



BOROUGH OF HADDON HEIGHTS
COUNCIL BUSINESS MEETING AGENDA
Tuesday, September 15, 2020, 7:00 p.m.
ZOOM

1. "In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, P.L. 1975, notice of this meeting was posted on the bulletin board designed for that purpose and notice was transmitted to the official newspapers provided by Amendment to Annual Meeting Notice on July 24, 2020. *Meeting notice has been posted on the Borough website with details for the public to participate via the ZOOM platform.*"

2. ROLL CALL

3. CAUCUS SESSION:

- a) Update on COVID 19 – *Council President Madden*
- b) Update on 2020 Census – *Council President Madden*
- c) 2020 General Election – *Clerk Santosusso*
- d) Halloween Trick or Treating Hours – *Council President Madden*
- e) Annual Renewal for Prescription Drug Coverage for Active Full-time Employees and Retirees – *Clerk Santosusso*

4. RECESS OF CAUCUS SESSION AND COMMENCEMENT OF BUSINESS SESSION

5. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

6. PUBLIC COMMENT ON CAUCUS AND AGENDA ITEMS ONLY

7. APPROVAL OF MINUTES of the September 1, 2020 Work Session Meeting

8. APPROVAL OF EXECUTIVE SESSION MINUTES of the September 1, 2020 Work Session Meeting

9. COUNCIL MEMBER REPORTS:

10. BOROUGH ENGINEER'S REPORT:

11. UNFINISHED BUSINESS:

PUBLIC HEARING AND FINAL ADOPTION of Ordinance 2020:1494 – An Ordinance Creating Part 1, Chapter 14, Entitled The "Heights Grows Committee" of the Code of the Borough of Haddon Heights, County of Camden and State of New Jersey

12. NEW BUSINESS:

Resolution 2020:159 – Resolution Authorizing a Refund of a Street Opening Permit Deposit Fee to Root 24 Plumbing

Resolution 2020:160 – Resolution Approving Tax Exemption for a Disabled Veteran and Refund of Taxes to Corelogic Tax Services – *Long*

Resolution 2020:161 – Resolution Authorizing Refund of a Tax Overpayment – *Jensen*

Resolution 2020:162 – Resolution Authorizing Refund of a Tax Overpayment – *Van Schalkwyk*

Resolution 2020:163 – Resolution Authorizing Payment of Bills and Claims for the Second Half of September

Resolution 2020:164 – Resolution Approving Change Order #1 for the FY 2019 New Jersey Department of Transportation Trust Fund, Reconstruction of West High Street – Phase V

Resolution 2020:165 – Resolution Awarding a Contract to Landberg Construction for the FY 2019/FY 2020 New Jersey Department of Transportation Trust Fund, Reconstruction of Devon Avenue Project, Phases I & II

13. PUBLIC COMMENT

14. ADJOURNMENT



**ENGINEER'S STATUS REPORT
Borough of Haddon Heights
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FY 2021 NJDOT Municipal Aid Funding – Devon Avenue Phase III & St. Martins Avenue

Previously Reported:

- NJDOT has announced the department would be accepting applications for the NJDOT FY 2021 Municipal Aid program with a deadline of July 1, 2020. A resolution for authorizing our office to submit the application is required for the June Council Meeting.
- Our office coordinated with Borough Public Works Superintendent and based on roadway condition and NJDOT scoring criteria, recommend including the remainder of Devon Road and St. Martins Avenue starting at Kings Highway.
- The application for this project has been submitted via SAGE on June 30, 2020.

FY 2019 Camden County Open Space – Multi-Use Trail Grant

Previously Reported:

- Camden County Open Space Preservation Trust Fund Advisory Committee had announced applications for grant funding were available for constructing recreational trails in Camden County municipalities. Our office submitted an application in September 2019 for constructing a recreational trail in phases from the Norcross-McLaughlin Memorial Dell at Haddon Lake Park to the Devon Avenue recreation facilities. This application was submitted for Phase 1 beginning at the Norcross-McLaughlin Memorial Dell.
- The Borough has been notified that the Borough has been successful in the award of grant funding of \$100,000 for design, construction, and inspection/construction management for Phase 1 of this project.
- As determined by the Borough Engineering Committee, our office will bid this project under the same contract as the FY 2020 NJDOT Municipal Aid Funding – Devon Avenue project as both projects are in close proximity of each other and may be more cost efficient to maximize the grant awards.
- Our office has completed the existing base survey and is proceeding with preparation of bid documents, plans, and specifications for public bidding of this project in spring 2020.

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- Our office attended an onsite meeting on June 24th with representatives of Camden County Engineering Department, Camden County Department of Parks, and Councilman Morgan and Councilman Mrozinski to discuss the scope of this project as well as additional potential pedestrian improvements in the vicinity of Haddon Lake Park. Our office is preparing a overall concept of all pedestrian improvements discussed for review by the Engineering Committee. Upon approval by the Engineering Committee, the overall concept will be submitted to Camden County for review and continued discussion.

FY 2020 Camden County Open Space – Recreational Facility Enhancement Applications

Previously Reported:

- Camden County Open Space Preservation Trust Fund Advisory Committee has announced that 2020 application packets were due April 1, 2020. Grants are awarded on a competitive basis up to \$25,000. The Borough can submit up to two (2) applications.
- The Engineering Committee has indicated the two (2) applications submitted should be as follows:
 - Pickle Ball striping and additional pedestrian accessibility improvements for Devon Avenue recreation facility.
 - Recreational trail materials for Hoff's Park.
- Resolutions for authorization for our office to submit application were approved at the April Work Session meeting
- Our office submitted the two (2) applications delineated below to the County Advisory Committee on May 1, 2020.

**Camden County CDBG Program Yr 2020-2021 – Architectural Barrier Removal & Access
(Borough Wide - Various Intersections)**

Previously Reported:

- CDBG has indicated the Program will continue grouping the funding allotments to 5 to 7 larger public infrastructure projects (\$150,000 - \$250,000) throughout the County for Program Year 2020-2021 consistent with the Program Year 2019.
- The Community Development Block Grant (CDBG) program has notified the Borough that applications for Year 2020-2021 are due March 2, 2020. Our office recommends the Borough resubmit this application for the CDBG 2020-2021 Program Year Application.

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- The Borough of Haddon Heights does not have any Qualified Census Tracts; therefore, eligible projects are very limited.
- Our office recommends resubmitting an updated FY2019 application for architectural barrier removal & access which consists of handicap ramps at roadway intersections in close proximity to Borough schools and parks.
- A Borough resolution was approved and submitted with this application.
- This application was submitted on March 2, 2020.

FY 2020 NJDOT Municipal Aid Funding – Devon Avenue

Update:

- The Bid Opening for this project was held on September 11, 2020. There was one (1) bidder, Landberg Construction, LLC, 82 Tuckahoe Road, Dorothy, NJ, in the amount of \$424,342.⁷⁰, representing Items 1 through 30 of the Base Bid.

Previously Reported:

- The NJDOT announced the department has revised the solicitation and notification schedule for accepting applications for the NJDOT FY 2020 Municipal Aid program with a deadline of July 19, 2019. NJDOT has indicated grant awards are expected to be announced in November. Our office will submit an application for resurfacing the remaining of Devon Avenue. A resolution for authorization for our office to submit the application will be required.
- A resolution for authorization for our office to submit the application was approved at the June Council meeting.
- Our office submitted the application on July 18, 2019 and three (2) certified copies of the resolution have been forwarded to NJDOT.
- The Borough has been notified that the Borough has been successful in the award of grant funding of \$315,000 under the NJDOT FY2020 Municipal Aid Program for Devon Avenue (Phase II).
- Our office has forwarded a proposal to the Borough for the estimated cost of survey, design, and construction administration associated with the NJDOT Local Aid grant.
- Our office has completed the existing base survey and is proceeding with preparation of bid documents, plans, and specifications for public bidding of this project in summer 2020.

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FY 2019 NJDOT Municipal Aid Funding – West High Street (Phase 5)

Update:

- Closeout documents including Change Order #1 (Final) have been processed and submitted to the Borough for approval and release of retainage. Our office will process and submit closeout documents to NJDOT for approval and partial reimbursement.

Previously Reported:

- Our office recommended the Borough submit for a NJDOT FY 2019 Municipal Aid application for the improvements of West High Street – Phase V, between end of Phase IV and Seventh Street and Devon Avenue from the Borough of Bellmawr to Prospect Ridge Boulevard. A resolution authorizing our office to make application was approved at the October 2018, Council Meeting.
- Our office submitted Application (MA-2019-Reconstruction of Devon Avenue & West High-00331) including the cost estimate, location map, and scope of work description to reflect up to date unit costs on October 18, 2018.
- The Borough has been notified that the Borough has been successful in the award of grant funding of \$400,000 under the NJDOT FY2019 Municipal Aid Program for West High Street (Phase V) and Devon Avenue.
- Our office has forwarded a proposal to the Borough for the estimated cost of survey, design, and construction administration associated with the NJDOT Local Aid grant.
- Our office has completed the existing base survey and is proceeding with preparation of bid documents, plans, and specifications for public bidding of this project.
- This project has been publicly advertised and the bid opening is scheduled for October 15th.
- There were two (2) bidders, with the low bidder being Landberg Construction, LLC, 82 Tuckahoe Rod, Dorothy, NJ, in the amount of \$196,619.00 for the Base Bid.
- A preconstruction meeting was held on November 27th between the Contractor, our office, and Dave Taraschi and the Notice to Proceed was issued for December 2, 2019.
- Construction is substantially complete. Our office is preparing a punchlist with all outstanding items to be addressed.
- Our office has processed Payment Application #1 to the Borough for approval.
- Construction is substantially complete.

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- Our office has prepared a punchlist with all outstanding items to be addressed and will coordinate with the Contractor regarding completion.
- Payment Application #2 has been processed by our office and submitted to the Borough for approval and payment.
- Our office is processing closeout documents for this project and coordinating with the Contractor and NJDOT regarding asphalt pavement testing waiver.

Resurfacing of the Tennis Courts at Devon Avenue

Previously Reported:

- It is understood that the Borough will be proceeding with the Base Bid (Existing Tennis Court Resurfacing), Add Alternate Bid #1 (Tennis Court Paint System), and Add Alternate Bid #2 (Perimeter Fencing) and that the Borough will not be proceeding with the parking lot paving add alternate bid item.
- Our office has initiated preparation of bid documents, plans, and specifications in accordance with our August 28, 2018 Engineer's Estimate. The bid documents will be prepared with continued input from the joint Borough/School Board committee.
- With the confirmation that the Borough has been awarded two (2) Open Space grant awards (\$50,000 total) by Camden County to be utilized for this project and the Basketball Court improvements, our office coordinated with the Borough Clerk/Operations Manager, Kelly Santosusso, and negotiated with Shore Top Construction to include the Basketball Court improvements under this contract and not exceed the 20% change order of the initial contract amount. All improvements for the Basketball Court are included as designed with the exception of the perimeter fence surrounding the Basketball Court. Our office will solicit three (3) quotes for the installation of the basketball court fence.
- Color samples were provided. The samples were reviewed and approved by a representative of the BOE and Mayor and Council. The samples are on file at the Borough Hall.
- Our office has processed Payment Application #2 and submitted to the Borough for processing and approval. Change Order #1 has also been submitted for Borough review and approval.
- Basketball perimeter fencing is anticipated to be installed late October / mid-November.
- The project is substantially complete. Our office has completed a punchlist with all outstanding items yet to be completed. Our office will coordinate with the contractor regarding schedule and completion of all punchlist items.

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- The staircase railing has been installed.

FY 2018 NJDOT Municipal Aid Funding – West High Street (Phase 4)

Updated:

- NJDOT has approved the closeout documentation and is processing final reimbursement.

Previously Reported:

- Our office recommended the Borough submit for a NJDOT FY 2018 Municipal Aid application for the improvements of West High Street – Phase IV, between Black Horse Pike and West Atlantic Avenue. A resolution authorizing our office to make application was approved at the September 2017, Council Meeting.
- Our office submitted Application (MA-2018-Haddon Heights Borough-00318) including the cost estimate, location map, and scope of work description to reflect up to date unit costs on October 6, 2017.
- The Borough has been notified that the Borough has been successful in the award of grant funding of \$250,000 under the NJDOT FY2018 Municipal Aid Program for West High Street (Phase IV).
- Our office has completed the survey, has substantially completed the bid documents, and anticipates construction for late summer of 2018. The construction limits are generally from 7th Avenue to West Atlantic and 10th Avenue (which is the end of Phase 3) to 9th Avenue as the base contract and a section from 9th Avenue to 8th Avenue as an add/alternate bid item.
- The Bid Opening was held on August 3, 2018. There were three (3) bidders, with the low bidder being Landberg Construction, LLC, 82 Tuckahoe Rod, Dorothy, NJ, in the amount of \$219,037.10 for the Base Bid and Add Alternate Bid #1.
- Our office attended the September 5th Shade Tree Commission meeting to discuss the project limits and anticipated removal and replacement of five (5) trees as a result of construction along the 600 block of West High Street. The Shade Tree Commission did not approve the removal and replacement.
- In association with Councilman Schreiber, our office has coordinated with NJDOT in order to utilize an alternate cartway width (curb to curb dimension) on the 600 block of West High Street. This would allow all existing trees to remain.
- The existing width is 29 to 30 ft wide, where the alternate cartway width would be 27 to 28 ft. While the cartway width will be decreased by 2 ft, the new 27 to 28 ft width would still allow for safe travel while retaining on street parking on both sides of the street.

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- It is noted that in areas adjacent to the larger street trees, existing curbing may remain with steel tree plates installed along the new curb line.
- Our office will coordinate with the Contractor on implementation of the alternate design during early spring 2019.
- In association with Councilman Schreiber, our office will relay the alternate design to the Shade Tree Commission at the February 27th Shade Tree Commission meeting.
- The preconstruction meeting was held on March 29, 2019 with our office, Landberg Construction, and representatives of the Borough administration, Public Works Department, and Police Department.
- Notice to Proceed was issued for the week of April 22, 2019.
- The contractor will coordinate with the Borough, Police Department, and 7th Avenue School regarding construction schedule and pedestrian traffic/school activities.
- Construction commenced the week of May 27th.
- Payment Application #1 has been processed by our office and submitted to the Borough for approval and payment.
- Construction is substantially complete. Our office has prepared a punchlist with outstanding items to be completed and will coordinate with the Contractor to complete in a timely fashion.
- Payment Application #2 has been processed by our office and submitted to the Borough for approval and payment.
- Closeout documents have been processed with the Contractor. Our office has submitted Payment Application #3 and Change Order #1 (Final) have been processed by our office and submitted to the Borough for approval.

Sanitary Sewer System Asset Management Plan

Previously Reported:

- As directed, our office initiated the process of completing the application to the New Jersey Environmental Infrastructure Bank (NJEIB) to fund the creation of an Asset Management Plan for the Borough's Sanitary Sewer System.
- The Project Information has been submitted to the financing program and a Project Reviewer has been assigned to the project.

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- It is our understanding that the Borough is in the process of issuing a Request for Proposal to procure a consultant to work with the Department of Public Works in creating the Asset Management Plan.
- Our office will continue the application process and provide all pertinent information to the NJEIT as directed.
- Councilman Schreiber, Borough Clerk Kelly Santosusso, and our office are attended a tele-conference with representatives of the NJEIT on Wednesday June 20th at 11 AM.
- Our office is assisting in preparing a five (5) year budgetary estimate for potential projects for review by Council.
- A conference call with representatives of the New Jersey Environmental Infrastructure Bank (NJEIB) is scheduled for 11 AM on Tuesday November 20th.
- Our office has executed the Engineering Agreement and submitted to the Borough. It is our understanding the Agreement has been uploaded and submitted to the NJEIB.
- In coordination with the Borough Clerk / Administrator, all technical aspects of the NJEIB application have been completed and submitted.
- The Borough Clerk / Administrator and Borough CFO are currently coordinating with the Borough's Bond Council (Parker McCay) to complete the NJEIB required submission of a Long Term Financial Addendum Form (Long Term FAF) and associated Resolutions / Ordinances.

Kings Highway Pump Station

Previously Reported:

- Our office has completed the as-built survey, permit, bid, and construction documents for the elimination of the existing Kings Highway Pump Station. A set of Bid Documents have been submitted to the Camden County Municipal Utilities Authority (CCMUA) for review.
- We have tabulated the two (2) bids received on July 15, 2014, for the above-referenced project and found the apparent low bidder to be Neri's Construction & Rentals, 849 Clayton Road, Williamstown, New Jersey. Neri's Construction's Base Bid was in the amount of \$122,543.⁰⁰ representing items 1 through 11 of their Base Bid.
- The Base Bid was awarded to Neri's Construction & Rentals for the Base Bid in the amount of \$122,543.00.

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- A pre-construction meeting was held on Wednesday, September 17, 2014, with representatives from Neri's Construction & Rentals, Haddon Heights Public Works Department, CCMUA, and Bach Associates.
- Construction has commenced with the majority of work completed including the connection to the CCMUA line. Our office has prepared a punch list with remaining items to be addressed.
- Payment application #2 has been processed by our office and submitted to the Borough for payment. Neri's Construction has commenced addressing outstanding punch list items.

Inflow and Infiltration Program

Previously Reported:

- To facilitate the direct interconnection with the CCMUA for the elimination of the Kings Highway Pump station, the Borough must enter into an agreement with the CCMUA which calls for the Borough to develop a meaningful inflow and infiltration reduction program.
- Our office submitted a status memorandum dated July 10, 2013, to the CCMUA providing a general scope for the Borough's Project Work Plan in compliance with the January 22, 2013 CCMUA-Haddon Heights "Inter-municipal Agreement".
- Additional meaningful inflow and infiltration reduction and associated reporting must be prepared and submitted to the CCMUA to remain in compliance with the "Inter-municipal Agreement". Our office awaits direction from the Governing Body.

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ORDINANCE 2020:1494

AN ORDINANCE CREATING PART 1, CHAPTER 14, ENTITLED THE “HEIGHTS GROWS COMMITTEE” OF THE CODE OF THE BOROUGH OF HADDON HEIGHTS, COUNTY OF CAMDEN AND STATE OF NEW JERSEY

WHEREAS, the Borough of Haddon Heights is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Mayor and Borough Council of the Borough of Haddon Heights, desire to create and establish a committee entitled “Heights Grows Committee”; and

WHEREAS, the vision and mission of the Heights Grows Committee, is to build and improve community aesthetics, foster civic pride, and support the economic development of our community in order to increase the welcoming feel of Haddon Heights through ongoing beautification efforts; and

WHEREAS, the Heights Grows Committee is committed to certain goals such as keeping Station Avenue and adjacent downtown area and Borough gateway location areas, free of litter through the involvement of other civic groups with an emphasis on involving our community’s youth organizations, creating and maintaining a feeling of comfort through planting and maintenance of our green spaces and streetscapes and to assist, wherever possible, with the maintenance of benches, fountains, gazebos and the like where possible

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Haddon Heights, County of Camden, State of New Jersey, that Part 1, Chapter 14 is hereby to add the following:

Section 1: Part 1, Chapter 14. Heights Grow Committee

§ 14-1. Establishment.

In order to build and improve community aesthetics, foster civic pride, and support the economic development of our community in order to increase the welcoming feel of Haddon Heights through ongoing beautification efforts as well as achieve certain goals such as keeping Station Avenue and the adjacent downtown areas and Borough gateway location areas, free of litter through the involvement of other civic groups with an emphasis on involving our community’s youth organizations, creating and maintaining a feeling of comfort through planting and maintenance of our green spaces and streetscapes and to assist, wherever possible, with the maintenance of benches, fountains, gazebos and the like where possible, there is hereby created the Heights Grows Committee.

§ 14-2. Membership; Chairperson and Vice Chairperson.

A.

The Heights Grows Committee so created shall consist of five (5) regular members, all of whom shall be residents of the Borough of Haddon Heights as well as a member of the Borough Council who shall be a non-voting member and shall serve as a liaison thereto.

B.

The Heights Grows Committee shall select from its regular members one member to serve as its Chairperson and one member to serve as its Vice Chairperson. The Chairperson and Vice Chairperson so chosen shall serve for periods of one year.

§ 14-3. Appointments; qualifications; terms of office; vacancies.

A.

The members of the Heights Grows shall be appointed by the Mayor with the advice and consent of Council in a manner consistent with the appointment process provided for by boroughs under state law. Each member shall be appointed for a term of three years, with the exception of the Council Liaison who shall be appointed for a one (1) year term.

B.

The term of the regular members shall be for three years each. The term of the regular members shall begin on January 1 of the year of their appointment and expire on December 31 of the third year after the year of their appointment. However, the following terms shall apply for the first appointments of the regular members made to the Committee:

(1)

Member No. 1: from the date of appointment to December 31, 2020.

(2)

Member No. 2: from the date of appointment to December 31, 2020.

(3)

Member No. 3: from the date of appointment to December 31, 2021.

(4)

Member No. 4: from the date of appointment to December 31, 2021.

(5)

Member No. 5: from the date of appointment to December 31, 2022.

C.

A vacancy occurring other than by expiration of the term shall be filled for the unexpired term only. Members shall serve for their respective terms and until their successors are thereafter appointed and qualified.

D.

All members shall possess the same rights, duties and powers.

E.

Each member and officer of the Committee shall, before assuming office, take and subscribe an oath that he/she will faithfully and impartially discharge the duties of his/her office.

§ 14-4. Compensation.

The members and officers of the Committee shall serve without compensation, but each shall receive reimbursement for actual disbursements for expenses incurred in the performance of their duties.

§ 14-5. Quorum.

A majority of the members (three of five) shall constitute a quorum of the Committee.

§ 14-6. Adoption of bylaws.

To effectuate its purposes, the Committee shall have the power to adopt suitable bylaws for the management of its affairs and to determine the qualifications and duties of its employees and to fix, subject to the budget for the Committee as adopted by the Borough Council, the expenditure of funds.

§ 14-7. Power and duties.

The Heights Grows Committee created by this chapter shall review and advise the governing body on impacts to the Borough to the Borough government. The Committee shall work in a manner consistent with its intended purpose as set forth in § 14-1.

§ 14-8. Limitation on powers; annual report.

The Committee shall not have any powers other than those set forth and especially shall have no power to pledge the credit of the municipality or to enter into contracts or to otherwise create debts, except as herein authorized, and shall operate within the appropriation made by the Borough Council in its annual budget. The Committee shall make an annual report to the municipality during December of each year setting forth, in detail, its operations and recommendations covering the preceding 12 months.

Section 2: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 4: This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduced: SEPT. 1, 2020

Public Hearing: _____

Adopted: _____

Mayor Zachary Houck

ATTEST: _____
Kelly Santosusso, RMC, Borough Clerk

CERTIFICATION

I, Kelly Santosusso, RMC, Clerk of the Borough of Haddon Heights do hereby certify that the foregoing is a true copy of an Ordinance adopted by the Council of the Borough of Haddon Heights in the County of Camden, State of New Jersey on _____, 2020.

Kelly Santosusso, RMC, Borough Clerk

RESOLUTION 2020:159

**RESOLUTION AUTHORIZING REFUND OF A
STREET OPENING PERMIT DEPOSIT FEE TO ROOT 24 PLUMBING**

WHEREAS, the Borough Clerk issued a Street Opening Permit to Root 24 Plumbing on July 22, 2020 for the purpose of a sewer repair at 500 Tenth Avenue in Haddon Heights; and

WHEREAS, a deposit was collected by the Borough Clerk in the amount of \$200.00; and

WHEREAS, upon inspection by the Superintendent of Public Works, determination was made that the work was completed satisfactorily; and

WHEREAS, the fee for inspection is \$25.00;

NOW, THEREFORE IT BE RESOLVED by the Governing Body of the Borough of Haddon Heights, County of Camden, hereby authorizes a refund to be issued to Root 24 Plumbing, 130 Ferry Avenue, Camden, NJ 08104 in the amount of \$175.00.

Date: September 15, 2020

Council President Stephanie Madden

ATTEST: _____
Kelly Santosusso, RMC, Borough Clerk

APPLICATION FOR STREET OPENING PERMIT

Date 7/22/2020

Name of Applicant: Root 24 Plumbing
Address of Applicant: 130 Ferry Ave, Camden NJ 08104
Phone Number: 856-234-4940 State License Number: 10944

LOCATION OF PROPOSED OPENINGS

Name of Property Owner: Alex Shubert
Address of Property Owner: 500 10th Ave, Haddon Heights, NJ 08035

DESCRIPTION:

Purpose: sewer repair
Exact Size(s): 5x5 opening
Exact Location(s): 500 10th Ave, Haddon Heights, NJ

Public Liability Insurance Carrier: _____
Limits: _____

MUST include a Certificate of Liability Insurance from your insurance company, naming the Borough of Haddon Heights as Additional Insured Need Fax or Email 856-547-5259

NOTE TO CONTRACTOR: Per the Code of the Borough of Haddon Heights, Chapter 55, Section 5 – Undertaking to Restore Surface: "The application for a permit shall contain an undertaking to restore the original surface in such a manner as to conform with the then current requirements and specifications of New Jersey Highway Department to the extent they would be applicable."

STREET CLOSING REQUIREMENTS:

- Saw Cut Street
- Dirt to be tamped every 12 inches
- If concrete street, concrete to be 3,000 PSI
- Replace to existing street
- Blacktop to be tacked at seams

A \$25 inspection fee is charged to the contractor. After the Superintendent of Public Works inspects and approves the closure of the opening, your deposit will be returned after the following Borough Council Meeting

This permit expires **30 DAYS** after issuance. If the excavation of the above referenced hole has not begun within 30 days following the issuance of this permit, the applicant must reapply.

Type of road surface: (Check one)

Earth or Gravel	_____	Plain Concrete	_____
Black Top	<input checked="" type="checkbox"/>	Reinforced Concrete	_____
Sidewalk	_____		

Amount of Deposit Required: \$200.00

DAVE TARASCHI
SUPERINTENDENT
Kelly Santorusso
KELLY SANTORUSSO

RESOLUTION 2020:160

**RESOLUTION APPROVING TAX EXEMPTION FOR A DISABLED VETERAN
AND REFUND OF TAXES TO CORELOGIC TAX SERVICES**

WHEREAS, on March 18, 2020 the Haddon Heights Tax Assessor's office approved a tax exemption application effective March 18, 2020 for Block 152, Lot 24 also known as 1800 Maple Avenue and owned by Ralph and Donna Long; and

WHEREAS, the Department of Veteran's Affairs has certified that Ralph Long is a 100% totally disabled veteran; and

WHEREAS, due to the approved exemption, the 2020 taxes are canceled in the prorated amount of \$10,336.32 (289 days); and

WHEREAS, due to an overpayment of \$7,012.16 on the 2020 taxes, a refund of \$7,012.16 should be issued to Corelogic Tax Services.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Haddon Heights in the County of Camden and State of New Jersey hereby authorizes a refund in the amount of \$1,284.94 should be issued to Corelogic Tax Services.

PROPERTY:

1800 Maple Avenue
Block 152, Lot 24

OVERPAYMENT:

\$7,012.16

REFUND OF \$7,012.16 TO:

Corelogic Tax Services
Attn: Centralized Refunds
P.O. Box 9202
Coppell, TX 75019-9978

Date: September 15, 2020

Council President Stephanie Madden

ATTEST: _____
Kelly Santosusso, RMC, Borough Clerk

RESOLUTION 2020:161

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, on August 7, 2020 the Haddon Heights Tax Office received a tax overpayment; and

WHEREAS, said overpayment will require a refund to Ron Jensen;

PROPERTY:

516 Third Avenue
Block 32, Lot 9

OVERPAYMENT:

\$2,309.39

REFUND OF \$2,309.39 TO:

Ron Jensen
516 Third Avenue
Haddon Heights, NJ 08035

NOW, THEREFORE BE IT RESOLVED that Mayor and Council hereby approves a tax overpayment refund to be issued to Ron Jensen in the amount of \$2,309.39.

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Council President Stephanie Madden

ATTEST:

Kelly Santosusso, RMC, Borough Clerk

RESOLUTION 2020:162

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, on July 20, 2020 the Haddon Heights Tax Office received a tax overpayment; and

WHEREAS, said overpayment will require a refund to Stephanie van Schalkwyk;

PROPERTY:

1621 Cedar Avenue
Block 109, Lot 13.01

OVERPAYMENT:

\$2,801.18

REFUND OF \$2,801.18 TO:

Stephanie van Schalkwyk
1621 Cedar Avenue
Haddon Heights, NJ 08035

NOW, THEREFORE BE IT RESOLVED that Mayor and Council hereby approves a tax overpayment refund to be issued to Stephanie van Schalkwyk in the amount of \$2,801.18.

September 15, 2020

Council President Stephanie Madden

ATTEST:

Kelly Santosusso, RMC, Borough Clerk

RESOLUTION 2020:163

**RESOLUTION AUTHORIZING PAYMENT OF BILLS & CLAIMS
FOR THE SECOND HALF OF SEPTEMBER**

Trust Account	\$	1,710.31
Capital Account	\$	-0-
Payroll Account <i>(9/10/2020 Current)</i>	\$	83,664.57
<i>(9/10/2020) Trust)</i>	\$	9,305.23
Total Payroll	\$	92,969.80
Animal Account	\$	12.60
Current & Grant Fund	\$	122,752.70
School Tax	\$	617,937.50
County Tax	\$	-0-
Library Tax	\$	-0-
Total Current and Grant	\$	740,690.20
Total Spending	\$	<u>835,382.91</u>

Date: September 15, 2020

Council President Stephanie Madden

ATTEST: _____
Kelly Santosusso, RMC, Borough Clerk

Bill List Expenditures for Council Meeting
9/15/2020

<u>Fund</u>	<u>Amount</u>
Trust	
Per Attached Report	1,710.31
Total Trust	1,710.31
General Capital	
Per Attached Report	0.00
Total Capital	0.00
Payroll	
Payroll 09/10/2020 - Current Fund	83,664.57
Payroll 09/10/2020 - Trust Fund	9,305.23
Total Payroll	92,969.80
Animal	
Per Attached Report	12.60
Total Animal	12.60
Current and Grant Fund	
Per Attached Report	122,752.70
Library Tax	0.00
School Tax	617,937.50
County Taxes	0.00
Total Current and Grant	740,690.20
Total Spending 09/15/2020	\$ 835,382.91

P.O. Type: All
 Range: First to Last
 Format: Detail without Line Item Notes First Enc Date Range: First to 12/31/20
 Include Non-Budgeted: Y
 Open: N Paid: N Void: N
 Rcvd: Y Held: N Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

PO #	PO date	Vendor	Amount	Charge Account	Acct Type	PO Type	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00575	06/19/20	LAWMS									
		LAWMEN SUPPLY CO OF NJ									
		1 12ga. 00 Buck	180.00	0-01-25-240-232	B	Police - Ammunition	R	06/19/20	09/11/20		
		2 .233 cal. Rifle	2,214.45	0-01-25-240-232	B	Police - Ammunition	R	06/19/20	09/11/20		
		3 9mm Hand gun	1,977.50	0-01-25-240-232	B	Police - Ammunition	R	06/19/20	09/11/20		
			4,371.95								
20-00808	08/25/20	COMPLETE MAINTENANCE & REPAIR									
		1 7/23/20 STORM REPAIR	3,300.00	0-01-26-290-302	B	Public works - Tree Maintenance	R	08/25/20	09/11/20		5193
20-00809	08/25/20	GENSERVE INC									
		1 ANNUAL "B" SERVICE	190.00	0-01-25-265-279	B	Fire - Mandatory Inspect/certif	R	08/25/20	09/11/20		0210128-IN
20-00811	08/25/20	SIGSA005 SIG SAUER INC									
		1 CYBULSKI - SS P320	260.00	0-01-25-240-231	B	Police - Training / schools	R	08/25/20	09/11/20		7083611
20-00830	09/09/20	WB MASON									
		1 OFFICE SUPPLIES- INV#213393784	78.44	0-01-20-100-311	B	Office supplies	R	09/09/20	09/11/20		213393784
		2 CALCULATOR	14.72	0-01-20-100-311	B	Office supplies	R	09/09/20	09/11/20		212971102
		3 TONER	103.43	0-01-20-100-311	B	Office supplies	R	09/09/20	09/11/20		212976577
		4 OFFICE SUPPLIES- INV#213181284	84.99	0-01-20-100-311	B	Office supplies	R	09/09/20	09/11/20		213181284
		5 OFFICE SUPPLIES- INV#212931166	137.61	0-01-20-100-311	B	Office supplies	R	09/09/20	09/11/20		212931166
			419.19								
20-00831	09/09/20	VOORA									
		1 STRAY ANIMAL HOLDING SEPT 2020	350.00	0-01-27-340-205	B	Animal	R	09/09/20	09/11/20		52017
20-00832	09/09/20	SJSAN									
		1 AUGUST 2020 TRASH COLLECTION	36,750.00	0-01-26-305-202	B	Trash - SJ Sanitation	R	09/09/20	09/11/20		251736
20-00833	09/09/20	DEERP									
		1 POLICE DEPT WATER AUGUST 2020	30.99	0-01-20-120-279	B	Clerk - Filtered water	R	09/09/20	09/11/20		00H0446728602
20-00834	09/09/20	PRINHS									
		1 PHONES AUGUST 2020	253.76	0-01-31-440-216	B	Regular Telephones	R	09/09/20	09/11/20		202440443

PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice
Item Description					Acct Type Description					
20-00836	09/09/20	CAMDR			COVANTA ENERGY, LLC					
1		MUNICIPAL SOLID WASTE	23,631.35	0-01-32-465-217	B Solid waste -Camden Resource Recovery	R	09/09/20	09/11/20		308017
2		RECYCLING TAX	921.30	0-01-32-465-302	B Recycling Tax	R	09/09/20	09/11/20		308017
			24,552.65							
20-00838	09/09/20	COURP			COURIER POST					
1		LEGAL AD 2020-1493	129.76	0-01-20-120-217	B Clerk - Legal Advertising	R	09/09/20	09/11/20		4338100
2		LEGAL AD 2020-1492	98.08	0-01-20-120-217	B Clerk - Legal Advertising	R	09/09/20	09/11/20		4338080
			227.84							
20-00839	09/09/20	COUNC			COUNTY CONSERVATION CO					
1		YARD TRIMMINGS 8/26 - 8/27	522.00	0-01-32-465-218	B Solid waste - Brush Pickup	R	09/09/20	09/11/20		308677
20-00840	09/09/20	ONECA			ONE CALL CONCEPTS					
1		AUGUST 2020	102.96	0-01-26-290-254	B Public Works - Sewer Maint/Repairs	R	09/09/20	09/11/20		0085078
20-00841	09/09/20	NJHSS			NJ DEPT. HEALTH & SENIOR SVCS.					
1		ANIMAL LICENSE AUGUST 2020	12.60	T-12-56-850-821	B Dog Fees Due State of NJ	R	09/09/20	09/11/20		
20-00842	09/09/20	JONER			RALPH JONES					
1		MILEAGE REIMBURSEMENT	69.00	0-01-22-195-257	B Construction - Fuel Reimbursement	R	09/09/20	09/11/20		
20-00843	09/09/20	MULTS			MULTIFORCE SYSTEMS CORP.					
1		FUEL SERVICE CONTRACT	1,875.00	0-01-26-290-256	B Public Works - Service Contracts	R	09/09/20	09/11/20		919513
20-00844	09/09/20	JAN-PRO			JAN-PRO Services of the					
1		AUGUST RESTROOM CLEANING	390.00	G-02-41-785-301	B COVID 19	R	09/09/20	09/11/20		124643
20-00845	09/09/20	VANST			STEPHANIE VAN SCHALKWYK					
1		TAX REFUND - 1621 CEDAR AVE	2,801.18	0-01-55-001-005	B Tax Overpayments Payable	R	09/09/20	09/11/20		
20-00846	09/09/20	JENSENR			RON JENSEN					
1		TAX REFUND - 516 THIRD AVE	2,309.39	0-01-55-001-005	B Tax Overpayments Payable	R	09/09/20	09/11/20		
20-00849	09/09/20	NJAMB			NJ AMERICAN WATER					
1		DEVON SOCCER FIELDS	414.12	0-01-31-445-289	B Water Service	R	09/09/20	09/11/20		
2		LAKE ST PUMP STATION	50.47	0-01-31-445-289	B Water Service	R	09/09/20	09/11/20		
3		DEVON SOCCER FIELDS	420.73	0-01-31-445-289	B Water Service	R	09/09/20	09/11/20		
4		COMMUNITY GARDEN	26.81	T-13-56-860-819	B Reserve Community Garden Expenses (516)	R	09/09/20	09/11/20		

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00849	09/09/20	NJAMB	NJ AMERICAN WATER									
			5 MUNICIPAL BUILDING	63.69	0-01-31-445-289		B Water Service	R	09/09/20	09/11/20		
			6 SOF BUILDING	57.08	0-01-31-445-289		B Water Service	R	09/09/20	09/11/20		
			7 LOG CABIN	20.20	0-01-31-445-289		B Water Service	R	09/09/20	09/11/20		
			8 CERVINO FIELD	161.58	0-01-31-445-289		B Water Service	R	09/09/20	09/11/20		
			9 COMMUNITY CENTER	50.47	0-01-31-445-289		B Water Service	R	09/09/20	09/11/20		
			10 HH FIRE DEPT	46.65	0-01-31-445-289		B Water Service	R	09/11/20	09/11/20		
				1,311.80								
20-00850	09/09/20	PSEGR	PSE&G									
			1 STREET LIGHTS	6,430.54	0-01-31-435-288		B Street Lighting	R	09/09/20	09/11/20		
			2 CERVINO FIELD	8.70	0-01-31-430-288		B Electric & Gas	R	09/09/20	09/11/20		
			3 LOG CABIN	186.78	0-01-31-430-288		B Electric & Gas	R	09/09/20	09/11/20		
			4 CANNON LIGHTS	4.79	0-01-31-435-288		B Street Lighting	R	09/09/20	09/11/20		
			5 SOF BUILDING	858.83	0-01-31-430-288		B Electric & Gas	R	09/09/20	09/11/20		
			6 COMMUNITY CENTER	590.05	0-01-31-430-288		B Electric & Gas	R	09/09/20	09/11/20		
			7 GLOVER AVE LIGHTS	203.84	0-01-31-435-288		B Street Lighting	R	09/09/20	09/11/20		
				8,283.53								
20-00851	09/09/20	VER33	VERIZON									
			1 SEPT PHONE 856-546-1025	75.48	0-01-31-440-216		B Regular Telephones	R	09/09/20	09/11/20		
20-00852	09/09/20	VER1W	VERIZON WIRELESS									
			1 CELL PHONES AUGUST 2020	543.64	0-01-31-440-216		B Regular Telephones	R	09/09/20	09/11/20		
20-00853	09/09/20	COREL	CoreLogic Tax Services									
			1 REFUND O/P-1405 SYCAMORE ST	3,380.00	0-01-55-001-005		B Tax Overpayments Payable	R	09/09/20	09/11/20		
			2 REFUND O/P- 307 SEVENTH AVE	2,636.40	0-01-55-001-005		B Tax Overpayments Payable	R	09/09/20	09/11/20		
				6,016.40								
20-00854	09/10/20	COREL	CoreLogic Tax Services									
			1 REFUND TAX O/P- 1800 MAPLE AVE	7,012.16	0-01-55-001-005		B Tax Overpayments Payable	R	09/10/20	09/11/20		
20-00855	09/10/20	MUNCA	MUNICIPAL CAPITAL									
			1 DIGITAL COPY PMT 41 OF 60	366.60	0-01-20-100-516		B Service Contracts	R	09/10/20	09/11/20		12211020920
20-00856	09/10/20	PIROP	PIROLLI PRINTING									
			1 STAMPS - ED GORMAN	25.00	0-01-22-195-211		B Construction - Materials/Supplies	R	09/10/20	09/11/20		19580

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type Description	Contract PO Type	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice
20-00857	09/10/20	COURP	COURIER POST	132.84	0-01-20-120-217	B Clerk - Legal Advertising		R	09/10/20	09/11/20		4351557
			1 LEGAL AD - BID NOTICE									
20-00858	09/10/20	PLATR	PLATT AND RISO, P.C.	1,683.50	T-13-56-860-824	B Reserve for COAH (521)		R	09/10/20	09/11/20		9185
			1 GENERAL FILE AUGUST 2020									
20-00860	09/10/20	NJLEA	NJ LEAGUE OF MUNICIPALITIES	56.00	0-01-20-120-224	B Clerk - Mayor/Councilman Expense		R	09/10/20	09/11/20		208-8902
			1 LEGISLATIVE BULLETIN 2020-2021									
20-00861	09/11/20	SANTK	KELLY SANTOSSUSSO	50.00	G-02-41-785-301	B COVID 19		R	09/11/20	09/11/20		39033226
			1 ZOOM REIMBURSEMENT									
20-00864	09/11/20	BOLLI	BOLLINGER, SPECIALITY GROUP	18,702.44	0-01-23-220-246	B Prescriptions - Bollinger		R	09/11/20	09/11/20		48967
			1 OCTOBER 2020 PRESCRIPTION									
20-00865	09/11/20	NJDLW	STATE OF NEW JERSEY	516.10	0-01-23-210-279	B Annual Labor Assessment		R	09/11/20	09/11/20		
			1 ANNUAL LABOR ASSESSMENT 2020									
20-00866	09/11/20	COUNC	COUNTY CONSERVATION CO	378.00	0-01-32-465-218	B Solid waste - Brush Pickup		R	09/11/20	09/11/20		308850
			1 YARD TRIMMINGS 9/2 & 9/3									
20-00867	09/11/20	QUADIENT	Quadiant Leasing USA, Inc.	533.61	0-01-20-100-516	B Service Contracts		R	09/11/20	09/11/20		N8474353
			1 3RD QTR POSTAGE MACHINE									
20-00868	09/11/20	HHBE	HADDON HEIGHTS BD OF ED	617,937.50	0-01-55-001-001	B Local School Taxes Payable		R	09/11/20	09/11/20		
			1 Sept 1st Half									
Total Purchase Orders:				36	Total P.O. Line Items:	60	Total List Amount:	742,413.11	Total Void Amount:	0.00		

Totals by Year-Fund						
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total	Total
CURRENT FUND	0-01	740,250.20	0.00	0.00	740,250.20	
	G-02	440.00	0.00	0.00	440.00	
DOG TRUST (ANIMAL)	T-12	12.60	0.00	0.00	12.60	
TRUST - OTHER TRUST	T-13	<u>1,710.31</u>	<u>0.00</u>	<u>0.00</u>	<u>1,710.31</u>	
Year Total:		<u>1,722.91</u>	<u>0.00</u>	<u>0.00</u>	<u>1,722.91</u>	
Total of All Funds:		<u><u>742,413.11</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>742,413.11</u></u>	

RESOLUTION 2020:164

**RESOLUTION APPROVING CHANGE ORDER #1 FOR THE
FY2019 NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND,
RECONSTRUCTION OF WEST HIGH STREET – PHASE V**

WHEREAS, it was necessary to make changes to the contract amount based on final quantities installed; and

WHEREAS, Change Order #1 was developed to itemize and authorize those changes.

WHEREAS, Change Order #1 (final) reflects adjustments to final contract value based on final quantities installed and results in a decrease of \$2,877.47 which is within the allocated construction costs of the NJDOT grant;

WHEREAS, the Certified Financial Officer has certified that these funds will be encumbered from C-04-55-825-801, FY2019 NJDOT Trust Fund, Reconstruction of West High Street – Phase V.

NOW THEREFORE BE IT RESOLVED that the above Change Order is hereby approved by the Governing Body of the Borough of Haddon Heights in the County of Camden and in the State of New Jersey.

Date: September 15, 2020

BOROUGH OF HADDON HEIGHTS

Council President Stephanie Madden

ATTEST: _____
Kelly Santosusso, RMC, Borough Clerk

CERTIFICATION:

I, Kelly Santosusso, Borough Clerk for the Borough of Haddon Heights do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution adopted at a public meeting of the Governing Body held on September 15, 2020.

Kelly Santosusso, RMC, Borough Clerk

RESOLUTION 2020:165

**RESOLUTION AWARDING A CONTRACT TO LANDBERG CONSTRUCTION, LLC
IN THE AMOUNT OF \$424,342.70 FOR THE FY 2019/ FY 2020 NJDOT TRUST FUND
RECONSTRUCTION OF DEVON AVENUE PROJECT – PHASES I & II**

WHEREAS, specifications were completed and bids were properly advertised by the Borough of Haddon Heights (“Borough” and/or “Haddon Heights”) for the contract for the FY 2019/ FY 2020 NJDOT Trust Fund Reconstruction of Devon Avenue Project – Phases I & II;

WHEREAS, the Borough furnished detailed bid specifications to potential bidders; and

WHEREAS, bids were received and opened by the Borough on Friday, September 11, 2020 at 10:00 a.m.; and

WHEREAS, the Borough received one (1) bids for this Contract as follows:

<u>Vendor</u>	<u>Base Bid</u>
1. Landberg Construction, LLC	\$424,342.70

WHEREAS, Steven M. Bach, PE, RA, PP, CME, on behalf of Bach Associates, PC, reviewed the bids received and via letter dated September 11, 2020, recommended the award of the bid to Landberg Construction, LLC (“Landberg”); and

WHEREAS, the Borough’s Solicitor has reviewed the bids and specifications, and in an opinion letter dated September 15, 2020 opined that Landberg has complied with the bid specifications and recommended the award of the Contract to Landberg; and

WHEREAS, the Borough has therefore determined that Landberg is the lowest qualified bidder, having submitted a bid in accordance with the Bid Specifications and Advertisement; and

WHEREAS, the Borough’s Chief Financial Officer has certified funds are available from #C-04-55-825-801 and #G-02-41-471-311 which are available for such purpose.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Haddon Heights as follows, a body corporate and politic, as follows:

1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.

2. The Contract for FY2019 / FY2019 NJDOT Trust Fund Reconstruction of Devon Avenue Project – Phases I & II is awarded to Landberg Construction, LLC in the amount of \$424,342.70
3. The Mayor and/or his designee is hereby authorized to take any and all steps necessary to effectuate the award of the bid to Landberg Construction, LLC in accordance with the above.

September 15, 2020

Council President Stephanie Madden

I, Kelly Santosusso, RMC, Clerk of the Borough of Haddon heights, do hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Council of the Borough of Haddon Heights at the Regular Meeting of September 15, 2020, held in the Municipal Building, 625 Station Avenue, Haddon Heights, New Jersey 08035.

Kelly Santosusso, RMC, Borough Clerk

WADE, LONG, WOOD & LONG, LLC

Attorneys at Law

Howard C. Long, Jr.†
Daniel H. Long†±◇
Christopher F. Long†

John D. Wade†
OF COUNSEL
Leonard J. Wood, Jr.†
OF COUNSEL

John A. Moustakas†◇

†Licensed in New Jersey
±Licensed in Washington DC
◇Licensed in Pennsylvania

September 15, 2020

Via E-Mail Only @ ksantosusso@haddonhts.com
Kelly Santosusso, RMC
Borough of Haddon Heights
Municipal Building
625 Station Avenue
Haddon Heights, NJ 08035

**RE: Reconstruction of Devon Avenue
FY 2019/FY 2020 NJDOT Trust Fund
Bid Opinion Letter – Borough Solicitor**

Dear Ms. Santosusso:

I. INTRODUCTION

This office has reviewed the documents provided regarding the bid submission with respect to the contract for Reconstruction of Devon Avenue - Phases I & II, FY2 2019/FY2020 NJDOT Trust Fund received on September 11, 2020 at 10:00 a.m. on behalf of the Borough of Haddon Heights ("Borough" and/or "Haddon Heights"). The Borough received one (1) bid for this Contract as follows:

<u>Vendor</u>	<u>Amount</u>	<u>Alternate #1</u>	<u>Alternative #2</u>
1. Landberg Construction	\$424,342.70	\$68,527.10	38,922.10

II. FACTUAL ANALYSIS

The apparent low bidder for the above referenced contract was Landberg Construction ("Landberg") located at 82 Tuckahoe Road, Dorothy, New Jersey 08317. Upon review of the response submitted by Landberg to the specifications, the bid appears to be in compliance with the specifications from a legal perspective and no defects have been uncovered.

**RE: Reconstruction of Devon Avenue
FY 2019/FY 2020 NJDOT Trust Fund
Bid Opinion Letter – Borough Solicitor**

be disregarded by the public agency. The Court held that certain non-compliance (i.e. obvious error) with the bid specifications may be deemed not material and therefore waivable by the public entity. Spina v. Borough of Fairview, 304 N.J. Super. 425, (App. Div. 1997).

As a matter of law, the Local Public Contract Law requires certain items to be included as material aspects of every bid. The statute reads:

“When required by the bid plans and specifications, the following requirements shall be considered mandatory items to be submitted at the time specified by the contracting unit for the receipt of the bids; the failure to submit any one of the mandatory items shall be deemed a fatal defect that shall render the bid proposal unresponsive and that cannot be cured by the governing body:

- a. A guarantee to accompany the bid pursuant to section 21 of P.L.1971, c.198 (C.40A:11-21);
- b. A certificate from a surety company pursuant to section 22 of P.L.1971, c.198 (C.40A:11-22);
- c. A statement of corporate ownership pursuant to section 1 of P.L.1977, c.33 (C.52:25-24.2);
- d. A listing of subcontractors pursuant to section 16 of P.L.1971, c.198 (C.40A:11-16);
- e. A document provided by the contracting agent in the bid plans, specifications, or bid proposal documents for the bidder to acknowledge the bidder's receipt of any notice or revisions or addenda to the advertisement or bid documents;”

N.J.S.A. 40A:11-23.2

Finally, a local contracting unit is permitted to reject all bids within a part under certain conditions. N.J.S.A. 40A:11-13.2, provides in pertinent part:

“A local contracting unit can reject all bids for any of the following reasons:

1. Lowest bid substantially exceeds cost estimates;
2. Lowest bid substantially exceeds appropriation;
3. Governing body abandons the project;

Kelly Santosusso, RMC
Borough of Haddon Heights
September 15, 2020
Page 5

**RE: Reconstruction of Devon Avenue
FY 2019/FY 2020 NJDOT Trust Fund
Bid Opinion Letter – Borough Solicitor**

26. Landberg Company Information Form;
27. Public Works Contractor Registration Act Certificate;
28. Notice of Classification;
29. Approved Small Business Set-Aside Act Form;
30. Equipment List;
31. Electrical Contractor Certificate;
32. Small Business Set-Aside and Minority and Women Certification Program Compliance Form;
33. U.S Department of Labor, Bureau of Apprenticeship and Training Certification of Registration.

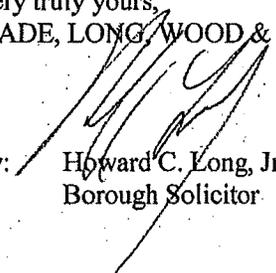
The bid submitted by Landberg is in the appropriate form.

V. CONCLUSION

After researching the applicable law, reviewing the Contract specifications and documents, and conferring with staff, it is my legal opinion that the Contract for Reconstruction of Devon Avenue - Phases I & II, FY 2019/FY 2020 NJDOT Trust Fund on behalf of the Borough of Haddon Heights be awarded to Landberg, since the bid submitted complies with the specifications from a legal perspective. It is therefore recommended that a Resolution be placed on the Agenda for an upcoming meeting awarding said Contract subject to staff concurrence and the availability of funds.

If you have any questions or require any further clarification, please do not hesitate to contact me.

Very truly yours,
WADE, LONG, WOOD & LONG, L.L.C.

By: 
Howard C. Long, Jr.,
Borough Solicitor

HCLjr
CC: Mayor and Borough Council
David Taraschi, Business Administrator