, the Board of School Estimate previously fixed and determined by resolution duly adopted on April 6, 2020 that it was necessary to raise the aggregate amount of \$4,834,850 for such masonry improvements at various Board of Education facilities and delivered a certificate to that effect to the Board of Education and to the Township Council of the Township of Montclair, in the County of Essex, New Jersey (the "Township"); and

WHEREAS, on August 4, 2020, the Township determined to finance such masonry improvements at various Board of Education facilities by the issuance of school bonds or temporary notes of the Township by adoption of Bond Ordinance O-20-19, entitled, "BOND ORDINANCE OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR VARIOUS SCHOOL CAPITAL IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$4,834,850 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF" (the "2020 Bond Ordinance"); and

WHEREAS, the 2020 Bond Ordinance provided for the cost of the masonry improvements by facility; accordingly, the Board of Education is not currently permitted to exceed the cost allocated to any one facility, even if costs for improvements at other facilities are less than the costs allocated therefor; and

WHEREAS, the Board of Education has requested that the Township amend the project description of the 2020 Bond Ordinance to combine all of the specified facility masonry projects into one project, without changing the aggregate cost of the projects; and

WHEREAS, notwithstanding that the Board of Education is now a "Type II" school district as a result of the referendum election held on November 2, 2021, the Board of Education is bound by the spending limitations set forth in the 2020 Bond Ordinance and the Township remains obligated to fund the project costs set forth in the 2020 Bond Ordinance by issuance of school bonds or temporary notes; and

WHEREAS, the Township wishes to amend the 2020 Bond Ordinance to combine multiple masonry projects into one project, without modifying the total amount of such project cost.

**TOWNSHIP OF MONTCLAIR
PENDING BOND ORDINANCE O-23-03**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section One. Section 3 of the 2020 Bond Ordinance is hereby amended to combine multiple masonry projects into one masonry project at various Board of Education facilities, and to read in its entirety as follows:

“Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is masonry improvements to various Board of Education facilities, including but not limited to, the Administration Building, Bradford Elementary School, Buzz Aldrin Middle School, Central Heating Plant and Pre-K Building, Charles H. Bullock School, Edgemont Elementary School, Montclair High School and George Inness Annex, Glenfield Middle School, Hillside Elementary School, Nishuane Elementary School, Northeast Elementary School, Renaissance Middle School, Watchung Elementary School, including all work and materials necessary therefor and incidental thereto.
(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.”

Section Two. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Three. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS ORDINANCE(S)**

SUBJECT: **Ordinance O-23-04:** Ordinance establishing residential dwelling relief fund

ATTACHMENTS:

[Item 0E Ordinance for the Establishment_of_Residential_Relief_Fund.pdf](#)

O-23-04

TOWNSHIP OF MONTCLAIR**ORDINANCE ESTABLISHING A RESIDENTIAL RENTAL DWELLING
RELIEF FUND**

WHEREAS, the Township of Montclair was party to a litigation captioned Township of Montclair Committee of Petitioners and the Montclair Property Owners Association v. Township of Montclair; and State of New Jersey, bearing Docket No. ESX-L-002774-20 (the “Litigation”), involving a challenge to the Township’s rent control regulation brought by the Township of Montclair Committee of Petitioners and the Montclair Property Owners Association; and

WHEREAS, in settlement of the Litigation, the Township entered into a comprehensive Settlement and Release Agreement dated March 25, 2022 to resolve all issues involved in the dispute; and

WHEREAS, the Settlement Agreement and Release required, among other things, that the Township to establish and fund an aid program to be administered by the Montclair Housing Commission (“MHC”) solely for the purpose of providing monetary relief to residential tenants located within the Township who demonstrate a genuine need or hardship in their ability to meet their rental obligations, which shall be defined in sole and exclusive authority of the MHC; and

WHEREAS, the parties agreed that the residential rent relief fund would initially be funded in the amount of \$60,000.00 by the Township on or before April, 15, 2023; and

WHEREAS, the Township must establish the fund by Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Montclair,

SECTION 1. Chapter 29A of the Township Code is hereby established as follows:

Chapter 29A Residential Rent Relief Fund**§ 29A-1 Establishment of Fund.**

There is hereby established a Residential Dwelling Rental Relief Fund for the purpose of providing temporary financial rental assistance to persons who can demonstrate a genuine need or hardship in meeting their rental payment obligations through no fault of their own.

The Residential Rent Relief Fund shall be administered by the Housing Commission in accordance with the terms and conditions of this Chapter and the Local Fiscal Affairs Law, N.J.S.A. 40:5-1 et seq.

§ 29A-2 Purposes of Fund.

Funds from the Residential Dwelling Rental Relief Fund may be utilized to provide tenant based temporary financial rental assistance to applicants residing in the Township of Montclair who can demonstrate a genuine need or hardship in meeting their rental payment obligations through no fault of their own. Monies paid from the Residential Dwelling Rental Relief Fund shall be paid to landlords on behalf of qualifying individuals/households.

For purposes of this Chapter, an applicant shall demonstrate genuine need or hardship based on a household income at or below 80% of the area median income as determined by the U.S. Department of Housing and Urban Development where at least one member has been unemployed or subject to reduced income for the 90 day period preceding the date of the application. The applicant must establish proof of residency and shall be subject to income verification. The Housing Commission may request additional information from an applicant as necessary to process and/or approve an application pursuant to this Chapter.

§ 29A-3 General Conditions For Rental Assistance

- A. An applicant may receive up to twelve (12) months of rental assistance. Maximum assistance with rent payment in arrears shall be six (6) months. Arrears will be paid first, with the remainder available for future rent. Rental assistance shall be capped at 125% of the area fair market rent.
- B. No applicant shall be eligible for rental assistance unless they have resided in the rental housing unit for at least three month prior to falling into arrears.
- C. No applicant shall receive rental assistance if alternative sources of rental subsidy, including, without limitation, rental assistance under the federal or state programs is available.
- D. Any rental housing unit, the rental for which is paid, in whole or in part, with rental assistance received under the Residential Dwelling Rental Relief Fund, shall be in compliance with all applicable building, zoning, fire and housing habitability codes.

§ 29A-4 Limitation On The Amount and Period of Rental Assistance

Subject to §29A-3, the Housing Commission shall on a case by case basis establish the maximum amounts and lengths of terms of eligibility for temporary rental assistance necessary to carry out the purposes of this Chapter.

§ 29A-5 Rules and Regulations

The Manager, upon recommendation of the Housing Commission, may promulgate such Rules and Regulations that are necessary to govern the administration of the Residential Dwelling Rent Relief Fund. No such rules or regulations shall become effective until filed in the Office of the

Township Clerk. The Township Clerk shall arrange for the prompt publication of said rules and regulations after same have been filed.

In the event of a conflict between this Chapter and any such Rules and Regulations, this Chapter shall control.

§ 29A-6 Sunset/Termination.

On the date that is twenty (20) years following the Effective Date of this Ordinance, authorization for the Residential Dwelling Rent Relief Fund shall sunset and the Fund shall terminate. Any unexpended balance in the Fund as of that date shall be remitted to the Township for use, in its sole discretion, in its operating budget.

In the event the fund is depleted before it sunsets, the fund shall automatically terminate. The Township is not obligated or required to replenish the fund at any time prior to its depletion under any circumstance.

SECTION 2. There is hereby appropriated a sum of \$60,000.00 to the Residential Dwelling Rental Relief Fund.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Police Department

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-22-022:** Resolution awarding a contract to All City Management Services for Crossing Guard Services Provider (BID 22-17)

ATTACHMENTS:

[Item 0F Resolution - Crossing Guard.pdf](#)

[COF and Memo.pdf](#)

[Bid 22 - 17 - All City Management.pdf](#)

[Bid 22 - 17 - Montclair Program Pricing Letter - RFP Pricing Response.pdf](#)

R-23-022
TOWNSHIP OF MONTCLAIR

RESOLUTION AWARDING A CONTRACT TO ALL CITY MANAGEMENT SERVICES FOR CROSSING GUARD SERVICES PROVIDER (BID 22-17)

February 21, 2023

WHEREAS, the Township of Montclair determined it has a need to privatize and retain a vendor to provide crossing guard services; and

WHEREAS, the Township of Montclair developed and published Bid 22-17 as an “open-ended contract” for Crossing Guard Services Provider; and

WHEREAS, NJAC 5:30 11.2 defined “open-end contracts” as those contracts for which price bids were solicited on a unit basis because exact quantities needed were not known at the time bids were solicited; and

WHEREAS, on September 14, 2022, All City Management Services, Inc. located at 10440 Pioneer Blvd., Suite 5, Santa Fe Springs, CA 90670 submitted the only responsible bid meeting the specifications; and

WHEREAS, on December 21, 2022 All City Management Services provided a letter honoring the price proposal submitted on September 24, 2022 at an hourly rate of \$39.70 in the amount not to exceed \$ 923,621.00 for the initial contract period;

WHEREAS this contract has been awarded pursuant to a "fair and open process" as defined in the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.4 *et seq.*; and

WHEREAS, the Chief Financial Officer has certified that funds for this contract are available in account 01-201-25-240-029 in the amount \$ 923,621.00 subject to the adoption of the 2023 adopted municipal budget/2023 temporary municipal budget; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Township of Montclair, in the County of Essex, that the Township enter into an agreement for Crossing Guard Services Provider with All City Management Services, for an initial period of one (1) year commencing January 25, 2023 and ending January 24, 2024 with two (2) separate one (1) year options to extend the contract at the sole discretion of the Township at an hourly rate of \$39.70 for the 2nd year and \$41.78 for the third year pending Certification of Funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the total amount of this Agreement shall not exceed \$ 923,621.00 annually subject to the appropriation of sufficient funds in the year 2023 adopted municipal budget/2023 temporary municipal budget and the succeeding year’s adopted municipal budget, otherwise the contract cannot exceed the amount available for the year 2023

and the succeeding year's temporary budget.



Montclair
Police Department
Deputy Chief's Office
647 Bloomfield Avenue
Montclair, New Jersey, 07042



Wilhelm B. Young
Deputy Chief of Police

Tele: 973.509.4751
Fax: 973.744-5047
wyoung@montclairnjusa.org

September 20, 2022

To: Acting TWP Manager Brian Scantlebury
Fr: Deputy Chief Wilhelm B. Young
Re: Justification for Privatization of Crossing Guard Services

As you are aware, we have been pursuing the privatization of Crossing Guard Services for the Township. Due to constant callouts and shortages in manpower, the Police Department has been severely and negatively impacted.

Montclair has one of the larger school districts in Essex County and as such we employ many Crossing Guards. The Township has always been in compliance with Safe Routes to School. We also follow Title 40, MUTCD and NJDOT rules and recommendations for providing crossing guards at all school crossings. There are currently 45 school posts for crossing guards which service the elementary, middle and HS children.

In keeping with this commitment to quality service, we have explored the outsourcing of the Crossing Guard program. There are several advantages to outsourcing this service. At present, we spend many man hours managing the Crossing Guards and more hours than I wish to count, filling posts when Guards do not show up due to sick callouts, no shows, vacations/ personal days etc. There are callouts daily. As soon as a crossing goes uncovered, we must dispatch an officer to cover that crossing. That directly impacts our response capabilities until the crossings conclude. We have covered as many as nine crossing, simultaneously, due to callouts or shortages. Obviously, that degrades our ability to provide police services. We have utilized Code Enforcement as well as Parking Enforcement to assist in the past. This past year, post Covid, has been terribly impactful. Police Supervisors had to cover school crossings due to callouts and low numbers. We need this to be a self-sufficient operation.

Many NJ Towns have gone the route of outsourcing Crossing Guard services, to include Wayne, Ridgewood, Bound Brook, and Westfield, to name a few. We strongly believe outsourcing to be a needed and progressive solution that will relieve our manpower shortages and service deficiencies, as well as provide the high level of service our community is accustomed to.

Ms. Rao, CFO reviewed the proposals and advised acceptance of the bid. Mr. Dineros and Ms. Anschuets guided the bid announcement process and drafted the resolution.

Montclair is an Equal Opportunity Employer



Township of Montclair

205 Claremont Avenue

Montclair, NJ 07042

tel: 973-509-4964

fax: 973-509-0370



Chief Financial Officer
Director of Finance

CERTIFICATION OF FUNDS

I HEREBY CERTIFY THAT SUBJECT TO APPROPRIATION OF SUFFICIENT FUNDS IN THE ADOPTED BUDGET, THE TOWNSHIP OF MONTCLAIR WILL ENCUMBER THE FUNDS FOR THE PAYMENT OF SERVICES, GOODS, AND/OR MERCHANDISE AS STATED IN THE FOLLOWING CONTRACT:

PURPOSE OF CONTRACT

Crossing Guard Services

**TOTAL AMOUNT OF CONTRACT
SUBJECT TO APPROPRIATIONS IN
BUDGET**

\$ 923,621.00

ACCOUNT NUMBER (S)

01-201-25-240-029

NAME AND ADDRESS OF COMPANY

All City Management Company

10440 Pioneer Blvd #5

Santa Fe Springs CA 90670-9067

Padmaja Rao

**Padmaja Rao, CPA, RMA, CMFO
Chief Financial Officer
Director of Finance**

Date: 01/05/2023

References and Vendor Qualifications
Bid 22 - 17
School Crossing Guards Service Provider

(Be advised that this contract will be an open-ended contract.)

VENDOR NAME:

All City Management Services, Inc.

- a. Have been in business providing the same goods and services being advertise/specified under this bid for a minimum of 5 years.

Comply: ☒ Yes ☐ No Number of years: 36

- b. Provide at least three (3) references of successful similar contracts in New Jersey, preferably NJ municipalities or schools.

Municipalities/Schools	Name of Contact	Email	Telephone
1. Village of Ridgewood	Sgt. John Chuck	jchuck@ridgewoodnj.net	201 251 4540
2. Town of Westfield	Sgt. Tom Ostrander	tostrander@wpdnj.org	908 789 6068
3. Teaneck Township	Lt. Douglas Akott	dakott@teaneckpolice.org	201 837 2600 Ext. 2323

- c. Do you have the resources (qualified personnel, equipment, etc.) of performing the required goods and services pursuant to these specifications?

Comply ☒ Yes ☐ No

- d. Provide the primary location where the personnel and equipment will come from to perform the required services? **Personnel would be hired locally from the Township or nearby municipalities, our equipment would come from Santa Fe Springs, CA. Our Area Supervisor would be locally hired and our Operations Manager is located in Harrisburg, PA.**

Address

Distance from Montclair Municipal Building, 205 Claremont, Avenue, Montclair, NJ 07042:
166 miles

Phone Numbers (After hours): 1. 877 363 2267 (Emergency Dispatch)

Phone Numbers (Regular hours): 2. 310 202 8284 / Toll Free 800 540 9290

BID PROPOSAL – Bid 22 – 17 (Page 1 of 2)

Township of Montclair – Crossing Guard Services Provider

Bidders should familiarize themselves with the local conditions affecting the cost of the work and the site of the work. Contractor shall furnish all of the labor, materials, necessary tools, fees, permits and equipment, including transportation services necessary to perform the whole of the work and submit to all conditions of the specifications, as they apply to the contract resulting from this bid, on the following to wit:

	Per Hour Rate	Quantity (estimate)	Total Bid Price
1 st Year (2022-2023 School Year)	\$39.70	45	\$923,621.00
2nd Year (2023-2024 School Year)	\$39.70	45	\$923,621.00
3rd Year (2024-2025 School Year)	\$41.78	45	\$972,012.00

The unit price quoted shall remain firm and in effect for the duration of the contract commencing from the date of the award of the contract.

This will be an open-ended contract, defined as a contract for which price bids were solicited on a unit basis because exact quantities needed were not known at the time bids were sought. Open-ended contracts, when advertised and awarded, must include a minimum and a maximum number of units that can be ordered for each item under the contract. Zero is an acceptable minimum. Orders placed under such open-end contracts shall not be considered as change orders.

Exact quantities of crossing guards are not known at this time. The Township shall provide the total number of crossing guards as needed with the funds allocated. The minimum number of crossing guards as bid item is zero (0). The estimated maximum number of crossing guard at this time (estimate) is forty-five (45).



Signature

David Mecusker

Print Name

All City Management Services, Inc.

Bidder/Company

10440 Pioneer Blvd., Suite 5, Santa Fe Springs, CA 90670

Company Address

310 202 8284

Telephone #

david@thecrossingguardcompany.com

Email Address

September 12, 2022

Date

Marketing & Contracts Manager

Title/Position

310 202 8325

Fax #

ar@thecrossingguardcompany.com

PO Email Address

Note: The above individual must be authorized to sign on behalf of company submitting the proposal.

EXCEPTIONS TO SPECIFICATIONS

Bid 22 - 17

School Crossing Guards Service Provider



VENDOR NAME All City Management Services, Inc.

1. Instructions to Bidders and Statutory Requirements

Section E - Insurance and Indemnification

Item 3. Indemnification

PROVIDERS INDEMNITY OBLIGATION. PROVIDER COVENANTS, AGREES TO AND SHALL DEFEND (WITH COUNSEL REASONABLY ACCEPTABLE TO THE TOWNSHIP), INDEMNIFY, AND HOLD HARMLESS THE TOWNSHIP OF MONTCLAIR, NEW JERSEY AND THE ELECTED OFFICIALS, THE OFFICERS, EMPLOYEES, REPRESENTATIVES, AND VOLUNTEERS OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY, INDIVIDUALLY OR COLLECTIVELY, IN BOTH THEIR OFFICIAL AND PRIVATE CAPACITIES (THE TOWNSHIP OF MONTCLAIR, NEW JERSEY AND THE ELECTED OFFICIALS, THE OFFICERS, EMPLOYEES, REPRESENTATIVES, AND VOLUNTEERS OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY EACH BEING A "MONTCLAIR PERSON" AND COLLECTIVELY THE "MONTCLAIR PERSONS"), FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITIES, JUDGMENTS, LAWSUITS, DEMANDS, HARM, LOSSES, DAMAGES, PROCEEDINGS, SUITS, ACTIONS, CAUSES OF ACTION, FEES, FINES, PENALTIES, EXPENSES, OR COSTS OF ANY KIND AND NATURE WHATSOEVER MADE UPON OR INCURRED BY THE TOWNSHIP OF MONTCLAIR, NEW JERSEY AND/OR ANY OTHER MONTCLAIR PERSON, WHETHER DIRECTLY OR INDIRECTLY, ("THE CLAIMS"), THAT ARISE OUT OF, RESULT FROM, OR RELATE TO: (I) ANY OF THE WORK AND SERVICES OF THE PROVIDER AS DESCRIBED IN SECTION 1 OF THIS AGREEMENT, (II) ANY REPRESENTATIONS AND/OR WARRANTIES BY PROVIDER UNDER THIS AGREEMENT, AND/OR (III) ANY ACT OR OMISSION UNDER, IN PERFORMANCE OF, OR IN CONNECTION WITH THIS AGREEMENT BY PROVIDER, OR BY ANY OF PROVIDER'S OWNERS, DIRECTORS, OFFICERS, SHAREHOLDERS, MANAGERS, PARTNERS, EMPLOYEES, AGENTS, ENGINEERS, ARCHITECTS, CONSULTANTS, CONTRACTORS, SUBCONTRACTORS, INVITEES, PATRONS, GUESTS, CUSTOMERS, TENANTS, SUBTENANTS, LICENSEE, SUBLICENSEE, CONCESSIONAIRES, OR ANY OTHER PERSON OR ENTITY FOR WHO PROVIDER IS LEGALLY RESPONSIBLE, AND THEIR RESPECTIVE OWNERS, DIRECTORS, OFFICERS, SHAREHOLDERS, MANAGERS, PARTNERS, EMPLOYEES, AGENTS, ENGINEERS, ARCHITECTS, CONSULTANTS, CONTRACTORS, SUBCONTRACTORS, INVITEES, PATRONS, GUESTS, CUSTOMERS, PROVIDERS AND CONCESSIONAIRES.

NOTWITHSTANDING THE FOREGOING, HOWEVER, IN THE EVENT THAT A COURT OR JURY DETERMINES THAT LIABILITY WITH RESPECT TO ANY CLAIMS WAS CAUSED OR CONTRIBUTED TO BY THE NEGLIGENT ACT, ERROR, OMISSION OR WILLFUL MISCONDUCT OF THE TOWNSHIP OF MONTCLAIR, NEW JERSEY OR ANY OTHER MONTCLAIR PERSON, LIABILITY WILL BE APPORTIONED BETWEEN PROVIDER ON THE ONE HAND AND THE TOWNSHIP OF MONTCLAIR, NEW JERSEY ON THE OTHER HAND WITH REGARD TO SUCH CLAIMS BASED UPON THE PARTIES RESPECTIVE DEGREES OF CULPABILITY, AS MONTCLAIR PERSONS WILL BE LIMITED ACCORDINGLY.

~~SUCH DEFENSE, INDEMNITY AND HOLD HARMLESS SHALL AND DOES INCLUDE CLAIMS ALLEGED OR FOUND TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OR GROSS NEGLIGENCE OF ANY MONTCLAIR PERSON, OR CONDUCT BY ANY MONTCLAIR PERSON THAT WOULD GIVE RISE TO STRICT LIABILITY OF ANY KIND.~~

INSURED: All City Management Services, Inc.

POLICY#: LHA142017

POLICY PERIOD: 08/01/2022

TO: 08/01/2023

LANDMARK AMERICAN INSURANCE COMPANY

This Endorsement Changes The Policy. Please Read It Carefully.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE FORM
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM**

SCHEDULE

Name of Person or Organization:

Any person(s) or organization(s)
required by written contract or
agreement.

The following is added to **SECTION IV – CONDITIONS, 8. TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US:**

We waive any right of recovery we may have against the person or organization shown in the SCHEDULE above because of payment we make for injury or damage arising out of your ongoing operations, "your product" or "your work" done under a written contract with that person or organization and included in the "product-completed operations hazard". This waiver applies only to the person or organization shown in the SCHEDULE above.

**COMMERCIAL GENERAL LIABILITY
CG 20 10 07 04**

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
Any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy.	.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/01/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency LLC Marsh & McLennan Ins. Agency LLC 350 S Grand Ave, Ste 3410 Los Angeles, CA 90071		CONTACT NAME: Christina Dover PHONE (A/C, No, Ext): 800 321-4696 FAX (A/C, No): 858-452-7530 E-MAIL: Christina.Dover@MarshMMA.com ADDRESS:													
INSURED All City Management Services, Inc. 10440 Pioneer Blvd., Suite 5 Santa Fe Springs, CA 90670		INSURER(S) AFFORDING COVERAGE <table border="1"> <tr> <td>INSURER A: Landmark American Insurance Company</td> <td>NAIC # 33138</td> </tr> <tr> <td>INSURER B: Mercer Insurance Company</td> <td>NAIC # 14478</td> </tr> <tr> <td>INSURER C: Berkshire Hathaway Homestate Ins Co</td> <td>NAIC # 20044</td> </tr> <tr> <td>INSURER D: Westchester Surplus Lines Insurance Co</td> <td>NAIC # 10172</td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>		INSURER A: Landmark American Insurance Company	NAIC # 33138	INSURER B: Mercer Insurance Company	NAIC # 14478	INSURER C: Berkshire Hathaway Homestate Ins Co	NAIC # 20044	INSURER D: Westchester Surplus Lines Insurance Co	NAIC # 10172	INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC ☐ OTHER		LHA142017	08/01/2022	08/01/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$ COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$		20000000182	08/01/2022	08/01/2023	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		ALWC345830	01/01/2022	01/01/2023	☒ PER STATUTE ☐ OTH-ER
C	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	ALWC344179	01/01/2022	01/01/2023	E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Excess Layer		G72535522002	08/01/2022	08/01/2023	\$6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Coverage

CERTIFICATE HOLDER

CANCELLATION

TOWNSHIP OF MONTCLAIR - SAMPLE FORM

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Christina Dover

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Bid 22 - 17
School Crossing Guards Service Provider

Required by owner	Submission Requirement	Initial each required entry and if required submit the item
X	Submission (Bid proposal – complete) - submit one (1) original, one (1) duplicate copy	
X	Vendors Profile Sheets (this should have been completed to request the bid package)	
X	* Evidence of Affirmative Action Compliance (see Appendix A)	
X	*Proof of Business Registration Certificate (BRC) and copy of W9 – Includes all sub-contractors	
X	Statement of Ownership Disclosure	
X	Americans with Disabilities Act of 1990 - Acknowledgement	
X	Mandatory Equal Employment Opportunity – Appendix A	
X	Non-Collusion Affidavit	
X	Acknowledgement of Receipt of Addenda (if applicable)	
X	Disclosure of Investment in Iran	
X	Proof of Insurance (Copy of Insurance certificate)	
X	Exceptions	
X	Certification of Non-Involvement In Prohibited Activities in Russia and Belarus	
X	References and Vendor Qualifications	

****Statutorily allowed to be provided with proposal OR prior to execution of contract.***

PRINT NAME: David Mecusker TITLE: Marketing & Contracts Manager

SIGNATURE:  DATE: 9/12/2022

COMPLETED



9/15/2022

07/26/17

Taxpayer Identification# 953-971-517/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

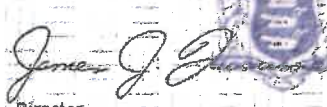
If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY DIVISION OF REVENUE PO BOX 352 TRENTON, NJ 08646-0252
TAXPAYER NAME: ALL-CITY MANAGEMENT SERVICES INC.	TRADE NAME:	
ADDRESS: 10440 PIONEER BLVD #5 SANTA FE SPRINGS CA 90670-9067	SEQUENCE NUMBER: 1019349	
EFFECTIVE DATE: 02/19/16	ISSUANCE DATE: 07/26/17	
FORM DRC 11/14/16		 Director New Jersey Division of Revenue

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

All City Management Services, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☒ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

10440 Pioneer Blvd., Suite 5

6 City, state, and ZIP code

Santa Fe Springs, CA 90670

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

9 5 - 3 9 7 1 5 1 7

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Date ► 9/12/2022

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.



ALL CITY MANAGEMENT SERVICES

December 21, 2022

Wilhelm Young
Deputy Chief of Police
Township of Montclair
205 Claremont Ave., Montclair, NJ 07042

Dear Deputy Chief Young,

On behalf of All City Management Services, Inc. (ACMS), we sincerely appreciate the potential opportunity to serve the Township of Montclair Crossing Guard Program.

We have received the Specifications and Statutory Requirements for Bid Number 22-17. We have reviewed the Instructions to Bidders, Bid Specifications and Scope of Services.

On behalf of All City Management Services, Inc. (ACMS) I would like to share that we are willing to hold our program pricing we submitted with our RFP response as indicated through the 2024/2025 school year. Please see program pricing included with this letter.

Should you have any questions, please do not hesitate to reach out.

Sincerely,

David Mecusker
Marketing & Contracts Manager
david@thecrossingguardcompany.com

BID PROPOSAL – Bid 22 – 17 (Page 1 of 2)

Township of Montclair – Crossing Guard Services Provider

Bidders should familiarize themselves with the local conditions affecting the cost of the work and the site of the work. Contractor shall furnish all of the labor, materials, necessary tools, fees, permits and equipment, including transportation services necessary to perform the whole of the work and submit to all conditions of the specifications, as they apply to the contract resulting from this bid, on the following to wit:

	Per Hour Rate	Quantity (estimate)	Total Bid Price
1 st Year (2022-2023 School Year)	\$39.70	45	\$923,621.00
2nd Year (2023-2024 School Year)	\$39.70	45	\$923,621.00
3rd Year (2024-2025 School Year)	\$41.78	45	\$972,012.00

The unit price quoted shall remain firm and in effect for the duration of the contract commencing from the date of the award of the contract.

This will be an open-ended contract, defined as a contract for which price bids were solicited on a unit basis because exact quantities needed were not known at the time bids were sought. Open-ended contracts, when advertised and awarded, must include a minimum and a maximum number of units that can be ordered for each item under the contract. Zero is an acceptable minimum. Orders placed under such open-end contracts shall not be considered as change orders.

Exact quantities of crossing guards are not known at this time. The Township shall provide the total number of crossing guards as needed with the funds allocated. The minimum number of crossing guards as bid item is zero (0). The estimated maximum number of crossing guard at this time (estimate) is forty-five (45).



Signature

David Mecusker

Print Name

All City Management Services, Inc.

Bidder/Company

10440 Pioneer Blvd., Suite 5, Santa Fe Springs, CA 90670

Company Address

310 202 8284

Telephone #

david@thecrossingguardcompany.com

Email Address

September 12, 2022

Date

Marketing & Contracts Manager

Title/Position

310 202 8325

Fax #

ar@thecrossingguardcompany.com

PO Email Address

Note: The above individual must be authorized to sign on behalf of company submitting the proposal.



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **NEW BUSINESS RESOLUTION(S)**

SUBJECT: **Resolution R-23-023:** Resolution authorizing the execution of a contract amendment with Bright View Engineering to include additional data collection and analysis for the traffic study for Lakawanna Plaza Redevelopment Plan (RFP 22-19)

ATTACHMENTS:

[Item 0GResolution - Traffic Engineer Lackawanna Plaza_Contract Amendment.pdf](#)
[COF Bright View Traffic Study_2nd Amendment.pdf](#)

R-23-023

TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH BRIGHT VIEW ENGINEERING TO INCLUDE ADDITIONAL DATA COLLECTION AND ANALYSIS FOR THE TRAFFIC STUDY FOR THE LACKAWANNA PLAZA REDEVELOPMENT PLAN (RFP 22 – 19)

February 7, 2023

WHEREAS the Township of Montclair Council selected Bright View Engineering to prepare a traffic study for the Lackawanna Plaza Redevelopment Plan by resolution adopted on December 20, 2022 for an amount not to exceed \$116,470.00; and

WHEREAS, the Township has requested that the scope of the traffic study be amended to extend the PM data collection count to include data from 6:00 PM to 7:00 PM; and

WHEREAS, Bright View Engineering provided a proposal dated January 12, 2023 to conduct the additional work for an amount not to exceed \$13,310.00; and

WHEREAS, pursuant to N.J.S.A 19:44A – 20.5 et seq. this contract is being awarded under the Fair and Open Process; and

WHEREAS, Chief Financial Officer has certified that funds are available in budget line 04-215-16-011-003 for the proposed scope of services and that that the funds for these services will be appropriated in this account number; and

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Montclair, in the County of Essex, that the Township amend the contract with Bright View Engineering to include the additional data collection and analysis or the traffic study for a period not to exceed six (6) months starting from the date of the resolution, for a total amount not an amount not to exceed \$129,780.00; and

BE IT FURTHER RESOLVED that the Township Manager be, and he is hereby authorized to amend the applicable Professional Services Agreement with Bright View Engineering, subject to final approval by the Township Attorney.



Township of Montclair

205 Claremont Avenue

Montclair, NJ 07042

tel: 973-509-4964

fax: 973-509-0370

Chief Financial Officer
Director of Finance

CERTIFICATION OF FUNDS

I HEREBY CERTIFY THAT THE TOWNSHIP OF MONTCLAIR HAS UNENCUMBERED FUNDS ON HAND FOR THE PAYMENT OF SERVICES, GOODS, AND/OR MERCHANDISE AS STATED IN THE FOLLOWING CONTRACT:

PURPOSE OF CONTRACT

**TOTAL AMOUNT OF CONTRACT
SUBJECT TO APPROPRIATIONS IN
BUDGET**

ACCOUNT NUMBER (S)

NAME AND ADDRESS OF COMPANY

Padmaja Rao

**Padmaja Rao, CPA, RMA, CMFO
Chief Financial Officer
Director of Finance**

Date:



BILL LIST RESOLUTION

WHEREAS, INVOICES AGAINST THE TOWNSHIP OF MONTCLAIR, IN FAVOR OF THE FOLLOWING PERSONS FOR THE AMOUNTS SET OPPOSITE THEIR RESPECTIVE NAMES, HAVE BEEN RECEIVED; DULY AUDITED AND FOUND CORRECT.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE TOWNSHIP OF MONTCLAIR, IN THE COUNTY OF ESSEX, THAT SAID INVOICES BE AND THEY ARE HEREBY ORDERED PAID, AND THAT CHECKS BE DRAWN BY THE FINANCE DEPARTMENT TO THE ORDER OF SUCH PERSONS FOR THE AMOUNTS RESPECTIVELY AND HEREINAFTER STATED ON THE SCHEDULE ATTACHED HERETO AND MADE A PART HEREOF:

Council Meeting Date:

Total Amount:



TOWNSHIP OF MONTCLAIR
OFFICE OF THE CHIEF FINANCIAL OFFICER
INTEROFFICE MEMORANDUM

DATE:

TO: Mayor and Township Council

FROM:

NA

SUBJECT: Bill List

Following is a preliminary version of the Bill List, aggregating _____ to be presented for approval at the _____ Council Meeting. Should any changes be required, a listing of adjustments will accompany a revised Bill List that will be submitted on the day of the Council Meeting for your review.

TOWNSHIP OF MONTCLAIR
SUMMARY OF BILL LISTS
MEETING OF
CHECKS DATED

<u>FUND</u>	<u>AMOUNT</u>
CURRENT FUND	
WATER OPERATING FUND	
WATER CAPITAL	
SEWER OPERATING FUND	
SEWER CAPITAL FUND	
PARKING UTILITY OPERATING FUND	
SECTION 8 FUND	
GENERAL CAPITAL FUND	
GENERAL TRUST FUND	
ANIMAL CONTROL TRUST FUND	
POLICE FORFEITURE TRUST FUND	
PARKING CAPITAL FUND	
STATE UNEMPLOYMENT TRUST FUND	
TOTAL	

IT IS HEREBY CERTIFIED
that the vouchers covering the above funds
are available in the respective accounts to
be charged.

NR Akmal

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
CURRENT FUND			
99689 - Advanced Enterprises Recycling, Inc. dba DART 300 Frank W. Burr Blvd., Ste 39 Teaneck NJ 07666	PO 2200014 TYPE 13 NON-PROCESSISBLE WASTE - (BLANKE	4,725.74	
	PO 2300092 TYPE 13 NON-PROCESSIBLE WASTE - (BLANKE	3,674.64	
			8,400.38**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2202240 Blanket PO Montclair Municipal Court (Oc	168.91	
			168.91**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2300283 Clerk Office Supplies 2023 - Blanket	139.63	
			139.63**
9664 - AMERICAN HOSE & HYDRAULICS CO., INC. PO Box 440 Elmwood Park NJ 07407	PO 2300166 VARIOUS HOSES & REPAIRS - (BLANKET)	501.34	
			501.34**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200158 VARIOUS HARDWARE SUPPLIES - DCS (BLANK	20.76	
			20.76**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200843 Blanket PO - FD Hardware purchases	26.78	
			26.78**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300077 BLANKET 2023	4.49	
			4.49**
76 - AMERICAN ROYAL HARDWARE	PO 2300146 VARIOUS HARDWARE AND SUPPLIES FOR DCS -	84.51	

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
251 Park Street Montclair NJ 07043-0010			84.51**
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2300147 VARIOUS HARDWARE AND SUPPLIES FOR PARKS	307.85	307.85**
12479 - AMERICAN WEAR INC. 261 NORTH 18TH STREET EAST ORANGE NJ 07017	PO 2200870 BLANKET PO UNIFORMS ANIMAL SHELTER 2022	366.00	366.00**
5742 - ANJEC PO BOX 157 MENDHAM NJ 07945-0001	PO 2300070 2023 MEMBERSHIP DUES	435.00	435.00**
8436 - ARCTIC FALLS SPRING WATER 58 SAND PARK ROAD CEDAR GROVE NJ 07009	PO 2300227 2023 WATER FEES	45.19	45.19**
100224 - Awisco NJ, LLC 26 Industrial Drive West Milford NJ 07840	PO 2300165 VARIOUS PARTS & REPAIRS - (BLANKET)	475.10	475.10**
9037 - BIG BELLY SOLAR, INC. 150 A STREET, SUITE 103 NEEDHAM MA 02494	PO 2300081 SERVICING OF WASTE STATIONS AT VARIOUS L	5,472.86	5,472.86**
99931 - Boswell Engineering 330 Phillips Avenue South Hackensack NJ 07606	PO 2201263 Blanket # 2 2022 BOSWELL - GENERAL Engin PO 2201486 Blanket #2 2022 GENERAL Boswell Engineer	222.00 666.00	888.00**

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
99166 - BRT Technologies, LLC 22 Birchwood Lane Mantua NJ 08051	PO 2300256 FOR THE PROCESSING AND PRODUCING OF THE = \$4,693.04 POSTCARD PRODUCTION = 10		6,079.62**
6357 - C & J TROPHIES & PROMOTIONS 252 BLOOMFIELD AVENUE VERONA NJ 07044	PO 2300232 Football & Cheer Statues	1,081.75	1,081.75**
7796 - CAPTUREPOINT PO Box 931649 Atlanta GA 31193-1649	PO 2300234 Community Pass Yearly Service	8,800.00	8,800.00**
272 - CITY FIRE EQUIPMENT CO., INC. 733 RIDGEDALE AVENUE PO BOX 360 EAST HANOVER NJ 07936	PO 2200980 FD Blanket PO 2022 Inspections	178.56	178.56**
6136 - CITY GLASS WORKS LLC 81 WALNUT STREET MONTCLAIR NJ 07042	PO 2300107 FD Station 2 window repair	485.00	485.00**
7792 - DAVID WEBER OIL COMPANY INC 601 INDUSTRIAL ROAD CARLSTADT NJ 07072	PO 2300082 (2) DRUMS OIL	1,523.10	1,523.10**
352 - Delta Dental of NJ, Inc. PO BOX 36483 NEWARK NJ 07188-6483	PO 2300226 BLANKET - DENTAL PREMIUMS 2023	53,891.71	53,891.71**
13821 - DIAL PEST CONTROL, INC. 13 Eagle Rock Ave. E. Hanover NJ 07936	PO 2300091 ANIMAL SHELTER PEST CONTROL BLANKET 2023 PO 2300106 Blanket PO - FD Pest Control	101.06 330.00	431.06**

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
8191 - DIAMOND ROCK SPRING WATER PO BOX 672 RIDGEFIELD PARK NJ 07660	PO 2300071 EDGEMONT COFFEE SUPPLIES PO 2300071 EDGEMONT COFFEE SUPPLIES	95.00 89.00	184.00**
99181 - DiFrancesco Bateman P.C. 15 Mountain Boulevard Warren NJ 07059	PO 2300257 FOR PROFESSIONAL SERVICES FOR TAX COURT	18,778.53	18,778.53**
2162 - ECUA RRF ESCROW ACCOUNT TD BANK 6000 Atrium Way Mt. Laurel NJ 08054	PO 2300090 2023 TIPPING FEES - (BLANKET)	35,914.40	35,914.40**
99543 - Elite Vehicle Solutions 1000 Bennett Blvd. Unit 6 Lakewood NJ 08701	PO 2202378 BLANKET: UPFITTING - FOUR(4) NEW FLEET V	18,199.08	18,199.08**
99148 - Essex County Munc Court Judge Assc. c/o HOn. Steven Backfish, JMC 53 Cardinal Drive, PO Box 2369 Westfield NJ 07091-2369	PO 2300105 Judge Angelo's ECMCJA 2023 Annual Dues	100.00	100.00**
7460 - ESSEX COUNTY POLICE ACADEMY 250 GROVE AVENUE CEDAR GROVE NJ 07009	PO 2300045 2022 TRAINING: FIREARMS INSTRUCTOR SCH00	1,650.00	1,650.00**
12873 - ESSEX REGIONAL HEALTH COMSSN 204 HILLSIDE AVENUE LIVINGSTON NJ 07039	PO 2300069 AIR POLLUTION CONTROL SERVICES 2023 Q1	1,908.00	1,908.00**
99314 - Fabian, Pierre 16 Van Breemen Court Montclair NJ 07043	PO 2300005 MILL FALL CLASSES NEVER ENTERED 2022	1,200.00	

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
			1,200.00**
6731 - FANWOOD CRUSHED STONE DIV. OF WELDON MATERIALS 141 CENTRAL AVE WESTFIELD NJ 07090-2189	PO 2300060 PAVING MATERIAL FOR POTHOLE REPAIRS	2,380.00	
			2,380.00**
9937 - FIRE DEPARTMENT TRAINING NETWORK, INC. PO BOX 1852 INDIANAPOLIS IN 46206	PO 2300075 FD Annual Membership	300.00	
			300.00**
372 - FLAGSHIP DENTAL PLANS PO BOX 24011 NEWARK NJ 07101-0406	PO 2300229 2023 Dental Premiums	1,334.58	
			1,334.58**
14258 - GARDEN STATE OFFICE SYS&EQUIP 115 CAMPUS DRIVE EDISON NJ 08837	PO 2300096 Service Agreement Lektriever 2023	1,669.69	
			1,669.69**
99640 - General Security 971 Lehigh Avenue Union NJ 07083	PO 2300112 2023 MONITORING AND SERVICING OF PANIC A	349.92	
			349.92**
99284 - GenServe, LLC 100 Newtown Road Plainview NJ 11803	PO 2200170 EMERGENCY GENERATOR PLANNED MAINTENANCE PO 2200946 FD - Blanket PO - Generator Servicing PO 2200947 FD - Blanket PO - Generator Servicing	112.50 337.50 337.50	
			787.50**
100046 - Godoy, Katterine 273 Hope Avenue Passaic NJ 07055	PO 2300020 MILL FALL CLASSES 2022	600.00	
			600.00**
99780 - GRANT, ROSLYN HOLMES 7 KINZEL LANE	PO 2300158 Acting Judge	450.00	

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
WEST ORANGE NJ 07052			450.00**
9667 - Griffith-Allied Trucking LLC PO Box 392 Manville nj 08835	PO 2300094 GASOLINE DELIVERY - (BLANKET)	12,391.60	12,391.60**
2074 - HENDRICKS APPRAISAL CO., LLC 7 HUTTON AVENUE WEST ORANGE NJ 07052	PO 2300261 FOR PROFESSIONAL SERVICES FOR THE ASSESS	29,650.00	29,650.00**
8477 - HOFFMAN SERVICES INC. 55 EAST BIGELOW STREET NEWARK NJ 07114	PO 2300224 SERVICE CALL FOR LIFT REPAIR	1,700.00	1,700.00**
4263 - HUDSON COUNTY MOTORS, INC. 290 SECAUCUS ROAD PO BOX 2611 SECAUCUS NJ 07094	PO 2202352 FD Blanket PO Vehicle Maintenance PO 2300131 VARIOUS PARTS AND REPAIRS - (BLANKET) PO 2300258 REPAIRS FOR MISFIRING CYLINDER - DCS 101	3,664.58 4,257.54 2,723.14	10,645.26**
2503 - IDEXX LABORATORIES, INC. ATTN: CREDIT & COLLECTIONS ONE IDEXX DRIVE WESTBROOK ME 04092	PO 2202644 ANIAML SHELTER	1,651.75	1,651.75**
4590 - INT'L ASSC OF CHIEFS OF POLICE PO BOX 62564 BALTIMORE MD 21264-2564	PO 2300181 2023 MEMBERSHIP LT. T. WILLIAMS	75.00	75.00**
1341 - INT'L HEALTHCARE SERVICE - DMC LOCKBOX 9102 PO BOX 70280 PHILADELPHIA PA 19176-0280	PO 2300231 2023 Dental Premiums, Grps GJ2168 & GJ21	832.24	832.24**
164 - INTERNATIONAL CODE COUNCIL INC	PO 2202302 UPDATED CODE BOOKS -INTERNATIONAL CODE C	357.00	

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
25442 NETWORK PLACE CHICAGO IL 60673-1254			357.00**
2675 - INTERNATIONAL HEALTHCARE SERVS LOCKBOX 9102 PO BOX 70280 PHILADELPHIA PA 19176-0280	PO 2300235 2023 Dental Premiums, Grp GJ1080	407.54	407.54**
99186 - Intrado Interactive Services Corp. PO 74007082 Chicago IL 60674-7082	PO 2202704 2022 - CivicLive Website Maintenance - 3	1,250.00	1,250.00**
100089 - Jay's Exterminating Service 631 W. Mount Pleasant Ave Livingston NJ 07039	PO 2201609 BLANKET: INSECT & RODENT CONTROL	149.00	149.00**
46042 - Jersey Mail Sysems, LLC PO BOX 322 LEBANON NJ 08833	PO 2201365 Ink Cartidges for Postage Machine locate PO 2300178 Postage Ink Cartridge	218.95 434.00	652.95**
2125 - JOHNSON SCALE AND BALANCE COMP 36 STILES LANE PINE BROOK NJ 07058	PO 2202457 SCALE MAINTENANCE	325.00	325.00**
99925 - Kadus, Karen A. 38 Meadow Lane Bloomfield NJ 07003-4308	PO 2300073 Karen Kadus Medicare Part B Reimb 11/1/2	408.24	408.24**
7812 - KONICA MINOLTA BUSINESS SOLTNS DEPT. AT 952823 ATLANTA GA 31192-2823	PO 2300048 February 2020 Konica Copier Maintenance	554.59	554.59**

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Paid to	Description	Payment	Check Total
9996 - L.E.A.D. INC. 5 SOUTH MAIN STREET ALLENTOWN NJ 08501	PO 2300180 TRAINING: OFC. E. PETERSON	50.00	50.00**
99316 - La Freccia Azzurra LLC 16 Park Terrace Montclair NJ 97943	PO 2300021 MILL FALL CLASSES NVER ENTERED	720.00	720.00**
100144 - Law Office of Nathan P. Wolf Atty for 73 Grove Associates 331 Main Street Chatham NJ 07928	PO 2300052 2022 TAX REFUND FOR 4204-4, 73-75 GROVE	4,731.43	4,731.43**
9411 - LAW OFFICES OF PETER D. RUSSO 395 FRANKLIN STREET BLOOMFIELD NJ 07003	PO 2201351 BLANKET PO FOR PUBLIC DEFENDER SERVICES	2,750.00	2,750.00**
13714 - LEXIS NEXIS RELX INC. DBA LEXISNEXIS PO BOX 9584 NEW YORK NY 10087-4584	PO 2200966 LEGAL RESEARCH DATABASE	353.00	353.00**
8328 - LIBRIZZI, GEORGE F. C/O TOWNSHIP OF MONTCLAIR 205 CLAREMONT AVENUE MONTCLAIR NJ 07042	PO 2202736 REIMBURSEMENT TO MUNICIPAL ASSESSOR FOR PO 2300255 REIMBURSEMENT TO THE TAX ASSESSOR GEORGE	CUTOMER ID: 273607 INVOICE PA6056 689.00	975.25**
11554 - Life Insurance Company of North America PO Box 782447 Philadelphia PA 19178-2447	PO 2300088 overpayment owed for ST Disability claim	5,907.71	5,907.71**
13680 - LOMBARDY DOORS SALES & SERVICE CORP. 734 BELLEVILLE AVENUE BELLEVILLE NJ 07109	PO 2300137 FD Blanket PO - Overhead Door Repair	244.00	244.00**

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
8109 - M & D AUTOMOTIVE DBA P&A AUTO PARTS 1278 BROAD STREET BLOOMFIELD NJ 07003	PO 2300125 VARIOUS PARTS & SUPPLIES - (BLANKET) PO 2300285 PARTS FOR DCS 66	597.81 98.72	696.53**
99600 - MID-ATLANTIC TRUCK CENTRE 525 WEST LINDEN AVE LINDEN NJ 07036	PO 2300167 PLOW TRUCK PARTS - (BLANKET)	504.33	504.33**
5660 - MONTCLAIR ART MUSEUM 3 SOUTH MOUNTAIN AVENUE MONTCLAIR NJ 07042	PO 2300002 FALL MILL CLASSES 2022 NEVER ENTERED	3,736.00	3,736.00**
99967 - Montclair History Center 108 Orange Road Montclair NJ 07042	PO 2300001 MILL FALL CLASSES - NEVER ENTERED	600.00	600.00**
1541 - MUNIDEX, INC. 174 ROUTE 17 NORTH SUITE 202 ROCHELLE PARK NJ 07662	PO 2300067 SOFTWARE MAINTENACE CONTRACT 2023	684.00	684.00**
996 - NAT'L FUEL OIL CO 175 ORANGE ST NEWARK NJ 07103-0001	PO 2300093 DIESEL DELIVLERY - (BLANKET)	22,338.10	22,338.10**
8672 - NATURE'S CHOICE CORP. 1106 Millstone River Road Hillsborough NJ 08844	PO 2300099 DISPOSAL OF CHRISTMAS TREES - (BLANKET) PO 2300108 RECYCLINGN OF LEAVES - (BLANKET)	6,820.00 5,475.00	12,295.00**
7965 - Neglia Engineering Associates PO Box 426 Lyndhurst NJ 07071	PO 2300035 ENGINEERING SERVICES FOR NOVEMBER 2022	12,715.65	

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
			12,715.65**
7871 - NEW FOUND ENTERPRISES, INC. 153 ESSEX AVENUE BLOOMFIELD NJ 07003	PO 2300115 REPAIR CAT CLAW - DCS 34	550.00	
			550.00**
2063 - NEW JERSEY FIRE EQUIPMENT 119-131 ROUTE 22 EAST DUNELLEN NJ 08812	PO 2202219 FD Hydrotesting	2,692.80	
			2,692.80**
46068 - NEW JERSEY PHCC 189 EAST BERGEN PLACE RED BANK NJ 07701	PO 2202462 NSPC UPDATED CODE BOOK	213.00	
			213.00**
2177 - NJ ADVANCE MEDIA, LLC DEPT 77571 PO BOX 77000 DETROIT MI 48277-0571	PO 2200653 NJ Advance Media 2022 - Blanket	134.55	
			134.55**
2177 - NJ ADVANCE MEDIA, LLC DEPT 77571 PO BOX 77000 DETROIT MI 48277-0571	PO 2300179 Publication of ads in the Star Ledger	17.55	
			17.55**
4290 - NJ SOCIETY OF MUNICIPAL ENGINEERS 414 RIVER VIEW PLAZA TRENTON NJ 08611-3420	PO 2300086 2023 MEMBERSHIP DUES FOR STEPHEN C. WOOD	150.00	
			150.00**
7716 - NJLM 222 WEST STATE STREET TRENTON NJ 08608	PO 2300228 2023 advertising fees	460.00	
			460.00**
8995 - NORTH JERSEY MEDIA GROUP PO Box 630703	PO 2200592 2022 JOB ADS NJ MEDIA	974.00	

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Paid to	Description	Payment	Check Total
Cincinnati OH 45263-0703			974.00**
1183 - NORTH JERSEY MEDIA GROUP PO BOX 630703 CINCINNATI OH 45263-0703	PO 2201372 Blanket #2 Publication of legal notices	22.23	22.23**
1183 - NORTH JERSEY MEDIA GROUP PO BOX 630703 CINCINNATI OH 45263-0703	PO 2201376 Blanket #2 Publication of legal notices	47.58	47.58**
1183 - NORTH JERSEY MEDIA GROUP PO BOX 630703 CINCINNATI OH 45263-0703	PO 2201377 Blanket #2 Publication of legal notices	25.36	25.36**
9528 - NORTHEAST SWEEPERS & RENTALS 20 MONTESANO ROAD FAIRFIELD NJ 07004	PO 2202499 36" RAVO BROOMS FOR SWEEPER	5,280.00	5,280.00**
1091 - NORTHEASTERN ARBORIST SUPPLIES 50 NOTCH ROAD WOODLAND PARK NJ 07424-1960	PO 2201035 VARIOUS PARTS, ACCESSORIES, REPAIRS & EQ	96.48	96.48**
8398 - NUCHEM CORP 747 N. FENWICK STREET ALLENTOWN PA 18109-1879	PO 2202572 BLANKET: 2022-2023 QUARTERLY WATER TREAT	728.97	728.97**
6192 - OUTSTANDING SERVICE CO 167 HILLCREST AVENUE CRANFORD NJ 07016-0001	PO 2300164 FUEL TANK INSPECTIONS & TREATMENT - (BL	226.90	226.90**
99988 - Payargo, Inc.	PO 2300053 Payargo payment processing July 1, 2022	559.95	

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Paid to	Description	Payment	Check Total
PO Box 5264 Cary NC 27512			559.95**
8214 - PM AM CORPORATION 5430 LBJ FRWY STE 370 DALLAS TX 75240	PO 2202684 BLANKET: 2022 ALARM REGIST., FALSE ALARM	1,982.00	1,982.00**
100218 - Police Legal Sciences PO Box 52 Washington IA 52353	PO 2300062 TRAINING: DISPATCHER	1,920.00	1,920.00**
7990 - PROSTOCK AUTO PARTS MONTCLAIR AUTO PARTS 330 NORTH MIDLAND AVENUE SADDLEBROOK NJ 07663	PO 2300063 ENCORE SOFTWARE UPDATE FOR GARAGE	749.00	749.00**
3062 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2200957 Blanket PO - 2022 Service - Fire Account	11,045.11	11,045.11**
8007 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2201298 ANIMAL SHELTER PSE&G BLANKET REST OF YEA	2,667.92	2,667.92**
99164 - Public Works Assoc of New Jersey c/o Thomas M. Spring, Treasurer 18 Davis Road Branchville NJ 07826	PO 2300087 2023 MEMBERSHIP DUES	135.00	135.00**
9033 - RIKER, DANZIG, SCHERE, HYLAND & PERRETTI LLP-ATTN:D.FREIJOIMIL ONE SPEEDWELL AVENUE MORRISTOWN NJ 07962	PO 2202700 BLANKET PO FOR LITIGATION/SPECIAL COUNSE	16,245.50	16,245.50**

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Paid to	Description	Payment	Check Total
99759 - ROSE, BRIAN 221 BALTIC ST. BROOKLYN NY 11201	PO 2300022 MILL FALL CLASSES NEVER ENTERED	945.00	
			945.00**
4181 - SANTARCANGELO LAW, LLC 80 PARK STREET SUITE 2A MONTCLAIR NJ 07042	PO 2201268 BLANKET PO FOR LEGAL SERVICES RE: ABANDO	3,946.30	
			3,946.30**
99507 - SchedulesPlus LLC 1734 Baihly Hills Drive, SW Rochester MN 55902	PO 2300072 ANNUAL LICENSE 2023	840.00	
			840.00**
9993 - SF Mobiel Vision Inc. PO Box 74008996 Chicago IL 60674-8996	PO 2202737 BLANKET: 2023-2024 EXTENDED MAINTENANCE	6,240.00	
			6,240.00**
100087 - Shoreline Energy Advisors, LLC 648 Valley Road Suite 2 Brielle NJ 08730	PO 2202063 MICROGRID PHASE 2 -	41,602.00	
			41,602.00**
9620 - SMS SECURITY SYSTEMS, LLC 1129 BLOOMFIELD AVENUE SUITE 101 WEST CALDWELL NJ 07006	PO 2300095 ANIMAL SHELTER FIRE ALAM MONITERING 2023	664.00	
			664.00**
100220 - Swan, Anthony c/o Montclair Police Department 647 Bloomfield Avenue Montclair NJ 07042	PO 2300054 BLANKET: DAMAGED PHONE REIMBURSEMENT	1,161.07	
			1,161.07**
99099 - Treasurer, State of New Jersey Division of Revenue PO Box 417 Trenton NJ 08646-0417	PO 2300074 REGULATED MEDICAL WASTE ANNUAL REGISTRAT	255.00	
			255.00**

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Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
6428 - TURN OUT FIRE & SAFETY 3468 KENNEDY BLVD JERSEY CITY NJ 07307-0001	PO 2202497 FD Blanket PO Clothing & Uniforms	296.00	
			296.00**
955 - VERIZON BUSINESS PO Box 16801 Newark NJ 07101-6801	PO 2300156 BLANKET ANIMAL SHELTER VERIZON CHARGES	289.14	
			289.14**
8550 - VERIZON RBCC PO BOX 15124 ALBANY NY 12212-5124	PO 2300293 EDDGEMONT VERIZON INVOICE 2020 - NOT PAI	173.12	
			173.12**
3202 - VSP PO BOX 742788 LOS ANGELES CA 90074-2788	PO 2300237 2023 vision plan premiums	3,289.63	
			3,289.63**
5601 - W.B. MASON CO., INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2200237 BLANKET- WATER COOLER-CODE ENFORCEMENT	0.95	
			0.95**
9362 - W.B. MASON COMPANY INC. PO BOX 981101 BOSTON MA 02298-1101	PO 2202711 office supplies for the tax assessors wa PO 2300111 Blanket PO Montclair Municipal Court	22.35 117.90	
			140.25**
99090 - William J. Guarini, Inc. 152 Stevens Avenue Jersey City NJ 07305	PO 2202636 BLANKET: MISCELLANEOUS PLUMBING REPAIRS/	197.00	
			197.00**
2061 - YMCA OF MONTCLAIR 25 PARK STREET MONTCLAIR NJ 07042	PO 2300044 2021 TAX REFUND FOR 2212-18, 25 PARK ST	16.91	

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Paid to	Description	Payment	Check Total
			16.91**
	DEDICATED TRUST		
99931 - Boswell Engineering 330 Phillips Avenue South Hackensack NJ 07606	PO 2201262 Blanket #2 2022 ESCROW BOSWELL Engineeri	7,033.75	
			7,033.75**
9717 - CONNOLLY & HICKEY HISTORICAL ARCHITECTS, LLC 1 S. Union Avenue, 3rd floor Cranform NJ 07016	PO 2201260 Blanket #2 2022 ESCROW Connolly Hickey H	195.00	
			195.00**
100024 - K & D Contractors, LLC 351 Monroe Avenue Kenilworth NJ 07033	PO 2300174 CHANGE ORDER - Valley Rd Fire Station AD	2,717.45	
			2,717.45**
99673 - THE HOME DEPOT PRO 2455 PACES FERRY ROAD ATLANTA GA 30339	PO 2200208 Blanket PO - Fire Prevention Equipment a	478.65	
			478.65**
	CAPITAL		
9645 - CHALLENGER FENCE 53 KENTUCKY AVENUE PATERSON NJ 07503	PO 2202717 REPLACE DAMAGED FENCE @ 205 CLAREMONT PK	3,200.00	
			3,200.00**
1578 - ELEVATOR MAINTENANCE CORP. 580 ELM STREET KEARNY NJ 07032	PO 2202743 Repair Elevator at 205 Claremont Ave	7,750.00	
			7,750.00**
6795 - GZA GEO ENVIRONMENTAL INC. 55 LANE ROAD SUITE 407	PO 2202173 PROPOSAL FOR 2022 REGULAR INSPECTION OF	3,600.00	

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Paid to	Description	Payment	Check Total
FAIRFIELD NJ 07004			3,600.00**
8477 - HOFFMAN SERVICES INC. 55 EAST BIGELOW STREET NEWARK NJ 07114	PO 2202442 REPAIRS TO BE MADE AFTER RECENT INSPECTI	4,181.79	
			4,181.79**
6316 - KEY TECH 210 MAPLE PLACE PO BOX 48 KEYPORTT NJ 07735-0001	PO 2202613 BITUMINOUS CONCRETE CORE SAMPLING AND TE	1,820.00	
			1,820.00**
7965 - Neglia Engineering Associates PO Box 426 Lyndhurst NJ 07071	PO 2300035 ENGINEERING SERVICES FOR NOVEMBER 2022	16,666.47	
			16,666.47**
	Water Operating		
100113 - Airgas USA, LLC PO Box 734445 Chicago IL 60673-4445	PO 2201835 W-101 -- Blanket for Liquid Chlorine in	281.16	
			281.16**
99037 - Amazon Capital Services PO Box 035184 Seattle WA 98124-5184	PO 2200384 W-29 - SECOND BLANKET - Materials, Equip	143.27	
			143.27**
96507 - BMS DIRECT 37 MILLRACE DRIVE LYNCHBURG VA 24502-4343	PO 2300196 2022 4th Quarter Water Bill processing	2,197.27	
			2,197.27**
1739 - CITY OF CLIFTON ATTN: TAX OFFICE 900 CLIFTON AVE CLIFTON NJ 07013	PO 2300065 City of Clifton Tax Bl#74.11 lot 1	251.24	
			251.24**

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Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to	Description	Payment	Check Total
9368 - CORE & MAIN LP PO BOX 28330 ST. LOUIS MO 63146	PO 2202227 P-32 -- Third Encumbrance-Purchase & Del	4,681.00	
			4,681.00**
100222 - Eckstut, Joann 26 Marston Place Glen Ridge NJ 07028	PO 2300061 Water refund- paid in error- intended to	73.67	
			73.67**
3282 - GRAINGER, INC. DEPT 858312218 PALATINE IL 60038-0001	PO 2202392 W-154 -- Third Blanket for Materials & S	736.85	
			736.85**
557 - HACH COMPANY 2207 COLLECTION CENTER DRIVE CHICAGO IL 60693	PO 2202171 W-136 -- Second Blanket for Materials &	1,432.96	
			1,432.96**
9261 - INITECH INDUSTRIAL LLC 1033 ROUTE 46 EAST SUITE A201 CLIFTON NJ 07013	PO 2201559 W-47 - BLANKET - Engineering & Programmi	4,254.00	
			4,254.00**
4525 - JERSEY UNIFORM INDUSTRIAL WEAR 918 SO. WOOD AVENUE LINDEN NJ 07036	PO 2201785 Blanket for 2022 Uniforms for Department	376.87	
			376.87**
3327 - MONTCLAIR SUPPLY CORP. 97-99 MAPLE AVENUE MONTCLAIR NJ 07042	PO 2201382 W-77 - Second Blanket for Plumbing Mater	74.72	
			74.72**
9016 - NEWARK ASPHALT CORP. FOOT OF PASSAIC ST NEWARK NJ 07104-0001	PO 2201086 W-64 -- Second Blanket for Purchase of W	2,893.46	
			2,893.46**

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Paid to	Description	Payment	Check Total
4642 - NORTHERN SAFETY CO INC PO BOX 4250 UTICA NY 13504-4250	PO 2201381 W-76 - Second Blanket for Materials, Sup	487.67	
			487.67**
8489 - P & A AUTO & TRUCK PARTS 1278 BROAD STREET BLOOMFIELD NJ 07003	PO 2201875 W-103 -- Second Blanket for Vehicle Part	382.19	
			382.19**
8891 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2202258 0-29 -- Third Blanket - Electric/Gas Ser	35,016.72	
			35,016.72**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2202312 W-147 -- Blanket Purchase Order for Offi	2,200.59	
			2,200.59**
1564 - TOWNSHIP OF CEDAR GROVE 525 POMPTON AVE CEDAR GROVE NJ 07009-0001	PO 2300066 1st QTR 2023 Cedar Grove Tax Bl#30 lot 3	144.23	
			144.23**
100226 - Township of Verona 600 Bloomfield Avenue Verona NJ 07044	PO 2300275 W-184 - Emergency Water Connection to Ve	6,319.04	
			6,319.04**
	Water Capital		
9368 - CORE & MAIN LP PO BOX 28330 ST. LOUIS MO 63146	PO 2200874 P-12 -- ORDERING Various Sized Ductile I	20,519.20	
			20,519.20**

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Paid to	Description	Payment	Check Total
PARKING UTILITY			
834 - Cenova Inc. PO Box 449 Lafayette Hill PA 19444	PO 2200629 Parking Utility Snow Plowing Services fo	1,500.00	
	PO 2201019 Parking Utility Snow Plowing Services fo	13,445.00	
	PO 2201020 Parking Utility Snow Plowing Services fo	1,500.00	
	PO 2201021 Parking Utility Snow Plowing Services fo	1,800.00	
	PO 2202162 Parking Utility Snow Plowing Services fo	1,500.00	19,745.00**
3249 - D & M INSTANT PRINTING 46 WATSON AVENUE WEST ORANGE NJ 07052-0001	PO 2202757 2022 Quote for Temporary No Parking Sign	650.00	
			650.00**
9710 - IMPARK 216 Haddon Avenue Suite 400 Westmont NJ 08108	PO 2200963 2022 Operations and Management for Parki	36,966.69	
			36,966.69**
8389 - IPS PO BOX 80500 CITY OF INDUSTRY CA 91716-8500	PO 2201673 2022 IPS meter maintenance	245.63	
			245.63**
99815 - Parkeon, Inc. dba FlowBird 40 Twosome Drive, Suite 7 Moorestown NJ 08057	PO 2201484 2022 Proprietary Parking Mobile Applicat	915.00	
			915.00**
99929 - Redi Packaging Inc. PO Box 488 Oakhurst NJ 07755	PO 2202618 2022 Meter Bag for Holiday Parking Doubl	147.79	
			147.79**
Section 8			
100211 - Giampaolo & Associates 467 Middletown Lincroft Road Lincroft NJ 07738	PO 2300162 3rd Quarter 2022 Accounting Fees	2,000.00	
			2,000.00**

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Paid to	Description	Payment	Check Total
	Parking Capital		
6377 - Gannett Fleming, Inc. PO Box 829160 Philadelphia PA 19182-9160	PO 2201709 Midtown Parking Deck Engineering Proposa	6,318.82	
			6,318.82**
	SEWER OPERATING		
76 - AMERICAN ROYAL HARDWARE 251 Park Street Montclair NJ 07043-0010	PO 2200055 R-1 - Blanket for Hardware Items for San	26.99	
			26.99**
9261 - INITECH INDUSTRIAL LLC 1033 ROUTE 46 EAST SUITE A201 CLIFTON NJ 07013	PO 2201559 W-47 - BLANKET - Engineering & Programmi	1,940.00	
			1,940.00**
8891 - PUBLIC SERVICE ELECTRIC & GAS PO BOX 14444 NEW BRUNSWICK NJ 08906-4444	PO 2200035 0-5 - First Blanket for Electric Service	65.35	
			65.35**
3178 - SECOND RIVER JOINT MEETNG 500 SOUTH FIRST ST ELIZABETH NJ 07202-0001	PO 2300183 0-1 -- Second River Joint Meeting - 1st	30,367.00	
			30,367.00**
7506 - STAPLES PO Box 70242 Philadelphia PA 19176-0242	PO 2201083 R-9 - BLANKET for Office Supplies from S PO 2202369 R-28 - Blanket for Office Furniture and	2,188.69 679.96	
			2,868.65**
TOTAL			645,310.88

**** = Payment(s) need to be approved before check can be printed.**

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Paid to	Description	Payment	Check Total
Total to be paid from Fund 01 CURRENT FUND	412,944.74		
Total to be paid from Fund 03 DEDICATED TRUST	10,424.85		
Total to be paid from Fund 04 CAPITAL	37,218.26		
Total to be paid from Fund 06 Water Operating	61,946.91		
Total to be paid from Fund 07 Water Capital	20,519.20		
Total to be paid from Fund 09 PARKING UTILITY	58,670.11		
Total to be paid from Fund 16 Section 8	2,000.00		
Total to be paid from Fund 19 Parking Capital	6,318.82		
Total to be paid from Fund 22 SEWER OPERATING	35,267.99		

	645,310.88		

Checks Previously Disbursed

1164	CORE & MAIN LP	PO# 2300198 P-37 - Emergency Materials from	174,836.43	1/27/2023
1165	CRJ CONTRACTING CORPORATION	PO# 2300199 P-38 -- Emergency Water By-Pass	98,625.00	1/27/2023
3093	AGRA ENVIRONMENTAL & LAB SERV	PO# 2300200 W-183 - Emergency Coliform, SVOC	7,400.00	1/27/2023
17120	GENOVA BURNS LLC	PO# 2202701 BLANKET PO FOR LABOR/EMPLOYMENT	50,000.00	1/20/2023
17121	PNC EQUIPMENT FINANCE, LLC.	PO# 2300056 FIRE LADDER TRUCK RENTAL	101,800.24	1/23/2023
870896	MONTCLAIR BOARD OF EDUCATION	1/27/23 BOE Levy	5,200,000.00	1/27/2023
1302301	FP MAILING SOLUTIONS	01.30.23 funding of municipal post	8,000.00	1/30/2023
1312301	PASSAIC VALLEY SEWERAGE	2023-Q1 charges	1,191,415.08	1/31/2023
1312302	New Jersey Infrastructure Bank	02.01.23 NJIB Payment (2004A)	2,744.91	1/31/2023
1312303	New Jersey Infrastructure Bank	02.01.23 NJIB Payment Loan Series	11,108.86	1/31/2023
1312304	New Jersey Infrastructure Bank	02.01.23 NJIB Payment (2012A & 202	38,599.29	1/31/2023
2022301	NORTH JERSEY DISTRICT WATER	2023-Q1 North Jersey District Wate	463,935.25	2/02/2023

			7,348,465.06	

Totals by fund	Previous Checks/Voids	Current Payments	Total

Fund 01 CURRENT FUND	5,362,545.15	412,944.74	5,775,489.89
Fund 03 DEDICATED TRUST		10,424.85	10,424.85
Fund 04 CAPITAL		37,218.26	37,218.26
Fund 06 Water Operating	482,444.11	61,946.91	544,391.02

List of Bills - (All Funds)

Meeting Date: 02/07/2023 For bills from 01/24/2023 to 02/03/2023

Paid to		Description	Payment	Check Total
Fund 07 Water Capital	273,461.43	20,519.20	293,980.63	
Fund 09 PARKING UTILITY		58,670.11	58,670.11	
Fund 16 Section 8		2,000.00	2,000.00	
Fund 19 Parking Capital		6,318.82	6,318.82	
Fund 22 SEWER OPERATING	1,230,014.37	35,267.99	1,265,282.36	

BILLS LIST TOTALS	7,348,465.06	645,310.88	7,993,775.94	=====



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing appointment to the Essex County Solid Waste Advisory Council

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the execution of an agreement with Insurance Management and Consulting Agency ("IMAC") for Consultancy Services and Insurance Brokerage for year 2023

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Human Resources Office

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the execution of an agreement with Insurance Management and Consulting Agency ("IMAC") for risk management consulting services

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing purchase of contract with Riverview Paving, Inc. through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A. 40a:11-10(a)(1)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Department of Planning, Zoning, and Community Development

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing purchase of contract with Schifano Construction Corporation through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A. 40a:11-10(a)(1)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Department of Community Services

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing purchase contract with Denville Line Painting Inc. through the Morris County Cooperative Purchasing Council Pursuant to N.J.S.A 40a:11-10(a)(1)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Human Resources Office

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution awarding a fair and open contract to Cleary Giacobbe Alfieri Jacobs LLC for Labor and Employment/Labor Relations & Affirmative Action and Ethics Special Counsel for CY 2023 (RFP #22-29)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the Township to accept and qualify responses to the request for qualifications (RFP 22-27) for professional services for vacant and abandoned properties attorney and to authorize the award of a professional services contract for vacant and abandoned properties attorney to Santarcangelo Law LLC for CY 2023

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the Township to accept and qualify responses the request for qualifications (RFP 22-28) for professional services for conflict and general litigation attorney and to authorize the award of a professional services contract for conflict and general litigation attorney to Riker Danzig LLC for CY 2023

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution amending non-fair and open contract of Lindabury, McCormick Estabrook & Cooper, P.C. as special counsel to conduct and independent employment practices investigation by adding additional funds (\$17,500.00)

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Law Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing additional funds (\$30,000.00) to be paid to Genova Burns, LLC as Labor/Employment Counsel and Special Legal Counsel for year 2022

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing additional funds (\$30,000.00) to be paid to Riker Danzig LLC as litigation counsel and special legal counsel for year 2022

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY: Finance Department

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing the change in custodian and change in monetary amount of petty cash fund for the Finance Department

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution authorizing notice of intention to issue one new Plenary Retail Consumption License in accordance with N.J.S.A. 33:1-19.8 by the Historical Method pursuant to N.J.S.A. 33:1-19.1 and 19.2

ATTACHMENTS:



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TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **DISCUSSION/FEBRUARY 21, 2023 AGENDA ITEMS**

SUBJECT: Resolution accepting maintenance responsibility for installation, maintenance, and liability for rectangular rapid flashing beacon at Grove Street and Summit Avenue intersection

ATTACHMENTS:



Item Cover Page

TOWNSHIP COUNCIL AGENDA ITEM REPORT

DATE: February 7, 2023

SUBMITTED BY:

ITEM TYPE: Resolution

AGENDA SECTION: **EXECUTIVE SESSION**

SUBJECT: **Resolution R-23-025:** Resolution authorizing executive session without the public being permitted to attend in accordance with N.J.S.A. 10:4-12(b)

ATTACHMENTS:

[Resolution Authorizing Executive Session 02.7.23 Council Meeting.pdf](#)

TOWNSHIP OF MONTCLAIR

RESOLUTION AUTHORIZING EXECUTIVE SESSION WITHOUT THE PUBLIC BEING PERMITTED TO ATTEND IN ACCORDANCE WITH N.J.S.A 10:4-12(b)

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Montclair Township Council to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, the Council of the Township of Montclair has determined that three (3) issues that are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on 2/7/23 at 6 P.M, and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

[] **“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____;

[] **“(2) Any matter in which the release of information would impair a right to receive funds from the federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____;

[] **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ ;

[] **“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body”** The collective bargaining contract(s) discussed are between the Township and _____ ;

[] **“(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____ ;

[] **“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____ ;

[5] **“(7) Any pending or anticipated litigation or contract negotiation in which the public body is a party or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.”** The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are National Opioid Litigation Civil Action No. 17-MO-02089 (DP); and Township of Montclair and Montclair Fire Department; and Rao v Township of Montclair Dkt # ESX-L-6129-22; and Lee v Township of Montclair Dkt # ESX-L-6438-22; and Township of Montclair; and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is Attorney-Client Privilege – briefing by Township Attorney and outside counsel regarding pending and anticipated litigation.

[1] **“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.”** Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are related to personnel and employment practices investigations;

[] **“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension**

or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

;

WHEREAS, the length of the Executive Session is estimated to be _____ minutes after which the public meeting of the Township Council shall:

- ☐ reconvene and immediately adjourn; or
- ☐ reconvene and proceed with business.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Montclair, in the County of Essex, will go into Executive Session for **only** the above stated reasons; and

BE IT FURTHER RESOLVED that the Township Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below:

Unknown for all.