

AGENDA FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
September 15, 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. **PLANET NETWORKS PRESENTATION**

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 Committee person may request that an item be removed for separate consideration.

A. **RESOLUTION #22-9-197 - REDEMPTION OF TAX SALE CERTIFICATE**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #20-0019 in the amount of \$66,966.39;

BE IT RESOLVED that a refund in the amount of \$66,966.39 be given to Greymorr LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480 for the redemption of Tax Sale Certificate #20-0019 on Block 37002 Lot 4.17.

Tax Lien Redemption

Certificate Amount	\$ 340.24
Subsequent Charges	\$ 22,910.20
Interest Amount	\$ 4,644.15
Redemption Fee	\$ 6.80
Recording Fee	\$ 53.00
Search Fee	\$ 12.00
PREMIUM	\$ 39,900.00
TOTAL	\$ 67,866.39

B. **RESOLUTION #22-9-198 - REFUND OVERPAID 2022 TAXES**

BE IT RESOLVED that a refund in the amount of \$8,660.59 be given to Lucas & Krystyn Kitto, 35 Johnson Drive, Belle Mead, NJ 08502 for the Overpayment of 2022 taxes on Block 4067 Lot 2. Property is owned by a 100% disabled veteran and receive tax-exempt status beginning February 3, 2022.

BE IT FURTHER RESOLVED that a refund in the amount of \$1,224.82 be given to Navy Federal Credit Union, Attn: Escrow Department, 820 Follin Lane SE, Vienna, VA 22180-4907 for the overpayment of 2022 taxes on Block 11003 Lot 5. Overpayment due to tax overbill.

C. **RESOLUTION #22-9-199 - DECLARING CERTAIN PERSONAL PROPERTY AS SALVAGE FOR SCRAP**

WHEREAS, Montgomery Township desires to declare Recreation Department Equipment as salvage for scrap.

NOW THEREFORE, BE IT RESOLVED that the Montgomery Township Committee does hereby dispose of the following:

Telex FMR-500 sound system	Amplivox portable sound system, Model#222
Monroe 4140 printing calculator	Marantz solid state recorder PMD 670
Logitech X-530 computer speakers(qty.3)	APC Smart-UPS 1000
Harmon/Kardon computer speakers(qty. 2)	Dell Powervault 110T
Dell Optiplex 750	Dell Optiplex GX620
Dell keyboard SK-8115(qty. 5)	Dell keyboard L100
Monroe printing calculator 2020PlusIII	Toshiba phone DKT2010-H(qty.6)
Toshiba phone DKT2010-SD(qty. 3)	Toshiba phone DKT2010-S
Toshiba phone DKT2020-SD	Toshiba phone EKT 6510-H(qty. 3)
Dell monitor E773c	Dell keyboard RT7D50
Zylux monitor speaker AX510	Dell monitor E1215SC

D. **RESOLUTION #22-9-201 - APPROVAL OF OUTDOOR ASSEMBLY - Car Show**

BE IT RESOLVED by the Montgomery Township Committee as follows:

1. Bret Zheng has requested approval of the Township Committee to conduct a car show event at Princeton Airport on September 25, 2022.
2. 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.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations and shall employ four (4) Private Duty Police at the event.
4. The organizers will obtain the required fire permit from Township Fire Marshall, Roy Mondri.
5. The organizers will obtain the required health certificates from the Township Health Department.

E. **RESOLUTION #22-9-202 - TO AUTHORIZE RELEASE OF PERFORMANCE GUARANTEE FOR ROAD OPENING PERMIT 21-R-56, 139 HOLLOW ROAD, BLOCK 25001 LOT 6**

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of a cash performance guarantee to Eduardo Roca because all work has been satisfactorily completed with respect to Street Opening Permit 21-R-56 at Block 25001, Lot 6 (139 Hollow Road).

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash performance guarantee in the amount of \$970.00 be released to Eduardo Roca, 405 1<sup>st</sup> Street, Westfield, NJ 07090.

F. **RESOLUTION #22-9-203 - AUTHORIZING RELEASE OF LANDSCAPE BUFFER GUARANTEE FOR HACKENSACK MERIDIAN HEALTH CARRIER CLINIC SECURITY FENCE - BLOCK 2002, LOT 2**

WHEREAS, Mark Herrmann, Township Engineer, has certified on September 8, 2022 that all improvements pertaining to the Landscape Buffer Guarantee for the Hackensack Meridian Health Carrier Clinic Security Fence project have been completed by the developer in accordance with the approved plans and he recommends that the Landscape Buffer Guarantee can be released with the following conditions:

1. Hackensack Meridian Health Carrier Clinic shall post a 2-year maintenance guarantee in the amount of 15% of the original estimated installed cost of the improvements which are being released pursuant to Township Code Section 16-9.2d2.(e), which is:

Maintenance Guarantee = \$9,825.00

2. Hackensack Meridian Health Carrier Clinic shall post adequate escrow funds.

The Township **will not accept any improvements** as part of this guarantee release.

3-1. Motion to adopt **CONSENT AGENDA** \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

4. **RESOLUTION #22-9-204 - AMENDING RESOLUTION #20-8-164 - Submersible Pump Repair Services**

WHEREAS, Resolution #20-8-124 adopted on August 6, 2020 awarded a two year submersible pump repair service contract with two (2) one-year options to renew to Municipal Maintenance Company; and

WHEREAS, N.J.S.A. 40A:11-15 provides that a contract may include provisions for no more than one two-year or two one-year extensions subject to the following: the contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; no such contract shall be extended so that it runs for more than a total of five consecutive years; any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same; and

WHEREAS, the contract will not exceed \$150,000.00 for the extended 2 years effective September 15, 2022 through September 15, 2024; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this service in Account Number 08-215-55-901-1685A which will fund these services.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee hereby approve the 24-month extension pursuant to the above-described terms.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

5. **RESOLUTION #22-9-205 AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - ORCHARD ROAD IMPROVEMENTS PROJECT - ENGINEERING SERVICES - MENLO**

WHEREAS, by Resolution No. 21-7-187 adopted on July 15, 2021, the Township Committee awarded an agreement for professional services to the firm of Menlo Engineering Associates, ("Menlo") to provide surveying, permitting, design services, bid documents, and other services necessary for improvements to a portion of Orchard Road (approximately 225 feet west of Headquarters Park Drive to Route 206) including new pedestrian route(s) and associated work for the Orchard Road Improvements Project ("Project"), for the sum of \$102,700.00 ("Agreement for Professional Services" or "Agreement"); and

WHEREAS, the Township Engineer is requesting that the Township Committee authorize Menlo to complete additional engineering services in connection with this Project, and in particular, to extend the scope of Menlo's services to include revisions NJDOT requires for the intersection of Route 206 and Orchard Road related to the Highway Occupancy Permit application, changes required by NJDOT Local Aid, additional project administration, coordination, and meetings, all of which were not included in the original scope of services for said Project; and

WHEREAS, Menlo submitted a written proposal dated September 1, 2022 to complete these additional services on a time and material basis for a sum not to exceed \$12,000.00 ("Proposal"), which Proposal shall be incorporated herein by reference; and

WHEREAS, the work set forth in the Proposal extends beyond the original scope of services with Menlo and therefore, the parties seek to memorialize the Proposal's scope of work and estimated cost by amending the existing Agreement for Professional Services; and

WHEREAS, the existing Agreement with Menlo was awarded without competitive bidding as a professional services agreement pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and as a such, the Township Committee may amend same by resolution adopted under N.J.A.C. 5:30-11.6(e); and

WHEREAS, there exists account number 04-215-55-901-1686B which will fund this Agreement amendment; and

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

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

1. The existing Agreement for Professional Services entered into between the Township and Menlo, is hereby amended, to extend the scope of Menlo's services to include revisions NJDOT requires for the intersection of Route 206 and Orchard Road related to the Highway Occupancy Permit application, changes required by NJDOT Local Aid, additional project administration, coordination, and meetings, all of which were not included in the original scope of services for said Project, as more specifically detailed in Menlo's September 1, 2022 Proposal, incorporated herein by reference.
2. As a result of the increase in scope of services, the contract amount shall be increased by up to \$12,000.00 as billed on a time and material basis, bringing the contract total, as amended, from \$102,700.00 to an amount not to exceed \$114,700.00.
3. The Mayor and Clerk are hereby authorized and directed to execute an Amendment to the Professional Services Agreement which shall be executed by the parties to confirm the additional scope of services and anticipated cost; the form of the Amendment to Agreement for Professional Services shall be subject to the approval of the Township Attorney.
4. A copy of this Resolution and Amendment to Agreement for Professional Services shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

6. **ORDINANCE #22-1690 - Amending Chapter 3-5.4 - Alcohol Beverage Permit - Introduction**

- A. Title: AN ORDINANCE AMENDING SECTION 3-5.1 "CONSUMPTION IN PUBLIC PLACES", OF THE TOWNSHIP OF MONTGOMERY MUNICIPAL CODE
- B. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending ordinance fixing October 6, 2022 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Barragan				
Singh				
Schuldiner				
Bell				
Keenan				

7. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for September 1, 2022 stand approved.

Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_ Abstain\_\_\_\_\_

8. **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**

- Cub Scout Pack 185 - Request to use Veterans Park for Overnight Campout
- Shared Services

**ADMINISTRATOR'S REPORT**

**COMMITTEE REPORTS**

**UPCOMING MEETINGS**

9. **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:
  - Attorney Guidance to Appropriate Authority - Police Department Personnel
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public.

Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_ Abstain\_\_\_\_\_

9-1. MOTION TO REOPEN THE MEETING TO THE PUBLIC

Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstain \_\_\_\_\_

ADJOURNMENT at \_\_\_\_\_ p.m. Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_