

# BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

## RESOLUTION #093-2021

### RESOLUTION AWARDING A ONE-YEAR CONTRACT FOR INFORMATION TECHNOLOGY SERVICES TO PEGGNET COMPUTERS

**WHEREAS**, the Borough of Mendham (“Borough”) previously solicited bids for the provision of Information Technology Services for calendar year 2021 and 2022; and

**WHEREAS**, four (4) sealed bids were received and opened on November 5, 2020, in accordance with the advertised date for acceptance of bids; and

**WHEREAS**, the bids received ranged in price from \$35,000 to \$85,050 for calendar year 2020 and from \$35,000 to \$89,302 for calendar year 2022; and

**WHEREAS**, the bids were duly reviewed by the Borough Administrator/Qualified Purchasing Agent, who determined that none of the bids were sufficiently responsive to the bid specifications in affirmatively demonstrating the specialized experience and knowledge required by the Borough regarding its technology needs, as were set forth in the specifications; and

**WHEREAS**, based on this determination, as well as the wide discrepancy in bid amounts, the Borough concluded that the bid specifications should be revised and further clarified to ensure the vital purpose of competitive bidding is promoted; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-13.2 of the Local Public Contracts Law, the Borough rejected all bids to conduct a substantial revision of the specifications, and authorized use of competitive contracting in lieu of public bidding to procure the specialized IT services required; and

**WHEREAS**, the Borough did substantially revise the specifications and duly issued a Request for Proposals (RFP) for a one-year contract for the provision of specialized Information Technology Services, with the option for the Borough, at its sole discretion, to award two subsequent one-year option contracts; and

**WHEREAS**, three proposals were received and opened on April 20, 2021, in accordance with the advertised date for acceptance of proposals; and

**WHEREAS**, the three proposals received were as follows:

- Integrated Micro Systems, Inc. (“Integrated Micro Systems”)  
\$35,000 Y1/\$35,000 Y2/\$35,000 Y3
- PeggNet Computers (“PeggNet Computers”)  
\$69,930 Y1/\$69,930 Y2/\$69,930 Y3
- Next Technology Partners, LLC (“Next Technology”)  
\$91,000 Y1/\$80,500 Y2/\$71,850 Y3

**WHEREAS**, the Borough Attorney conducted a review of the proposals and determined that all three were legally responsive and in accordance with the Local Public Contract Law, although the proposal from Next Technology did not include a list of reference projects from the last five years in its Statement of Responsibility; and both Next Technology and Integrated Micro Systems did not provide proof of certifications required under Detailed Specifications- Qualifications; and

**WHEREAS**, each Evaluation Committee member independently evaluated and ranked the proposals in accordance with the detailed methodology described in the Request for Proposals, which included technical-, management-, and cost-related criteria, and weighting of the criteria, in order to meet the specialized IT needs of the Borough; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-4.5, the Borough Administrator/QPA prepared a report compiling the rankings and recommending the award of a one-year contract to PeggNet Computers, which report was made available to the public at least 48 hours prior to consideration of this Resolution by the Mayor and Borough Council; and

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

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

1. The Borough Council hereby awards a one-year contract to PeggNet Computers for Internet Technology Services in an amount not to exceed \$69,930, in accordance with its bid.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute said contract.
3. This Resolution and contract shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

Dated: June 9, 2021

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #094-2021**

**RESOLUTION APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE  
2021-2022 LICENSING TERM**

**WHEREAS**, the holders of liquor licenses in the Borough of Mendham have filed renewal applications with the Division of Alcoholic Beverage Control and with the Mendham Borough Clerk for the 2021-2022 licensing term; and

**WHEREAS**, the Borough Clerk has confirmed that all license renewal applications have been completed in all respects, that the New Jersey Division of Taxation has issued Tax Clearance Certificates as required for each of the licensees, and that all applicable fees have been paid and satisfied; and

**WHEREAS**, the Borough Clerk further confirmed that public health inspections were duly conducted at each of the licensed premises in accordance with N.J.S.A. 33:1-24 and provisions of Chapter 12 of the New Jersey State Sanitary Code concerning the operation and maintenance of Retail Food Establishments and there were no reported matters of concern; and

**WHEREAS**, the Mendham Borough Police Department conducted inspections of each of the licensed premises and records in accordance with N.J.S.A 33:1-35 and N.J.A.C 13:2-7.10 and reported that there were no items of concern; and

**WHEREAS**, the Borough Clerk has confirmed that no objections were filed, either written or in person, with respect to the renewal of any of the herein referenced liquor licenses.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Mendham that they are satisfied that all requirements have been met and hereby approve the renewal of each of the following liquor licenses for the 2021-2022 licensing term:

**PLENARY RETAIL CONSUMPTION LICENSES**

1418-33-001-002      Black Horse Tavern & Pub, LLC [t/a The Black Horse Tavern & Pub]  
1418-33-003-008      MacKenzie's, LLC [t/a Piattino's Bistro]

**PLENARY RETAIL DISTRIBUTION LICENSE**

1418-44-002-004      Jiya and Kirtan LLC [t/a Village Wine & Liquors]

**CLUB LICENSES**

1418-31-004-001      Pastime Club, Inc.  
1418-31-005-003      Roxiticus Golf Club

And,

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control and is further authorized to issue an annual liquor license on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein-approved licenses for the 2021-2022 licensing term.

Dated: June 9, 2021

**BOROUGH OF MENDHAM**  
MORRIS COUNTY, NEW JERSEY

**RESOLUTION #095-2021**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$520,756 BOND ANTICIPATION NOTES OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY**

**BE IT RESOLVED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Borough of Mendham, in the County of Morris (the "Borough") entitled: "Bond ordinance appropriating \$1,875,000, and authorizing the issuance of \$1,404,670 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Mendham, in the County of Morris, New Jersey", finally adopted on November 19, 2012 (#13-12), bond anticipation notes of the Borough in a principal amount not exceeding \$285,756 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$140,000, and authorizing the issuance of \$130,000 bonds or notes of the Borough for the acquisition of vehicles by the Borough of Mendham, in the County of Morris, New Jersey", finally adopted on May 8, 2019 (#4-19), bond anticipation notes of the Borough in a principal amount not exceeding \$130,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$200,000, and authorizing the issuance of \$105,000 bonds or notes of the Borough, for the acquisition of various equipment by the Borough of Mendham, in the County of Morris, New Jersey", finally adopted on April 26, 2021 (#08-2021), bond anticipation notes of the Borough in a principal amount not exceeding \$105,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or

private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 5. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 6. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 7. All actions heretofore taken by officials and professionals of the Borough relating to the sale and award of the notes are hereby ratified, confirmed, adopted and approved.

Section 8. This resolution shall take effect immediately.

Dated: June 9, 2021

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #096-2021**

**RESOLUTION AUTHORIZING THE PURCHASE OF A 2021 CATERPILLAR 420XEIT BACKHOE LOADER**

**WHEREAS**, the Borough of Mendham is in need of a new backhoe loader to replace a 1996 model in need of significant repairs; and

**WHEREAS**, N.J.S.A. 52:34-6.2 authorizes municipalities to purchase goods or services through cooperating purchasing programs in lieu of public bidding; and

**WHEREAS**, the Borough is a member of the Sourcewell cooperative purchasing program (“Sourcewell”); and

**WHEREAS**, through Sourcewell, the Borough has obtained the attached quote in the amount of \$124,445.00, including a \$13,000 trade-in, for a 2021 Caterpillar 420XEIT Backhoe Loader; and

**WHEREAS**, the Borough’s Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Borough is hereby authorized to purchase a 2021 Caterpillar 420XEIT Backhoe Loader in the amount of \$124,445.00 through the Sourcewell cooperative purchasing program, per the attached quote and specifications.
2. A copy of this Resolution shall be provided to the Borough CFO for her information and guidance.

This Resolution shall take effect immediately.

Dated: June 9, 2021

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #097-2021**

**RESOLUTION AUTHORIZING THE REFUND OF A DUPLICATE PAYMENT RECEIVED  
FROM SUZANNE MARKWICK PARR FOR THE 2021 MENDHAM DAY CAMP PROGRAM**

**WHEREAS**, the Recreation Director has advised that Suzanne Markwick Parr made a duplicate payment when submitting the online registration fee for the 2021 Mendham Day Camp Program resulting in an overpayment to be refunded; and

**WHEREAS**, the registrant has requested the refund of the overpayment amount; and

**WHEREAS**, the Chief Financial Officer confirmed that the Borough of Mendham received a duplicate payment of registration fees from Suzanne Markwick Parr for the 2021 Mendham Day Camp Program; and

**THEREFORE, BE IT RESOLVED** by the Council of the Borough of Mendham that the Treasurer is authorized to process a refund in the amount of \$240.00 as herein referenced to:

Suzanne Markwick Parr  
3 Garrison Lane  
Mendham, NJ 07945

This Resolution shall take effect immediately.

Dated: June 9, 2021