

AGENDA FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
September 1, 2022
7:00 p.m.

It is the Township Committee's intention to conclude this meeting no later than 11:00 p.m.

ROLL CALL - Keenan (), Bell (), Schuldiner (), Singh (), Barragan ()

ALSO PRESENT - Rubinstein-Quiroga (), Savron (), Kukla ()

MAYOR'S STATEMENT - Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers.

SALUTE TO THE FLAG

1. **PRESENTATION BY TAX ASSESSOR GLENN STIVES**

2. **PUBLIC COMMENT**

We respectfully ask members of the public to limit your comments to approximately five (5) spoken minutes. Additionally, if your comments are similar to comments already made, instead of repeating them at length, we ask that you instead indicate that you join in or support those comments previously made.

Any questions posed to the Township Committee will be answered after the closure of public comment. Any question requiring research or additional information will be answered at a subsequent Township Committee meeting.

3. **CONSENT AGENDA** - All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any Township Committeeperson may request that an item be removed for separate consideration.

A. **RESOLUTION #22-9-185 - REDEMPTION OF TAX SALE CERTIFICATE**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00008 in the amount of \$481,441.37.

BE IT RESOLVED that a refund in the amount of \$481,441.37 be given to US Bank Cust For Pro Cap 8, US Bank Corp Trust-TLSG, 50 South 16th Street, Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate #21-00008 on Block 15009 Lot 20.

Tax Lien Redemption

Certificate Amount	\$ 32,475.14
Subsequent Charges	\$ 55,290.18
Interest Amount	\$ 5,337.54
Redemption Fee	\$ 1,948.51
Recording Fee	\$ 53.00
Search Fee	\$ 12.00
Legal Fees	\$ 1,225.00
PREMIUM	\$385,100.00
TOTAL	\$481,441.37

B. **RESOLUTION #22-9-186 - REFUND OVERPAID TAXES**

BE IT RESOLVED that a refund for the overpayment of taxes be given to the following:

<u>Name</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Trident Land Transfer Co (NJ) LLC	2022	37002/1.154	\$ 528.27
Foundation Title, LLC	2022	30002/128	\$ 301.96
Angel Rodriguez	2022	15001/93	\$5,436.30
Core Logic Refunds Department	2022	34004/6	\$8,239.08

C. **RESOLUTION #22-9-187 - REFUND OVERPAID SEWER TAXES**

BE IT RESOLVED that a refund for the overpayment of sewer taxes be given to the following:

<u>Name</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Jayshree Ghaskara & Arun Kumar Bhaskara-Baba	2022	7004/39	\$345.50

D. **RESOLUTION #22-9-188 - RENEWAL OF MEMBERSHIP IN THE MID JERSEY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Montgomery is a member of the Mid Jersey Municipal Joint Insurance Fund; and

WHEREAS, said renewal membership terminates as of January 1, 2023, unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Montgomery agrees to renew its membership in the Mid Jersey Municipal Joint Insurance Fund for a period of three (3) years beginning January 1, 2023 and ending January 1, 2026, and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Administrator/CFO shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Mid Jersey Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership

E. **RESOLUTION #22-9-189- TEMPORARY ROAD CLOSING - Block Party - Knickerbocker Drive**

BE IT RESOLVED by the Montgomery Township Committee that authorization is hereby given for the temporary closing of the Cul-de-sac of Kilpatrick Lane to accommodate a neighborhood block party scheduled for September 10, 2022 from approximately 3:00 to 6:00 p.m. (rain date - September 11, 2022). The Montgomery Township Police have no objection to the road closing provided that:

- The roadway must be made accessible to emergency vehicles.
- The roadway must be made accessible to traffic originating and terminating on the closed section.
- Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.

F. **RESOLUTION #22-9-190 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT AND USE OF TOWNSHIP TENT - Montgomery-Rocky Hill Run with Rotary and Fun Fest**

WHEREAS, Montgomery-Rocky Hill Rotary has requested approval of the Township Committee to conduct a Run With Rotary and Fun Fest on October 2, 2022 at Skillman Park; and

WHEREAS, Montgomery-Rocky Hill Rotary has requested the use of the Township tent.

BE IT RESOLVED that the Township Committee has considered the application and hereby grants the same subject to the following conditions:

- a. This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
- b. This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
- c. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
- d. The organizers will obtain the required health certificates from the Township Health Department.
- e. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

BE IT FURTHER RESOLVED that the Montgomery Township Committee hereby approves the use of the Township tent as the Township Recreation Department will be one of the sponsors of the event and the advertising will be provided to the Township.

G. **RESOLUTION #22-9-191 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Emad and Ola Abou-Sabe**

WHEREAS, Emad and Ola Abou-Sabe have requested approval of the Township Committee to conduct a Wedding Reception on September 24, 2022 at 110 Skillman Road.

BE IT RESOLVED that the Township Committee has considered the application and hereby grants the same subject to the following conditions:

- a. This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
- b. This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
- c. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
- d. The organizers will obtain the required health certificates from the Township Health Department.
- e. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

H. **RESOLUTION #22-9-192 - AUTHORIZING APPLICATION FOR SOMERSET COUNTY CULTURAL & HERITAGE COMMISSION 2023 LOCAL ARTS PROGRAM (LAP) GRANT**

WHEREAS, the Township Administrator is recommending the Township Committee authorize an application to the Somerset County Cultural and Heritage Commission for the NJ State Council on the Arts State/County Partnership Local Arts Program Grant, which would provide funding for a permanent art collection at the new municipal building and an art showcase with a speaker series of the acquired art; and

WHEREAS, the Montgomery Township Economic Development Commission has formed a subcommittee known as the Montgomery Arts Council (MAC) to enhance the community through meaningful and creative social engagement through the arts; and

WHEREAS, the MAC will assist with the preparation of the grant application and execution of the project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that it hereby authorizes submission of a grant application to the Somerset County Cultural and Heritage Commission for a State/County Partnership Local Arts Program Grant.

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes Township Administrator Lori Savron to sign the grant on their behalf.

I. **RESOLUTION 22-9-193 - ENDORSING TREATMENT WORK APPROVAL FOR THE CONSOLIDATION OF THE CHERRY VALLEY AND SKILLMAN WWTPs PROJECT**

BE IT RESOLVED by the Montgomery Township Committee that the Township Administrator is hereby authorized to endorse the Statements of Consent (WQM-003) portion of the Treatment Works Approval (TWA) application related to the Consolidation of the Cherry Valley and Skillman WWTPs Project, subject to the review and approval by the Township Engineer and Township Attorney as to form and content.

3-1. Motion to adopt **CONSENT AGENDA** _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

4. **RESOLUTION #22-9-194 - AWARD OF BID - B07-2022 - Cherry Brook Drive Improvement Project**

WHEREAS, the following bids for the Cherry Brook Drive Improvement Project were received and publicly opened on August 30, 2022 at 11:00 AM:

<u>BIDDER</u>	<u>AMOUNT</u>
Top Line Construction Corp.	\$640,212.28
DeSantis Construction, Inc.	\$663,266.90

WHEREAS, it is the recommendation of the Purchasing Agent and the Township Engineer that Top Line Construction be awarded the bid, it being the lowest responsible bidder; and

WHEREAS, a certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

WHEREAS, there exists within the Engineering Department sufficient uncommitted funding for this project from account numbers 04-215-55-901-1521B, 04-215-55-901-1542B, and 04-215-55-901-1686B.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that a contract in the amount of \$640,212.28 for the Cherry Brook Drive Improvement Project is hereby awarded to:

Top Line Construction Corp.
22 Fifth Street
Somerville, NJ 08876

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign said contract.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

5. **RESOLUTION #22-9-195 - AWARD OF BID -2021 or Newer Used International HV or Equivalent Truck**

WHEREAS, the following bid for a 2021 or Newer Used International HV or Equivalent Truck were received and publicly opened on August 30, 2022 at 10:00 AM:

<u>BIDDER</u>	<u>AMOUNT</u>
Robert H. Hoover & Sons, Inc.	\$134,775.00

WHEREAS, it is the recommendation of the Purchasing Agent and the Township Attorney that Robert H. Hoover & Sons, Inc. be awarded the bid, it being the lowest responsible bidder; and

WHEREAS, a certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

WHEREAS, there exists within the Public Works Department sufficient uncommitted funding for this service from account number 04-215-55-901-1686G.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the contract for a 2021 or Newer Used International HV or Equivalent Truck in the amount of \$134,775.00 is hereby awarded to:

Robert H. Hoover & Sons, Inc.
149 Gold Mine Road
Flanders, NJ 07836

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign said contracts.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

6. **RESOLUTION #22-9-196 - AUTHORIZING RENEWAL OF 2022-2023 PLENARY RETAIL CONSUMPTION AND RETAIL DISTRIBUTION LICENSES - MTC I, II, III, IV**

WHEREAS, applications have been received for three (3) Plenary Retail Consumption Licenses and one (1) Plenary Retail Distribution License for MTC I, II, III, IV; and

WHEREAS, these licenses are inactive and required a Special Ruling from the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, the Special Ruling to consider renewal for the 2022-2023 and 2023-2024 license terms(s) was granted on August 22, 2022; and

WHEREAS, applications have been made to the State of New Jersey, Division of Alcoholic Beverage Control and filing fees have been paid to the Township and to the State of New Jersey, Division of Alcoholic Beverage Control; and

WHEREAS, the Health Officer, the Police Director and Fire Inspector have approved them as per reports filed with the Township Clerk; and

WHEREAS, no objections have been filed with the Township Clerk; and

WHEREAS, said applications have been examined by the Township Clerk and the Township Clerk finds that:

- The applicants electronically submitted application forms to the State of New Jersey, Division of ABC and are complete in all respects.
- The applicants are qualified to be licensed according to all statutory, regulatory and Local Government Alcoholic Beverage Control Laws and Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the Township Clerk is hereby instructed to issue the following Alcoholic Beverage Control Licenses for the year 2022-2023:

PLENARY RETAIL CONSUMPTION

1813-33-009-002	MTC Restaurant I, LLC
1813-33-011-002	MTC Restaurant II, LLC
1813-33-012-002	MTC Restaurant III, LLC

PLENARY RETAIL DISTRIBUTION

1813-44-014-001	MTC Restaurant IV, LLC
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Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

7. **ORDINANCE #22-1688 - LDO - Amendment to Site Inclusionary Zone 3 - Public Hearing**

- A. Title: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984)COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16.4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO AMEND SITE SPECIFIC INCLUSIONARY ZONE 3.
- B. Report from Planning Board.
- C. Public Hearing. Motion to close_____ Second_____ Favor_____ Opposed_____
- D. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be adopted this 1st day of September 1, 2022 and that a notice thereof be published in an official newspaper as required by law.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

8. **ORDINANCE #22-1689 - Amending Schedule XXI, Traffic Regulations on Private Property - The Meadows at Montgomery - Public Hearing**

- A. Title: AN ORDINANCE AMENDING SCHEDULE XXI, TRAFFIC REGULATIONS ON PRIVATE PROPERTY, OF CHAPTER VII, TRAFFIC, AND SECTION 10.2 OF CHAPTER III, POLICE REGULATIONS, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ADD THE PRIVATE PROPERTY OF THE MEADOWS AT MONTGOMERY
- B. Public Hearing. Motion to close_____ Second_____ Favor_____ Opposed_____
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be adopted this 1st day of September 1, 2022 and that a notice thereof be published in an official newspaper as required by law.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

9. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for August 11, 2022 stand approved.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

10. **PAYMENT OF BILLS - Posted**

WHEREAS, the Township Committee of the Township of Montgomery has received bills to be paid as listed; and

WHEREAS, the Chief Financial Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery as follows:

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Township Officials are authorized to sign the checks.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

COMMITTEE CORRESPONDENCE

NEW & UNFINISHED BUSINESS

- Committee Meeting Schedule

ADMINISTRATOR'S REPORT

COMMITTEE REPORTS

UPCOMING MEETINGS

- September 15
- Planet Networks
 - Approval of Contract Extension - Municipal Maintenance
 - Request from Cub Scout Pack 185 for an overnight campout at Veterans Park

11. **RESOLUTION TO CLOSE MEETING TO THE PUBLIC**

BE IT RESOLVED by the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subject to be discussed in this session is as follows:
 - Police Candidate Interviews
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. No appointments shall be made except by action of the Township Committee in a public session.

Motion_____ Second_____ Favor_____ Opposed_____ Abstain_____

11-1. **MOTION TO REOPEN THE MEETING TO THE PUBLIC**

Motion_____ Second_____ Favor_____ Opposed_____ Abstain_____

ADJOURNMENT at _____ p.m. Motion_____ Second_____ Favor_____ Opposed_____