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THE MORRIS COUNTY PARK COMMISSION  
DISTRIBUTION OF PARK COMMISSION SPECIAL MEETING MINUTES

Date

June 14, 2016

1. President Betty Cass-Schmidt
2. Vice President Barbara Shepard
3. Commissioner Julie C. Baron
4. Commissioner Stuart Lasser
5. Commissioner Edward G. McCarthy
6. Commissioner Mathew Tal
7. Commissioner Richard Seabury, III
8. Commissioner Louis A. Valori, Jr.
9. Commissioner Kim M. Wentworth
10. Executive Director David D. Helmer
11. Freeholder Liaison Douglas R. Cabana
12. File – 2

## THE MORRIS COUNTY PARK COMMISSION

300 Mendham Road

Morris Township, New Jersey

President Cass-Schmidt called to order the 834<sup>th</sup> Special Meeting of the Morris County Park Commission at 1:30 p.m. on Tuesday, June 14, 2016, in the Auditorium at The Cultural Center, 300 Mendham Road, Morris Township, New Jersey.

Executive Director Helmer then read the following notice: PURSUANT TO N.J.S.A. 10:4-6 et seq., adequate notice of this meeting held at 1:30 p.m. on the 14<sup>th</sup> day of June, 2016, has been provided by publication in the *Daily Record* and *The Star-Ledger*, by posting of said notice in the Administration Building of the Morris County Park Commission, at the County Courthouse, and by filing a copy of the same with the Morris County Clerk, and by posting an Agenda on the Morris County Park Commission website.

### ROLL CALL

The following were present:

President Betty Cass-Schmidt	Commissioner Julie C. Baron
Vice President Barbara Shepard	Commissioner Stuart Lasser (via phone)
Executive Director David D. Helmer	Commissioner Edward McCarthy
Deputy Executive Director R. Vitale	Commissioner Richard Seabury, III
Park Counsel John Suminski	Commissioner Mathew Tal

Also in attendance were Park Commission Staff:

Director of Park Planning & Development Chaplick  
Director of Engineering Services Vitale  
Manager of Buildings & Construction Gara  
Assistant Engineer Herterick

### SALUTE TO THE FLAG

President Cass-Schmidt led those present in the salute to the flag.

### PARK DEVELOPMENT COMMITTEE

Director of Engineering Services Vitale provided a review of the bids received for Contract No. 19-16, "Lewis Morris Park Cultural Center Driveway and Parking Improvements". He noted that although six bids were received on four bids conformed to the Notice to Bidders stipulating that bidders or bidder representatives had to be present at 10:30 a.m. on Thursday, May 26, 2016 to submit bids. One bid was dropped off at 10:00 a.m. and one bid was found as part of a bid opening for Contract No. 09-16 was believed to be dropped off prior to May 27, 2016 but was not identified until the bid opening on June 2, 2016. Due to the nature of the discussion it was deemed appropriate to enter in to Executive Session for further review by Park Counsel Suminski.

### EXECUTIVE SESSION

President Cass-Schmidt asked for a motion to adopt Resolution No. 67-16 (**Attachment No. 1**) placing the Commission meeting into Executive Session pursuant to provisions of N.J.S.A. 10:4-

12 (5), (6), (7) and (8), the pertinent provisions of the “Open Public Meetings Act.” The motion was made by Commissioner Baron and seconded by Vice-President Shepard and unanimously adopted by roll call vote.

CONSIDERATION OF EXECUTIVE SESSION

The Commission meeting returned to an open public meeting on the motion of Commissioner Baron and seconded by Commissioner McCarthy and unanimously approved by voice vote. The items discussed in closed session will be printed as part of the minutes.

Having discussed the merits of the matter relating to Contract No. 19-16 in closed session the recommendation was made to move forward with the resolution to award the contract as it was drafted.

CONSIDERATION OF RESOLUTIONS

Commission Baron moved to adopt Resolution No. 68-16 (**Attachment No. 2**), which includes Resolution No. 69-16 (**Attachment No. 3**) the motion was seconded by Vice-President Shepard and unanimously approved by roll call vote.

ADJOURNMENT

There being no further business, Vice-President Shepard made the motion to adjourn which was seconded by Commissioner Baron, the meeting ended at 2:06 p.m.

Respectfully submitted,

David D. Helmer  
Executive Director

Katherine Petro  
Office Manager

MORRIS COUNTY PARK COMMISSION  
RESOLUTION NO. 67-16

**BE IT RESOLVED**, by the Morris County Park Commission on this 14<sup>th</sup> day of June, 2016 that:

1. Prior to the conclusion of this regular meeting of the Morris County Park Commission, which regular meeting has been opened to the public, the Morris County Park Commission shall meet in Executive Session, from which the public shall be excluded, to discuss personnel matters, land acquisition, and report of counsel, as permitted pursuant to N.J.S.A. 10:4-12 (5), (6), (7), and (8), the pertinent provisions of the "Open Public Meetings Act."
2. The time when the matters discussed pursuant to paragraph #1 hereof can be disclosed to the public is as soon as practicable after the final resolution of the aforesaid matters.

June 14, 2016

MORRIS COUNTY PARK COMMISSION

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Betty Cass-Schmidt  
President

\_\_\_\_\_, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on June 14, 2016, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

[ORIGINAL SIGNATURE ON FILE]

MORRIS COUNTY PARK COMMISSION  
RESOLUTION NO. 68-16

**BE IT RESOLVED**, by the Morris County Park Commission on this 14<sup>th</sup> day of June, 2016, that the following resolution be adopted in the form attached:

Resolution No.

Resolution No. 69-16

June 14, 2016

MORRIS COUNTY PARK COMMISSION

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Betty Cass-Schmidt  
President

\_\_\_\_\_, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on June 14, 2016, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

[ORIGINAL SIGNATURE ON FILE]

MORRIS COUNTY PARK COMMISSION  
RESOLUTION NO. 69-16

**WHEREAS**, the Morris County Park Commission deemed it advisable and in the public interest to receive public bids for Contract No. 19-16, titled “Lewis Morris Park Cultural Center Driveway and Parking Improvements,” and

**WHEREAS**, six bids were received but only four bids conformed to the Notice to Bidders stipulating that a call will be made for all bids to be submitted on Thursday, May 26, 2016 at 10:30 a.m., prevailing time, in person by a bidder or bidders representative, and in accordance with N.J.S.A. 40A:11-1 et seq. of the Local Public Contracts Law, and

**WHEREAS**, two bids are recommended to be rejected, due to the fact they did not comply with the bid requirement which clearly states “On the revised bid date of Thursday, May 26, at 10:30 A.M., prevailing time, a call will be made for all bids to be submitted at this time, in person, by a bidder or a bidder’s representative”; AJM Contractors, Inc. of Clifton, New Jersey and Cifelli & Son General Construction of Nutley, New Jersey, and

**WHEREAS**, Park Commission staff and Keller & Kirkpatrick, Inc., the project consultant have reviewed the bid documents submitted by Your Way Construction, Inc., of Irvington, New Jersey the lowest responsive and responsible bidder, and found the bid documents to be in order and acceptable, and

**WHEREAS**, the Consulting Engineer, Keller & Kirkpatrick, Inc. recommended the award of this contract to Your Way Construction, Inc., of Irvington, New Jersey, the lowest responsible bidder, for the total bid amount of \$523,254.94, and

**WHEREAS**, the Director of Engineering Services has recommended that a construction contingency of \$104,650.99 be established, and

**WHEREAS**, the Director of Finance has certified that funding is available in the amount of \$523,254.94 for the contract award and \$104,650.99 for the contingency, totaling \$627,905.93 from Park Capital Accounts 64-216-55-967217-951 in the amount of \$249,251.88, 64-216-55-967219-951 in the amount of \$249,428.00, and 64-216-55-967220-951 in the amount of \$129,226.05, for a total amount of \$627,905.93, **NOW THEREFORE**

**BE IT RESOLVED** by the Morris County Park Commission on this 14th day of June, 2016 as follows:

1. That AJM Contractors, Inc. of Clifton, New Jersey and Cifelli & Son General Construction of Nutley, New Jersey, be rejected due to failure to comply with bid requirements.
2. That Contract No. 19-16 titled “Lewis Morris Park Cultural Center Driveway and Parking Improvements” be awarded to Your Way Construction, Inc. of Irvington, New Jersey, for the total bid amount of \$523,254.94.

3. That this Contract, in the amount of \$523,254.94, and that a construction contingency of \$104,650.99 for this contract be established, to be funded from Park Capital Accounts 64-216-55-967217-951 in the amount of \$249,251.88, 64-216-55-967219-951 in the amount of \$249,428.00, and 64-216-55-967220-951 in the amount of \$129,226.05, for a total amount of \$627,905.93.
4. That this Resolution takes effect immediately.

June 14, 2016

MORRIS COUNTY PARK COMMISSION

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Betty Cass-Schmidt  
President

\_\_\_\_\_, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on June 14, 2016, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

[ORIGINAL SIGNATURE ON FILE]