

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

PROCLAMATION

**HONORING ROBERT WEBSTER WILLETT FOR HIS EXTRAORDINARY YEARS OF DEDICATED
VOLUNTEER SERVICE TO THE MENDHAM BOROUGH COMMUNITY**

WHEREAS, Robert (Bob) Webster Willett and his wife, Marilyn, have been residents of Mendham Borough for the past 47 years and have raised and educated their three children, David, Robbie and Debbie here through the Mendham Borough schools; and

WHEREAS, Bob Willett served as a former President to the Pastime Club, one of Mendham's oldest organizations having a rich history of community service, and

WHEREAS, for many years, Bob Willett volunteered as a coach to many of our community's youth sports teams; and

WHEREAS, Bob Willett served on the Juvenile Conference Committee for Mendham Borough for 44 years, helping to steer our children and young adults away from crime and the court system and on to lives of fulfillment and prosperity; and

WHEREAS, Bob Willett has been serving our Mendham Area Senior Housing community as a driver for 12 years, ensuring that our seniors have reliable transportation to and from medical appointments, needed shopping errands, and other destinations that help them live independent life-styles; and

WHEREAS, Bob Willett has impacted the lives of so many of our Mendham Borough residents, young and old alike, in such a positive way through his many years of volunteer service in our community.

THEREFORE, BE IT PROCLAIMED, by the Mayor and Council of the Borough of Mendham, on behalf of the citizens and business community in Mendham Borough, that we express our sincerest appreciation and gratitude to Robert (Bob) Webster Willett for his extraordinary years of dedicated volunteer service to our community over the years and wish him and his family good health and prosperity in all their future endeavors.

Under the Seal of
THE BOROUGH OF MENDHAM
This 12th day of February, 2020

Christine Serrano-Glassner, Mayor

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #042-2020

**RESOLUTION AWARDING A CONTRACT FOR BIOASSAY TESTING SERVICES
AT THE SEWAGE TREATMENT PLANT**

WHEREAS, the Borough of Mendham requires the services of a certified testing laboratory to perform chronic bioassay testing of effluent from the Borough's Sewage Treatment Plant as required by the New Jersey Department of Environmental Protection for the period March 1, 2020 through February 28, 2021; and

WHEREAS, in response to a request for quotations the following laboratory submitted a proposal to provide these services, including all sampling and sampling transport:

<u>LABORATORY</u>	<u>ANNUAL COST</u>	<u>ALL REQUIRED TESTS</u>
American Aquatic Testing, Inc.	\$1,300.00	

And,

WHEREAS, the quotation submitted by American Aquatic Testing, Inc. was the only quotation received which met the Borough's specifications; and

WHEREAS, this contract may be authorized without formal bidding because the annual cost is less than the mandatory bid threshold; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose for fiscal year 2020; and

WHEREAS, the balance of the funding for this contract for fiscal year 2021 is subject to and contingent upon appropriation of sufficient funds.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The contract for performing chronic bioassay testing is hereby awarded to American Aquatic Testing, Inc., 890 North Graham Street, Allentown, PA 18109 for the period March 1, 2020 through February 28, 2021 at a total cost not to exceed \$1,300.00; and
2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #043-2020

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT
COMPETITIVE BIDDING TO KSI PROFESSIONAL ENGINEERS, LLC FOR STRUCTURAL DESIGN SERVICES
GARABRANT CENTER HVAC UPGRADE PROJECT**

WHEREAS, the Borough of Mendham ("Borough") requires professional structural design services in connection with the Garabrant Center HVAC Upgrade project; and

WHEREAS, the Borough desires to retain the services of KSI Professional Engineers, LLC to provide these services, in accordance with its proposal dated January 21, 2020; and

WHEREAS, the Chief Financial Officer of the Borough has certified that sufficient funds are available for this purpose; and

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

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough hereby awards and authorizes the Mayor and the Borough Clerk to execute an agreement with KSI Professional Engineers, LLC to provide professional structural design services in connection with the Garabrant Center HVAC Upgrade project at a cost not to exceed \$4,500.00, in accordance with its proposal dated January 21, 2020.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$4,500.00 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough's official newspaper as required by law.
5. A copy of this resolution shall be provided to the Borough's Chief Financial Officer and to KSI Professional Engineers, LLC, for its information and guidance.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #044-2020

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO KSI CONSULTING ENGINEERS, LLC
FOR MECHANICAL, ELECTRICAL AND PLUMBING DESIGN SERVICES
GARABRANT CENTER HVAC UPGRADE PROJECT**

WHEREAS, the Borough of Mendham (“Borough”) requires professional mechanical, electrical and plumbing design services in connection with the Garabrant Center HVAC Upgrade project; and

WHEREAS, the Borough desires to retain the services of KSI Consulting Engineers, LLC to provide these services, in accordance with its proposal dated January 21, 2020; and

WHEREAS, the Chief Financial Officer of the Borough has certified that sufficient funds are available for this purpose; and

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

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough hereby awards and authorizes the Mayor and the Borough Clerk to execute an agreement with KSI Consulting Engineers, LLC to provide professional mechanical, electrical and plumbing design services in connection with the Garabrant Center HVAC Upgrade project at a cost not to exceed \$4,800.00, in accordance with its proposal dated January 21, 2020.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$4,800.00 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough’s official newspaper as required by law.
5. A copy of this resolution shall be provided to the Borough’s Chief Financial Officer and to KSI Consulting Engineers, LLC, for its information and guidance.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #045-2020

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR CAPITAL/WRF IMPROVEMENTS PHASE 2

WHEREAS, by resolution adopted on November 25, 2019, the Borough of Mendham ("Borough") authorized the award of a professional service contract to Paulus, Sokolowski and Sartor, LLC ("PSS") to perform engineering services in conjunction with Phase 1 (conceptual design) of the Water Reclamation Facility ("WRF") Improvements project ("Project") to improve the WRF's operational flexibility and reliability to meet NJPDES Program limitations and its ability to handle peak flows; and

WHEREAS, the Borough wishes to obtain a Planning and Design Loan ("Loan") from the NJ I-Bank to fund the cost of the engineering services required for the Project; and

WHEREAS, the total amount permitted for the Loan is currently \$67,500.00, which is the total amount authorized by the Borough for Phase 1 of the Project; and

WHEREAS, the Borough wishes to authorize PSS to perform engineering services in conjunction with Phase 2 (final design) of the Project in accordance with its proposal dated January 22, 2020, in the amount of \$191,800.00; and

WHEREAS, it is in the best interest of the Borough to authorize Phase 2 of the Project prior to the Loan period ending so that the Borough can be reimbursed for authorized funds as they are spent, rather than having to wait for reimbursement until after the Loan closes, which will not occur until NJDEP authorizes the award to construct the Project; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available for this purpose; and

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

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough hereby awards and authorizes the Mayor and the Borough Clerk to execute an agreement with Paulus, Sokolowski and Sartor, LLC to provide professional engineering services in connection with Capital/WRF Improvements Phase 2, at a cost not to exceed \$191,800.00, in accordance with its proposal dated January 22, 2020.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$191,800.00 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough's official newspaper as required by law.
5. A copy of this resolution shall be provided to the Borough's Chief Financial Officer and to Paulus, Sokolowski and Sartor, LLC, for their information and guidance.

This Resolution shall take effect immediately.

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #046-2020

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO FERRIERO ENGINEERING, INC.
FOR THE DEAN ROAD IMPROVEMENTS SECTION 1 PROJECT**

WHEREAS, the Borough of Mendham has a need for professional engineering services related to the Dean Road Improvements Section 1 project ("Project"), which includes pavement repair, ADA curb ramps reconstruction, drainage inlet upgrades, minor curb and sidewalk repair, roadway milling and resurfacing, traffic striping, and other incidental work; and

WHEREAS, the Borough has received NJDOT Local Aid funding in the amount of \$325,000 for the Project; and

WHEREAS, the Borough wishes to authorize Ferriero Engineering, LLC to perform these engineering services in conjunction with the Project in accordance with its proposal dated January 14, 2020, in the amount of \$64,100.00; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available for this purpose; and

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

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough hereby awards and authorizes the Mayor and the Borough Clerk to execute an agreement with Ferriero Engineering, Inc. to provide professional engineering services in connection with the Dean Road Improvements Section 1 project, at a cost not to exceed \$64,100.00, in accordance with its proposal dated January 14, 2020.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$64,100.00 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough's official newspaper as required by law.
5. A copy of this resolution shall be provided to the Borough's Chief Financial Officer and to Ferriero Engineering, Inc., for their information and guidance.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #047-2020

**RESOLUTION AUTHORIZING THE PURCHASE OF SMARTPHONES AND WIRELESS SERVICES
FROM VERIZON WIRELESS THROUGH THE NEW JERSEY STATE CONTRACT PROGRAM**

WHEREAS, N.J.S.A. 40A:11-12 of the Local Public Contracts Law, sets forth that competitive quotes or public bidding is not required when the purchase of goods or services is made through an approved State of New Jersey Contract; and

WHEREAS, the Borough realizes cost savings by purchasing services, equipment and materials through the State of New Jersey Contract program; and

WHEREAS, the Department of Public Works has a need to purchase eight (8) new smartphones, and to upgrade two (2) smartphone devices from Verizon Wireless with 4G Unlimited Smartphone Plan service, in the amount not to exceed \$39.99 per month, per device through the State of New Jersey Contract #A82583, Vendor T216A; and

WHEREAS, there is no cost for the purchase of the wireless devices under State Contract #A82583, Vendor T216 during the promotion period; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available for this purchase.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey as follows:

1. The purchase of the wireless devices and services as herein referenced is hereby approved; and
2. The contract is awarded without competitive quotations through the State of New Jersey Contract #A82583, Vendor T216A, in accordance with the provisions of the Local Public Contracts Law
3. A copy of this resolution shall be provided to the Borough's Chief Financial Officer for information and guidance.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #048-2020

RESOLUTION AUTHORIZING PAYMENT OF SPECIAL MASTER FEES IN THE LITIGATION ENTITLED, IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF MENDHAM, DOCKET NO. MRS-L-1637-15

WHEREAS, on or about July 2, 2015, the Borough of Mendham filed a declaratory judgment action entitled In the Matter of the Application of the Borough of Mendham, Docket No. MRS-L-1637-15, in the Morris County Superior Court; and

WHEREAS, by way of Order Appointing Special Master filed on October 15, 2018, the Court appointed James T. Kyle, P.P., A.I.C.P., of Kyle McManus Associates LLC, P.O. Box 236, Hopewell, New Jersey 08525 to serve as Special Master to assist the Court in this litigation, at an hourly rate of \$250.00; and

WHEREAS, the Order also indicated that the Borough may use funds from the administrative portion of its Affordable Housing Trust Fund for the Special Master's fees; and

WHEREAS, on February 4, 2020, the Special Master submitted to the Borough Invoice #1675 reflecting services from January 20, 2020 through January 24, 2020, with the amount due and payable totaling \$4,200.00; and

WHEREAS, the Borough Council wishes to authorize this payment to the Special Master.

THEREFORE, BE IT RESOLVED by the Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough is hereby authorized to expend \$4,200.00 for the services of the Special Master in the matter entitled In the Matter of the Application of the Borough of Mendham, Docket No. MRS-L-1637-15, in the Morris County Superior Court.
2. It is further authorized that the amount due and payable of \$4,200.00 shall be remitted directly to Special Master James T. Kyle P.P., A.I.C.P., of Kyle McManus Associates LLC, P.O. Box 236, Hopewell, New Jersey 08525.
3. This authorization is subject to the Special Master submitting the appropriate documentation to the Borough, including, but not limited to, Pay-to-Play information, Business Registration Certification and appropriate payment and tax information.
4. Funding for these Special Master services may be drawn from the Borough's Affordable Housing Trust Fund.

This Resolution shall take effect immediately.

DATED: February 12, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #049-2020

**A RESOLUTION PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC
PURSUANT TO THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into an Executive (Closed) Session during a public meeting to discuss certain matters such as:

- (1) Matters required by law to be confidential;
- (2) Any matter in which the release of information would impair the right to receive federal funding;
- (3) Matters involving individual privacy;
- (4) Matters pertaining to a collective bargaining agreement;
- (5) Matters relating to the purchase, lease, acquisition of real property or investment of public funds;
- (6) Matters of public protection;
- (7) Matters relating to litigation, negotiations and attorney-client privilege;
- (8) Matters relating to the employment relationship;
- (9) Deliberations after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party.

And,

WHEREAS, the Mayor and Council have determined that it is necessary to go into an Executive Closed Session to discuss certain matters relating to items as permitted by N.J.S.A. 10:4-12b.

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Attorney-Client Privilege: Proposed Land Use Board Ordinance

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Mendham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.

DATED: February 12, 2020