

Minutes of the 2017 Organization Meeting of the Township Committee of the Township of Millburn, in the County of Essex, New Jersey, held in the Town Hall starting at 7:30 PM on the above date.

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

In accordance with Section 5 of the Open Meetings Act, Chapter 231, Public Laws, 1975, be advised that notice of this meeting was made by posting on the Bulletin Board, Town Hall, and forwarding electronically to the officially designated newspapers, a notice stating that this meeting would take place at the Town Hall at 7:30 PM on January 3, 2017.

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

Cantor Lorna Wallach of Congregation B'nai Israel opened the session with an invocation.

Essex County Clerk Christopher Durkin administered the Oath of Office to Dianne Eglow and Samuel Levy.

Upon call of the roll, the following Committee members were recorded present: Cheryl H. Burstein, Dianne T. Eglow, Samuel D. Levy, Jodi L. Rosenberg and Robert J. Tillotson.

Township Clerk Gatti called for nominations for Mayor/Committee Chair for 2017. Committeewoman Eglow moved the nomination of Committeewoman Burstein which was seconded by Committeewoman Rosenberg. Clerk Gatti asked Ms. Burstein if she accepted the nomination, which she did. Clerk Gatti called for any other nominations.

Receiving none, she called the roll:

Ayes: Burstein, Eglow, Levy, Rosenberg, Tillotson  
Nays: None

At the completion of the roll call vote, Committeewoman Burstein was elected Mayor/Chair for the year 2017.

Mayor Burstein thanked Committeewoman Eglow for the nomination and the Township Committee for honoring her with the Chair and assumed the Chair.

Committeeman Tillotson nominated Committeewoman Rosenberg for Deputy Mayor/Vice Chair for 2017, which was seconded by Mayor Burstein. The nomination was accepted by Committeewoman Rosenberg. Clerk Gatti called for any other nominations.

Receiving none, the Clerk called the roll:

Ayes: Burstein, Eglow, Rosenberg and Tillotson  
Nays: Levy

Committeewoman Rosenberg accepted the nomination and would serve as Deputy Mayor/Vice Chair for 2017.

Mayor Burstein made comments about her vision for 2017 and acknowledged the dignitaries present.

### **Mayoral Appointments**

Mayor Burstein made the following Mayoral appointments for 2017:

The following are appointed to the 2017 Art Advisory Committee:

Orna Greenberg	Amy McGovern	Kathi Hecht
Donna Davis	Andrew Permison	Victoria Plummer

**January 3, 2017**  
**Millburn Township Committee Meeting**

Laraine Barach, Chair

Judith Kramer

Joy Siegel

Oscar Peterson

Michelle San Fillipo, Advisor

The following appointments were made to the Environmental Commission:

Elizabeth Vollavanh reappointed to a three year term ending December 31, 2019

Beth Zall appointed to a three year term ending December 31, 2019

Jennifer Duckworth appointed to fill an unexpired three year term ending December 31, 2018

David Emma appointed to fill an unexpired two year term as Alternate #1 term ending December 31, 2017

Chloe Bambara reappointed to a two year term as Alternate #2 term ending December 31, 2018

Mayor Burstein announced the appointment of Elizabeth Vollavanh as Chairperson of the Environmental Commission for a one-year term ending December 31, 2017.

The following appointments were made to the Historic Preservation Commission:

Robert Frenkel, Class B, reappointment to a four year term ending December 31, 2020

Karen Gaylord, Class B, reappointment to a four year term ending December 31, 2020

Zachery Davis, Class A, appointed to a four year term ending December 31, 2020

The following appointments were made to the Planning Board:

Daniel Baer, Class IV, appointed to a four year term ending December 31, 2020

Beth Zall, Class IV - Environmental Commission Representative, appointed to a four year term with the term expiration of December 31, 2019

The following appointments were made to the Board of Recreation:

Lisa Siracuse reappointed to a five year term ending December 31, 2021

Nicholas Romano reappointed to a five year term ending December 31, 2021

Monica Yang-Togher reappointed to a five year term ending December 31, 2021

Stuart Paulsen reappointed as Alternate #1 to a five year term ending December 31, 2021

Cheryl Burstein as the Township Committee Member to the Board of the Downtown Millburn Development Alliance Board of Trustees for a one-year term ending December 31, 2017.

Committeeman Tillotson and Committeewoman Rosenberg were appointed as the Township Committee Trustees of the Cora Hartshorn Arboretum and Bird Sanctuary for a one year term ending December 31, 2017.

Mayor Burstein announced the appointment of Cheryl Burstein as the Class 1 Mayor's Designee to the Planning Board for a one year term ending December 31, 2017

Mayor Burstein announced the appointment of Cheryl Burstein as the member of the Board of Trustees of the Millburn Free Public Library for a one-year term ending December 31, 2017.

Mayor Burstein announced the designation of the following Township Committee Members as liaisons to boards and committees/commissions for 2017 as follows:

Board of Recreation	Robert Tillotson
Community Service Award	Dianne Eglow
Environmental Commission	Dianne Eglow
Shade Tree Advisory Board	Dianne Eglow

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

Finance	Cheryl Burstein and Robert Tillotson
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**Mayoral Appointments with Advice & Consent of Township Committee**

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

Mayor Burstein announced the re-appointment with consent of the Township Committee, Ruthie Binder as a Trustee of the Millburn Free Public Library for a five-year term ending on December 31, 2021.

Mayor Burstein announced the re-appointment with the consent of the Township Committee of Barbara Kernan Ciavarella reappointment to a three year term ending December 31, 2019 and Lisa Boldt appointed to a three year term ending December 31, 2019.

Mayor Burstein announced the appointment, with the consent of the Township Committee of Jodi Rosenberg as Liaison to the Senior Citizen Advisory Board for one year ending on December 31, 2017.

Mayor Burstein announced the re-appointment, with consent of the Township Committee, of Suzanne Zimmer as member of the Local Assistance Board for a four year unexpired term ending on December 31, 2019 and the appointment of Judith Kramer as a member of the Local Assistance Board for a four year term ending on December 31, 2020.

Mayor Burstein announced the appointment, with consent of the Township Committee, of Annette Romano as a member of the Local Assistance Board for a one year term ending on December 31, 2017.

Mayor Burstein announced the following appointments with the consent of the Township Committee, to the 2017 Senior Citizen Advisory Board:

MaryAnn Moore	Ellen Steinberg	Michael Solomon	Suzanne Zimmer
Ellen Prach	Nancy Feigel	E. Betty Levin	Kathy Larkin, SAGE
Judith Fredman	Robert Vorsanger	Tom Thomas	Christine Hodde, Red Cross
Judith Kramer	Annette Romano	Jacqueline Benjamin Lieberberg	

Jaimee Hawkins or town hall designee

Committeewoman Rosenberg moved that the Township Committee give approval and consent to the Mayor's appointments seconded by Committeeman Levy and was carried unanimously.

**Township Committee Appointments**

Committeewoman Burstein moved that the following people be appointed as members of the Complete Streets Ad Hoc Committee for a one year term ending December 31, 2017, seconded by Committeeman Levy and carried unanimously.

Robert Tillotson	Police Chief Brian Gilfedder or Designee
Dianne Eglow	Fire Chief Michael Roberts or Designee
Alexander McDonald or designee	John Bace, DPW Director
Representative from DMDA	Representative from Chamber of Commerce

Committeeman Tillotson moved that Jodi Rosenberg and Samuel Levy be appointed as members of the Board of Education, Township Committee, Board of Recreation Comm. Fields Committee for a one year term ending December 31, 2017, seconded by Committeewoman Eglow and was carried unanimously.

Committeewoman Rosenberg moved that the following people be appointed as members of the 2017 Community Service Award Committee, seconded by Committeewoman Burstein and carried unanimously:

Lynne Raineri	Judith Fredman	Laura Janay
Elaine Becker, Chair	David Siegfried	Linda Berkowitz
Jennifer Mann Rosenblatt		

Committeeman Levy moved that Beth Nalit, MD be appointed as a Regular Member of the Board of Health for an unexpired three year term ending December 31, 2019, seconded by Committeeman Tillotson and carried unanimously.

Committeewoman Burstein moved that Joshua Schor, MD, be appointed as Alternate Member #1 of the Board of Health for a two year term ending December 31, 2018, seconded by Committeeman Tillotson and carried unanimously.

Committeewoman Eglow moved that Laura Bond, MD be appointed as an Alternate #2 Member to an unexpired two year term ending December 31, 2017, seconded by Committeewoman Rosenberg and carried unanimously.

Committeeman Tillotson moved that Jodi Rosenberg and Samuel Levy be appointed as 2017 Board of Education Liaisons, seconded by Committeewoman Burstein.

Committeeman Levy moved that Jodi Rosenberg, representative from the DMDA, Dianne Eglow and representative of the Chamber of Commerce, be appointed to the 2017 Millburn Business Recruitment Ad Hoc Committee, seconded by Committeeman Tillotson.

Committeewoman Rosenberg moved that Peter Fico be appointed as Municipal Court Judge for a three year term which expires December 31, 2019, seconded by Committeeman Levy and carried unanimously.

Committeewoman Burstein moved that Michael Wittenberg be appointed as Municipal Prosecutor for the year 2017, seconded by Committeeman Tillotson and carried unanimously.

Committeewoman Eglow moved that Robert Bohrod be appointed as Municipal Public Defender for the year 2017, seconded by Committeeman Levy and carried unanimously.

Committeeman Tillotson moved that Craig Ploetner be re-appointed to the Zoning Board of Adjustment to a four year term ending December 31, 2020, seconded by Committeewoman Rosenberg and carried unanimously.

Committeewoman Rosenberg moved that Mary McNett be reappointed to the Zoning Board of Adjustment for a four year term ending December 31, 2020, seconded by Committeeman Tillotson and carried unanimously.

Committeeman Levy moved that Michael Birnberg be reappointed to the Zoning Board of Adjustment as Alternate#1 for a two year term ending December 31, 2018, seconded by Committeewoman Burstein and carried unanimously.

Committeewoman Rosenberg moved that Ellen Nimaroff Hirsch be reappointed to the Zoning Board of Adjustment as Alternate #2 for a two year term ending December 31, 2018, seconded by Committeeman Levy and carried unanimously.

Committeewoman Eglow moved that Samuel Levy be appointed as a Class 3 member of the Planning Board for a one year term ending on December 31, 2017, seconded by Committeewoman Burstein and carried unanimously.

Committeewoman Burstein moved that Dianne Eglow be appointed as a representative to the Joint Meeting of Essex & Union County seconded by Committeeman Levy and carried unanimously.

Committeeman Tillotson moved that Dianne Eglow, Township Committee Liaison, Alexander McDonald, Township Administrator and Michael Roberts, Fire Chief be appointed as members of the 2017 Dispatch Joint Meeting, seconded by Committeewoman Rosenberg and carried unanimously.

Committeewoman Burstein moved that Robert Tillotson, Cheryl Burstein, Alexander McDonald (Township Administrator), Donna Ruggiero (Tax Collector), Sgt. Michael Fattal (Police Dept. Rep.), and a Parking Enforcement Officer be appointed as members of the 2017 Parking Ad Hoc Committee, seconded by Committeeman Levy and carried unanimously.

Committeewoman Rosenberg moved that Jason Gabloff be reappointed as Treasurer for a term of one year ending December 31, 2017, seconded by Committeeman Levy and carried unanimously.

Committeewoman Burstein moved that Alexander McDonald be appointed as Millburn Public Compliance Officer for a one year term ending December 31, 2017, seconded by Committeewoman Eglow and carried unanimously.

Committeeman Levy moved that the following members of the Clergy be appointed and designated as Chaplains to the Police Department for the year 2017, seconded by Committeeman Tillotson and carried unanimously:

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

Committeewoman Eglow moved that the following members of the Clergy be reappointed as Chaplains to the Fire Department for the year 2017, seconded by Committeewoman Rosenberg and carried unanimously:

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

Committeewoman Rosenberg moved that Robert Hingel be appointed as Representative to the Essex County Transportation Advisory Board and the Lackawanna Coalition for one year terms ending December 31, 2017, seconded by Committeewoman Burstein and carried unanimously.

Committeewoman Burstein moved that Christopher Falcon be reappointed as Township Attorney for a one year term ending December 31, 2017, seconded by Committeewoman Rosenberg and carried unanimously.

Committeewoman Burstein moved that Louis Mai be reappointed as Municipal Auditor for a one year term ending December 31, 2017, seconded by Committeewoman Eglow and carried unanimously.

Committeewoman Eglow moved that Michael Roberts be re-appointed as Office of Emergency Management Coordinator for a three year term ending December 31, 2019, seconded by Committeeman Levy and carried unanimously.

**CONSENT AGENDA**

Mayor Burstein asked if there were any questions or comments regarding the items on the consent agenda. Seeing none, she asked for a motion to approve the items listed on the consent agenda which was made by Ms. Rosenberg and seconded by Mr. Levy, with Mr. Levy noting an abstention from Consent Agenda Item Resolution 17-018.

Roll Call Vote: All ayes

**RESOLUTION 17-001**  
**ADOPTING 2017 TEMPORARY BUDGET**  
**OF THE TOWNSHIP OF MILLBURN**

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

**WHEREAS**, the aggregate of such temporary appropriation is limited to 26.25% of the total appropriations in the preceding budget, exclusive of Debt Service, Capital Improvement Fund and Public Assistance, which amounts to \$13,956,757 for the Current Fund and 146,179 for the Parking Utility Budget;

**BE IT RESOLVED** that the following temporary appropriations are hereby made for 2017;

**CURRENT FUND**

Administrative & Executive:

Governing Body	\$ 9,375.00
Salaries - Administrator's Office	\$ 135,000.00
Other Expenses	\$ 30,000.00

Township Clerk:

Salaries	\$ 52,000.00
Other Expenses	\$ 17,000.00

EDP:

Other Expenses	\$ 60,000.00
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Financial Administration:

**January 3, 2017**  
**Millburn Township Committee Meeting**

Salaries	\$	88,000.00
Other Expenses	\$	18,000.00

Assessment Of Taxes:

Salaries	\$	25,500.00
Other Expenses	\$	22,500.00
Madison Agreement	\$	25,000.00

Collection Of Taxes:

Salaries	\$	45,000.00
Other Expenses	\$	15,000.00

Legal Services & Costs:

Salaries	\$	10,000.00
Other Expenses	\$	515,000.00

Public Defender:

Salaries	\$	3,000.00
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Customer Service:

Salaries	\$	65,000.00
Other Expenses	\$	2,000.00

Public Buildings & Grounds:

Other Expenses	\$	130,000.00
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Planning Board:

Salaries	\$	16,500.00
Other Expenses	\$	9,500.00

Board Of Adjustment:

Salaries	\$	16,500.00
Other Expenses	\$	9,500.00

Municipal Court:

Salaries	\$	90,000.00
Other Expenses	\$	30,000.00

Public Defender

Salaries \$ 300.00

Inspection Of Buildings:

Salaries \$ 123,000.00

Other Expenses \$ 65,000.00

Fire Department:

Salaries \$ 2,010,000.00

Other Expenses \$ 200,000.00

Police Department:

Salaries \$ 2,510,000.00

Other Expenses \$ 200,000.00

Insurance

Group Insurance \$ 1,920,000.00

Other \$ 300,000.00

Workmen's Compensation \$ 265,000.00

Emergency Management Services:

Other Expenses \$ 1,313.00

Engineering Services & Costs:

Salaries \$ 67,500.00

Other Expenses \$ 40,000.00

Shade Tree:

Salaries \$ 275,000.00

Other Expenses \$ 160,000.00

Road Repair & Maintenance:

Salaries \$ 800,000.00

Other Expenses \$ 170,000.00

Street Lighting:



Other Expenses \$ 60,000.00

Solid Waste Collections:

Other Expenses \$ 70,000.00

Historical Preservation Commission:

Salaries \$ 1,500.00

Other Expenses \$ 300.00

Board Of Health:

Salaries \$ 9,000.00

Other Expenses \$ 5,800.00

Livingston \$ 45,000.00

Environmental Commission \$ 650.00

Dispatch

Salaries

Other Expenses (joint meeting) \$ 125,000.00

Joint Trunk Sewer Maintenance: \$ 425,000.00

Sanitary Landfill: \$ 525,000.00

Vehicle Maintenance

Salaries \$ 120,000.00

Other Expenses \$ 62,000.00

Administration Of Public Assistance:

Salaries \$ 3,500.00

Other Expenses \$ 10,000.00

Contract-SAGE \$ 8,500.00

Joint Meeting Maintenance:

Salaries \$ 3,000.00

Other Expenses \$ 3,000.00

Parks & Playgrounds:

**January 3, 2017**  
**Millburn Township Committee Meeting**

Salaries \$ 190,000.00

Other Expenses \$ 100,000.00

Senior Citizens Transportation:

Salaries \$ 43,000.00

Other Expenses \$ 3,675.00

Maintenance Of Free Public Library: \$ 978,344.00

Social Security Taxes: \$ 260,000.00

Principal on Notes: \$ 1,680,000.00

Interest on Bond \$ 6,975.00

Interest on Notes \$ 105,000.00

Principal on Bonds \$ 75,000.00

Telephone: \$ 65,000.00

Electricity: \$ 100,000.00

Natural Gas: \$ 65,000.00

Gasoline: \$ 150,000.00

\$15,845,732.00

LESS ITEMS EXCLUDED FROM CALCULATION:

DEBT SERVICE \$ 1,866,975.00

PUBLIC ASSISTANCE \$ 22,000.00

\$13,956,757.00

**PARKING UTILITY**

SALARY AND WAGES \$ 55,000.00

OTHER EXPENSES \$ 91,179.00

\$ 146,179.00

**RESOLUTION 17-002  
 AUTHORIZE THE 2017 CASH MANAGEMENT PLAN  
 OF THE TOWNSHIP OF MILLBURN**

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

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

**NOW THEREFORE BE IT RESOLVED by the Township Committee** of the Township of Millburn, in the County of Essex that for the year 2017, that the Chief Financial Officer is directed to deposit, disburse, and invest the Township’s funds in accordance with the Cash Management Plan.

**RESOLUTION 17-003  
 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WIRE TRANSFER FUNDS FOR INVESTMENT AND  
 PAYMENT OF CAPITAL DEBT**

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

**RESOLUTION 17-004  
 ESTABLISH A BILL PAYMENT SCHEDULE**

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

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

**WHEREAS**, the following dates are set to be the cut-off dates for submission of bills and the scheduled dates for paying bills for 2017;

	<u>Cut-Off Date</u>	<u>Payment Date</u>
January	1/5	1/17
February	1/26, 2/9	2/7, 2/21
March	2/23, 3/9	3/7, 3/21
April	3/23, 4/5	4/4, 4/18
May	4/20, 5/4	5/2, 5/16
June	5/24, 6/8	6/6, 6/20
July	7/6	7/18
August	8/3	8/15
September	8/24, 9/7	9/5, 9/19
October	9/21, 10/4	10/3, 10/17
November	11/1	11/13
December	11/21, 12/7	12/5, 12/19

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

**RESOLUTION 17-005**  
**DESIGNATE OFFICIAL NEWSPAPERS**

**BE IT RESOLVED** by the Township Committee of the Township of Millburn in the County of Essex, that the following newspapers be deemed as the "Official" newspapers for the year 2017:

THE ITEM OF MILLBURN AND SHORT HILLS  
THE STAR LEDGER

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Millburn in the County of Essex, authorize that the following online news service be authorized for 2017 for which notices and other matters are to be provided under the Open Public Meetings Act:

TAP INTO MILLBURN/SHORT HILLS

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Millburn in the County of Essex, that the Millburn Township Clerk has the right to designate any other online newspaper expressing interest in such designation during the 2017 calendar year, which shall meet the Minimum Qualifications as set forth in the Township's 2016 Request for Proposals.

**RESOLUTION 17-006**  
**FILING SIGNATURE WITH SECRETARY OF STATE**

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

**RESOLUTION 17-007**  
**AUTHORIZING THE NECESSITY TO ISSUE PAYMENTS OUTSIDE OF A SCHEDULED TOWNSHIP COMMITTEE MEETING**

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

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

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

**RESOLUTION 17-008**  
**ADOPT 2017 TOWNSHIP COMMITTEE MEETING SCHEDULE**

**WHEREAS**, in accordance with Chapter II, "Administration" of the Revised General Ordinances, Township of Millburn, Section 2-1.3b, "Regular Meetings", the following dates are set for 2017:

January	3*, 17	<i>*Reorganization Meeting</i>
February	7, 21	
March	7, 21	
April	4, 18	
May	2, 16	
June	6, 20	
July	18	
August	15	
September	5, 19	
October	3, 17	
November	13*	<i>*Monday</i>
December	5, 19	
January	2*	<i>*2018 Reorganization Meeting</i>

**BE IT RESOLVED** in accordance with the Open Public Meetings Act (C. 231, P.L. 1975), that the Township Committee of the Township of Millburn in the County of Essex does hereby notify the public that meetings of the Township Committee for the year 2017 will be held in the Town Hall, Millburn, New Jersey. Meetings will begin at 7:30 p.m., unless otherwise specifically noted.

**RESOLUTION 17-009**  
**ESTABLISH INTEREST AND PENALTY RATES ON NON-PAYMENT**  
**OF TAXES AND SEVEN DAY GRACE PERIOD**

**BE IT RESOLVED** that interest at the rate of eight percent (8%) per annum be charged for the non-payment of Taxes, Sewer fees, Special Improvement District taxes and other Municipal Charges or Assessments on or after the date when they shall become delinquent as provided by law, on the first \$1,500 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500, and said rates of interest are hereby fixed for the balance of the year 2016; and

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

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

**RESOLUTION 17-010**  
**APPOINTMENT OF 2017 DOMESTIC VIOLENCE**  
**CRISIS INTERVENTION TEAM MEMBERS**

**BE IT RESOLVED** by the Millburn Township Committee that certain volunteers who have completed a 40-hour Domestic Violence training program, whose names will be held in confidence, are appointed as members of the Millburn Township Domestic Violence Crisis Intervention Team, to serve for a one-year term ending on December 31, 2017.

**RESOLUTION 17-011**  
**APPOINTMENT OF TOWNSHIP REPRESENTATIVES TO**  
**JOINT INSURANCE FUND COMMISSION**

**BE IT RESOLVED** by the Township Committee of the Township of Millburn, that Jason Gabloff be

appointed as representative and Alexander McDonald as alternate representative to the Joint Insurance Fund Commission.

**RESOLUTION 17-012**  
**ADOPT PERSONNEL POLICIES AND PROCEDURES**

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

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

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

**RESOLUTION 17-013**  
**ESTABLISH THE TOWNSHIP'S FUND BALANCE POLICY**

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

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

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

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

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

**RESOLUTION 17-014**  
**AUTHORIZING THE CANCELLATION OF SMALL BALANCES**

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

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

**BE IT RESOLVED**, that the Township Committee hereby authorizes the Tax Collector to cancel all 2017 small balances pursuant to State Statute at the end of the calendar year; and to include Sewer and Special Improvement District small balances;

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

**RESOLUTION 17-015**

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

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

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

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

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

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

1. That the Mayor and Township Clerk are hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Maraziti Falcon, L.L.P. to be retained as Township Attorney of the Township of Millburn for the year 2017 at a retainer fee of \$15,000, as stated in agreement dated November 15, 2016; and
2. That additional legal services will be at the rate of: \$195.00 per hour for partner; \$170.00 per hour for senior associate; \$150.00 per hour for associates and \$90.00 per hour for law clerks.
3. That the Township will be notified when 80% of the Fee Cap of \$100,000.00 is reached.
4. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.
5. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten days of its passage.

**RESOLUTION 17-016**

**AUTHORIZING THE AWARD OF FOR COMPUTER MAINTENANCE [ATON COMPUTING]**

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

**WHEREAS**, ATON Computing, One East High Street, Somerville, NJ can provide such specialized services; and

**WHEREAS**, funds are available for this purpose; and

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

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

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with ATON Computing for computer maintenance services for the Township's computers.

2. This contract is awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because the contract is for specialized services to be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law.

3. Fees for scope of contract are \$105.00 per hour plus reasonable expenses as per their proposal dated December 2, 2016.

4. A notice of this contract award and the adoption of this resolution shall be published in The Item of Millburn Short Hills as required by law within ten (10) days of passage of this resolution.

**RESOLUTION 17-017**  
**AUTHORIZING THE AWARD OF FOR LEGAL SERVICES [ROGUT MCCARTHY LLC]**

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

**WHEREAS**, the Township of Millburn, in the County of Essex, New Jersey, desires to appoint a law firm to serve as bond counsel for the year 2017; and

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

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

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

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

Section 1. The Township of Millburn, in the County of Essex, New Jersey (the "Township") hereby appoints Rogut McCarthy LLC (the "Law Firm") to act as bond counsel for the Township of Millburn until December 31, 2017 and hereby agrees, prior to the issuance of any bonds, that the Law Firm shall be compensated for professional services rendered in accordance with the Fee Schedule attached to the



contract dated November 17, 2016 and the Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Rogut McCarthy LLC.

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

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

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

**RESOLUTION 17-018**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES – SPECIAL TAX COUNSEL [Chiesa, Shahinian and Giantomasi PC]**

**WHEREAS**, there exists a need in 2017 for special tax counsel in connection with legal services as are necessary to defend certain petitions of tax appeal and/or complaints filed with the Essex County Board of Taxation and/or New Jersey Tax Court for calendar year 2017; and

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

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

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

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

1. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between Chiesa, Shahinian and Giantomasi PC and the Township of Millburn, in connection with legal services as are necessary to defend certain petitions of tax appeals and/or complaints filed with the Essex County Board of Taxation and/or New Jersey Tax Court for calendar year 2017 and further subject to the prior filing of a Business Entity Disclosure Statement. Hourly compensation: \$150.00 per hour attorney rate, \$75.00 p/hr paralegal rate, plus out-of-pocket costs and disbursements with a not to exceed amount of \$125,000.00 without further approval of the Township Committee.
2. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law.

**RESOLUTION 17-019**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR AUDITING AND ACCOUNTING [LOUIS C. MAI CPA & ASSOCIATES]**

**WHEREAS**, there exists a need in 2017 for the performance of the statutory Annual Audit and other related work for the year 2016 for the Township of Millburn, in the County of Essex, New Jersey; and

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

**WHEREAS**, funds are available for this purpose; and

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

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

1. That the Mayor and Township Clerk are hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney in the amount of \$46,200.00 as per the 2017 proposal dated November 22, 2016 with Louis Mai to be retained as Auditor (Registered Municipal Accountant) of the Township of Millburn for the year 2017 to complete and timely file the Annual Audit with the Division of Local Government Services, perform review of the financial statements of the Deferred Compensation Plan and to perform additional services as specified.
2. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten (10) days of its passage.

**RESOLUTION 17-020**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR LABOR RELATIONS COUNSEL**  
**[RUDERMAN HORN & ESMERADO P.C.]**

**WHEREAS**, there exists a need in 2017 for labor relations counsel in connection with legal services as are necessary for the management of labor relations of the Township, including but not limited to participation in collective bargaining negotiations, grievances, administrative proceedings, arbitration and litigation for calendar year 2017; and

**WHEREAS**, Ruderman Horn & Esmerado, P.C. have provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8; and

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

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

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

1. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between Ruderman Horn & Esmerado, PC, 675 Morris Avenue, Suite 100, Springfield, NJ 07081 and the Township of Millburn, in connection with legal services as are necessary for the management of labor relations of the Township, including but not

limited to participation in collective bargaining negotiations, grievances, administrative proceedings, arbitration and litigation for calendar year 2017. Hourly compensation: \$235.00 per hour, plus reasonable out-of-pocket costs.

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

**RESOLUTION 17-021**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR SPECIAL COUNSEL**  
**[HELLRING, LINDEMAN, GOLDSTEIN & SIEGAL LLP]**

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

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

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

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

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

1. That the Mayor is hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Jonathan Goldstein, Esq., of Hellring, Lindeman, Goldstein & Siegal, LLP for the provision of legal services at the rate of \$425.00 per hour and as set forth in the proposal of November 29, 2016.
2. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.
3. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law within ten days of its passage.

**RESOLUTION 17-022**  
**AUTHORIZING THE AWARD OF CONTRACT FOR**  
**TAX APPEAL SERVICES [ASSOCIATED APPRAISAL GROUP]**

**WHEREAS**, the Tax Assessor anticipates receiving Tax Appeals for the 2017 Tax Year and is in need of appraisal assistance in preparing for these appeals; and

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

**WHEREAS**, funds are available for this purpose; and

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

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Associated Appraisal Group, 6 Commerce Drive, Suite 303, Cranford, NJ 07016 for this professional service.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are authorized as per proposal dated December 7, 2016 and are not to exceed \$25,000.00.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 17-023**  
**AUTHORIZING THE AWARD OF CONTRACT FOR**  
**HEALTH AND BENEFITS ADMINISTRATION [MERCER HEALTH AND BENEFITS, LLC.]**

**WHEREAS**, Millburn Township is in need of Health and Benefits Administration Services; and

**WHEREAS**, Mercer Health and Benefits, LLC. has been selected for this service as per the recommendation of the Business Administrator; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, Mercer Health and Benefits, LLC. has provided the Business Entity Disclosure Certification in accordance with N.J.S.A. 19:44A-20.8 and shall be placed on file with this resolution; and

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Mercer Health and Benefits, LLC., 445 South Street, Suite 210, Morristown, NJ 07960 for this professional service.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are authorized as per proposal dated December 12, 2016 and are not to exceed \$38,000.00.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 17-024**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES**

– SPECIAL COUNSEL [HEROLD LAW, P.A.]

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

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

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

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

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

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

**RESOLUTION 17-025**  
**AUTHORIZING THE APPOINTMENT AND AWARD OF A CONTRACT FOR LAND SURVEYOR [GEOD CORPORATION]**

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

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

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

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

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

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

4. That the Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services agreement in a form subject to the approval of the Township Attorney between GEOD Corporation, 24 Kanouse Road, Newfoundland, NJ 07435 and the Township of Millburn, in connection with Tax Map updates. Hourly compensation: \$135.00 per hour including rates as per the submitted 2017 rate schedule.
5. That this contract is made without competitive bidding as “professional services” under the provisions of the Local Public Contracts Law of the qualitative nature of the services to be performed.
6. That a notice of this resolution shall be published in The Item of Millburn and Short Hills as required by law.

**RESOLUTION 17-026  
AUTHORIZING THE AWARD OF CONTRACT FOR  
PLANNING SERVICES FOR MILLBURN TOWNSHIP [PAUL PHILLIPS]**

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

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

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

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney between Paul A. Phillips, AICP, PP of Phillips Grygiel LLC, 33-41 Newark Street, 3<sup>rd</sup> Floor, Suite D, Hoboken, NJ 07030 to provide professional planning services to Millburn Township, from the date hereof until December 31, 2017 as per the proposal dated November 17, 2016.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of services provided.
3. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 17-027  
AUTHORIZING THE AWARD OF CONTRACT FOR  
HISTORIC PRESERVATION CONSULTANT SERVICES [BARTON ROSS & PARTNERS LLC]**

**WHEREAS**, there exists a need in 2017 for the performance of a Historic Preservation Consultant and other related work for the year 2017 for the Township of Millburn, in the County of Essex, New Jersey; and

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

**WHEREAS**, funds are available for this purpose; and

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

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Barton Ross, of Barton Ross & Partners, LLC, 184 S. Livingston Avenue, Suite 9-140, Livingston, NJ 07039 for this professional service.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are at a rate of \$75.00 per hour and are authorized as per proposal dated November 21, 2016 and are not to exceed \$29,250.00 for 2017.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 17-028**  
**AUTHORIZING THE AWARD OF A CONTRACT FOR SPECIAL COUNSEL**  
**[KATES NUSSMAN RAPONE ELLIS & FARHI]**

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

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

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

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

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

1. That the Mayor is hereby authorized and directed to execute an agreement in a form subject to the approval of the Township Attorney with Michael Kates of Kates Nussman Rapone Ellis & Farhi, LLP, 190 Moore Street, Suite 306, Hackensack, NJ 07601, for the provision of legal services at the rate of \$195.00 per hour for partners and \$170.00 an hour for associates and as set forth in the proposal of December 2, 2016.
2. That this contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service to be performed.

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

**RESOLUTION 17-029**

**AUTHORIZING THE AWARD OF A CONTRACT FOR SOFTWARE, MAINTENANCE,  
GIS AND RELATED SERVICES [SPATIAL DATA LOGIC]**

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

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

**WHEREAS**, funds are available for this purpose; and

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

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute a professional services agreement in a form subject to the approval of the Township Attorney with Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ 08873 for this professional service.
2. This contract is made without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. Fees for services are authorized as per proposal dated December 2, 2016.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

**RESOLUTION 17-030**

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

**WHEREAS**, the Township of Millburn, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

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

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

**WHEREAS**, The Township of Millburn is a member of the Educational Services County



Co-op:

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

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

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

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

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the Township of Millburn and the Referenced State Contract, Morris County Cooperative Pricing Council Vendors, MRESC vendors, Cranford Police Cooperative Pricing Council, and The Educational Services County Commission of Morris County shall be from January 1, 2017 to December 31, 2017.

**Referenced State Contract Vendors**

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State/Co-Op Contract #</u>
General Office Supplies	W.B. Mason	State Contract # 88839
		MRESC Contract # 15/16-13
	W.B. Mason	MCCPC Contract # 30 (paper)
		MRESC Contract # 14/15-51
Road Salt	The Office Concepts Group	MCCPC Contract # 16 & 30
	Morton Salt	MCCPC Contract # 3
Road Paving & Resurfacing	Tilcon New York, Inc	MCCPC Contract # 5,6
	Micro-Pave Systems	MCCPC Contract # 6
Line Painting	Denville Line Painting	MCCPC Contract # 36

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Tree Removal & Trimming	Tree King	MCCPC Contract # 18
Records Management Services	File Bank	Educational Services County Co-Commission of Morris County Bid # 5210
Electrician Services	MTB Electric	MRESC Contract # 15/16-24
Technology Supplies & Services	CDWG	MRESC Contract # 15/16-11
	Johnston Communications	State Contract #88766
	Dell	State Contract #88796
Police Uniforms	Atlantic Tactical	State Contract # 86389 MCCPC # 23
Police Vehicles	Beyer Ford	Contract 15-01
Sporting Goods-Clothing	RnR Trophy & Sporting Goods	Co-op Contract # 20-A
Parking Paystations	Integrated Technical Systems	CPCPS Contract# 13-02
Vehicles, Passenger Vans	Mall Chevrolet	State Contract # 88229
Generators	Generator Joe	State Contract # 85477
Video Equipment	13 Mobile Vision	State Contract # a81311
Bullets	Eagle Point Gun	State Contract # a81296
Street Signs/Cones	Garden State Highway	MCCPC # 28
Police Vehicles	Hertrich Fleet Service	State Contract # a88729

**RESOLUTION 17-031  
APPOINTMENT OF TOWNSHIP REPRESENTATIVES TO  
ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**

**BE IT RESOLVED** by the Township Committee of the Township of Millburn, that W. Thomas Watkinson, Township Engineer, and Martha Annoni, Assistant Township Engineer, be appointed as representatives to the Essex County Community Development Block Grant Committee.

**RESOLUTION 17-032  
CONFIRM APPOINTMENTS TO THE  
ESSEX COUNTY SOLID WASTE ADVISORY COUNCIL**

**BE IT RESOLVED** by the Township Committee confirms that Ken Ventre be appointed as the Millburn Township Representative to the Essex County Solid Waste Advisory Council and John Bace as the Alternate with their two-year terms ending on December 31, 2018.

**RESOLUTION 17-033  
APPOINT MILLBURN TOWNSHIP OFFICE OF EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY  
COORDINATORS**

**BE IT RESOLVED** by the Township Committee of the Township of Millburn, that J. Michael Roberts, Millburn Fire Chief, be appointed as the Office of Emergency Management Coordinator to a three year term ending December 31, 2019 and Alexander McDonald, Business Administrator, be appointed as the Deputy Office of Emergency Management Coordinator and Robert Echavarria,

Battalion Chief, be appointed as the 2<sup>nd</sup> Deputy Coordinator.

**PUBLIC DISCUSSION**

Mayor Burstein asked if anyone had any comments or questions for the committee. No comments were received.

**ADJOURNMENT**

Mayor Burstein asked if there were any additional comments. Seeing none, Mr. Levy made a motion to adjourn, seconded by Ms. Eglow and was carried unanimously. The meeting was adjourned at 8:00 PM.

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Christine Gatti, RMC  
Township Clerk

Approved: March 7, 2017