

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE  
February 16, 2023  
7:00 p.m.

1. Montgomery Township Committee met at 7:00 pm on the above date at the Municipal Complex, 100 Community Drive, Skillman, NJ. Those present were:

TOWNSHIP COMMITTEE: Mayor Keenan, Deputy Mayor Singh  
Committee Members Ahn, Barragan and Todd

Also present were:

ADMINISTRATOR - Lori Savron

TOWNSHIP ATTORNEY - Wendy Rubinstein-Quiroga

TOWNSHIP CLERK - Donna Kukla

CHIEF FINANCIAL OFFICER - Michael Pitts

2. Mayor Keenan stated the following: "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."  
3. Mayor Keenan led the salute to the flag.

4. **FINANCIAL UPDATE SHARED SERVICES**

Chief Financial Officer Michael Pitts gave a presentation on Shared Services. Items discussed were:

- Current Shared Services
- Contract Negotiations
- Capital Budgets and Projects

5. **Road Capital Program**

Township Engineer Mark Herrmann gave a presentation on the Road Capital Program. Items discussed were:

- Maintenance of Roads
- Routine Measurements and Checks
- Upgrades of Curbs, Street Signs and Sidewalks
- Sewer Inspections

- 5-1. Mayor Keenan commented that as a Township Committee one of their priorities is getting sidewalks implemented and it seems like they are in alignment with the program.  
5-2. Deputy Mayor Singh asked how often do they go back to check on the maintenance of the roads. Mr. Herrmann responded that they will go back out and check for cracks every two to three years. They will prioritize the newer roads first and share their data with Public Works.  
5-3. Mayor Keenan asked if there is a public list of roads to be worked on. Mr. Herrmann responded that the public can give him a call to find out what roads are being worked on. When people call throughout the year, they take those into consideration priority wise to be worked on.  
5-4. Deputy Mayor Singh asked for roads that need repair that go into County lines, what is the process for that. Mr. Herrmann answered there is an agreement that any roads that overlap either town can service them if needed.  
5-5. Committeeperson Barragan gave praise to both the Township Administrator and Township Engineer for taking initiative and discussing these topics to give transparency to the public so they can understand what's happening as well as putting more maintenance in now in order to save the roads for the future.

6. **PUBLIC COMMENT**

- 6-1. Janice Berth, 137 Cherry Brook Drive, praised Township Engineer Mark Herrmann and contractors for repair of Cherry Brook Drive with the exception that there is a speed limit sign that was removed and placed directly in front of her house.  
6-2. Mayor Keenan moved to close public comment.

7. **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 #23-2-68- REDEMPTION OF TAX SALE CERTIFICATE #22000036**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #22000036 in the amount of \$105,159.73.

BE IT RESOLVED that a refund in the amount of \$105,159.73 be given to Bala Partners, LLC, 1 American Lane, Ste 220, Greenwich, CT 06831 for the redemption of Tax Sale Certificate #22000036 on Block 6003 Lot 13.

Tax Lien Redemption

Certificate Amount	\$	76.33
Subsequent Charges	\$	17,374.23
Interest	\$	356.17
Recording Fees	\$	53.00
PREMIUM	\$	87,300.00
TOTAL REDEMPTION	\$	105,159.73

B. **RESOLUTION #23-2-69 - REDEMPTION OF TAX SALE CERTIFICATE #19-00015**

WHEREAS the Township received payment for the redemption of the Tax Sale Certificate #19-00015 in the amount of \$60,877.03.

BE IT RESOLVED that a refund in the amount of \$60,877.03 be given to Tower DB REO IX LLC, c/o Robert A Del Vecchio, Esq., 405 Lafayette Avenue, P.O. Box 561, Hawthorne, NJ 07507 for the redemption of Tax Sale Certificate #19-00015 On Block 37003 Lot 1.121.

Tax Lien Redemption

Certificate Amount	\$	7,549.55
Subsequent Charges	\$	38,450.93
Interest	\$	356.17
Recording Fees	\$	53.00
PREMIUM	\$	87,300.00
TOTAL REDEMPTION	\$	105,159.73

C. **RESOLUTION #23-2-70- REDEMPTION OF TAX SALE CERTIFICATE #22000051**

WHEREAS the Township received payment for the redemption of the Tax Sale Certificate #22000051 in the amount of \$3,648.12.

BE IT RESOLVED that a refund in the amount of \$3,648.12 be given to Pro Cap 8, LLC for the redemption of Tax Sale Certificate #22000051 on Block 37003 Lot 1.028.

Tax Lien Redemption

Certificate Amount	\$	477.95
Subsequent Charges	\$	990.64
Interest	\$	14.53
Recording Fees	\$	53.00
Search Fees	\$	12.00
PREMIUM	\$	2,100.00
TOTAL REDEMPTION	\$	3,648.12

D. **RESOLUTION #23-2-71 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR 71 COLFAX ROAD-BLOCK 31002, LOT 22**

WHEREAS, Mark Herrmann, Township Engineer, has certified on February 9, 2023, that Alexander and Natasha Wolfson have completed the improvements for 71 Colfax Road. The improvements are acceptable and he recommends that the Township Committee consider the release of the Performance Guarantee. It is recommended that the release include the following conditions:

1. Alexander and Natasha Wolfson shall post a two-year maintenance guarantee in the amount of 15% of the original Performance Guarantee amount of \$30,985.00 which is:  
15% Maintenance Guarantee = \$4,647.75
2. Alexander and Natasha shall post adequate escrow funds, as determined by the Township Engineer.

WHEREAS, upon satisfactory completion of these conditions, it is recommended that the Township accept the following:

- Storm Sewers - including but not limited to a storm inlet installed in Colfax Road along Block 31003 Lot 22 and the conveyance piping to an existing storm inlet in Colfax Road along Block 31003 Lot 23, as shown on the attached sketch.

WHEREAS, the following improvements will not be accepted by the Township:

- Driveways - all driveways, driveway aprons, driveway sidewalk, or associated depressed curbing associated with the driveway for Block 31003 Lot 22. This shall be maintained by the property owner(s) of Block 31003 Lot 22.
- Stormwater Management Facilities (e.g. drywell, vegetative swale, etc.) - all Stormwater Management Facilities including but not limited to the drywell at Block 31003 Lot 22 and the overflow connection into the Colfax Road storm sewer shall be maintained by the owner(s) of Block 31003 Lot 22.
- Other Improvements - any other improvements not specifically listed as being accepted by the Township.

E. **RESOLUTION 23-2-72 - AUTHORIZING RELEASE OF LANDSCAPING GUARANTEE FOR 71 COLFAX ROAD - BLOCK 31003, LOT 22**

WHEREAS, Mark Herrmann, Township Engineer, has certified on February 9, 2023, that Alexander and Natasha Wolfson have completed the improvements for 71 Colfax Road. The improvements are acceptable and he recommends that the Township Committee consider the release of the Landscape Buffer Guarantee. It is recommended that the release include the following conditions:

1. Alexander and Natasha Wolfson shall post a two-year maintenance guarantee in the amount of 15% of the original Performance Guarantee amount of \$11,880.00 which is:  
15% Maintenance Guarantee = \$1,782.00
2. Alexander and Natasha shall post adequate escrow funds, as determined by the Township Engineer.

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

F. **RESOLUTION #23-2-73 - AUTHORIZING 2023 SUSTAINABLE JERSEY GRANT APPLICATION**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Montgomery Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Montgomery Township is participating in the Sustainable Jersey Program and been continuously certified since 2009, with most recent re-certification at the silver level in 2021; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

WHEREAS, Montgomery Township desires to complete a fleet inventory to gather baseline documentation on all municipal vehicles, with an eye toward the long-term goal of converting the municipal fleet to alternative fuel source vehicles.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey authorizes the submission of the aforementioned Sustainable Jersey Grant.

G. **~~RESOLUTION #23-2-74 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH BRANCBURG FOR HEALTH EDUCATION SERVICES~~**

Mayor Keenan requested that this be removed pending further discussion.

H. **~~RESOLUTION #23-2-75 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH BRANCBURG TOWNSHIP FOR PUBLIC HEALTH NURSING SERVICES~~**

Mayor Keenan requested that this be removed pending further discussion.

I. **RESOLUTION #23-2-76- AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH PENNINGTON BOROUGH FOR ANIMAL CONTROL SERVICES**

WHEREAS, the governing bodies of the Township of Montgomery and Pennington Borough desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for animal control services; and

WHEREAS, a shared services agreement, setting forth the rights and responsibilities of Montgomery Township and Princeton, has been prepared and circulated for approval by the governing bodies of Montgomery and Pennington.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, Somerset County that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with Pennington Borough for animal control services for a three-month period, beginning January 1, 2023 and ending March 31, 2023.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

J. **RESOLUTION #23-2-77- AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH PENNINGTON BOROUGH FOR HEALTH SERVICES**

WHEREAS, the governing bodies of the Township of Montgomery and Pennington Borough desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for health services; and

WHEREAS, a shared services agreement, setting forth the rights and responsibilities of Montgomery Township and Pennington Borough, has been prepared and circulated for approval by the governing bodies of Montgomery and Pennington.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, Somerset County that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with Pennington Borough for health services for a three-month period, beginning January 1, 2023 and ending March 31, 2023.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

6-1. Deputy Mayor Singh moved to adopt CONSENT AGENDA. The motion was seconded by Committeeperson Barragan and carried on the following:

**ROLL CALL** - Ayes - Ahn, Todd, Barragan, Singh, Keenan  
Nays - None

7. **ORDINANCE #23-1693 - Appropriate Authority - Public Hearing Continued**

- A. Title: AN ORDINANCE AMENDING SECTION 2-3.2 "APPROPRIATE AUTHORITY", OF THE TOWNSHIP OF MONTGOMERY MUNICIPAL CODE
- B. Mayor Keenan opened the hearing to the public. There being no comment, Deputy Singh moved that the public hearing be closed. The motion was seconded by Committeeperson Barragan and carried unanimously.
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be adopted this 16th day of February 2023 and that a notice thereof be published in an official newspaper as required by law.

7-1. Deputy Singh moved the adoption of the foregoing resolution. The motion was seconded by Committeeperson Barragan and carried on the following:

**ROLL CALL** - Ayes - Ahn, Todd, Barragan, Singh, Keenan  
Nays - None

8. **ORDINANCE #23-1694 - Providing for 3.5% "Cap" - Public Hearing**

- A. Title: AN ORDINANCE TO EXTEND THE MUNICIPAL BUDGET APPROPRIATION LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2023 BUDGET AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A.40A:4-45.14
- B. Mayor Keenan opened the hearing to the public. There being no comment, Deputy Singh moved that the public hearing be closed. The motion was seconded by Committeeperson Barragan and carried unanimously.
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be adopted this 16th day of February 2023 and that a notice thereof be published in an official newspaper as required by law.

8-1. Deputy Singh moved the adoption of the foregoing resolution. The motion was seconded by Committeeperson Barragan and carried on the following:

**ROLL CALL** - Ayes - Ahn, Todd, Barragan, Singh, Keenan  
Nays - None

9. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for January 19 and February 2, 2023 stand approved.

9-1. Deputy Mayor Singh moved the approval of minutes. The motion was seconded by Committeeperson Barragan and carried on the following:

**ROLL CALL** - Ayes - Ahn, Barragan, Keenan, Singh, Todd  
Nays - None

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.

10-1. Deputy Mayor Singh moved the adoption of the foregoing resolution. The motion was seconded by Committeeperson Barragan and carried on the following:

**ROLL CALL** - Ayes - Ahn, Todd, Barragan, Singh, Keenan  
Nays - None

11. **ADMINISTRATOR'S REPORT**

Administrator Savron updated the Committee on the following items:

- The Meadow Management Program
- Cell Tower hearing for 405 Skillman Road
- County Clerk Mobile Office will be at the Municipal Building on February 25

12. **COMMITTEE REPORTS**

13-1. Committeeperson Todd gave an update on the following:

Inclusion & Equity Committee

- Recently held their meeting on January 31
- Gave acknowledgement to the new members
- Upcoming Stoutsburg Presentation

13-2. Deputy Mayor Singh gave an update on the following:

Recreation Committee

- Spring Fling Festival of Colors is scheduled for May 6.

13-3. Committeeperson Ahn gave an update on the following:

Economic Development Commission

- Fun Fest will be held on April 30
- Arts and Crafts fair on May 21

13-4. Mayor Keenan gave an updating on the following:

- Constituents Services Fair will be held on March 14 at the Municipal Building

Environmental Commission

- Environmental Awards are scheduled in April
- Stream Cleanup will be held on April 15 at Montgomery Veterans Park
- Earth Day event is scheduled for April 23 at the Municipal Center

14. **UPCOMING MEETINGS**

- Stoutsburg Sourland African American Museum Presentation
- Recognizing Marvin Schuldiner
- Appointment of Appropriate Authority Members
- Environmental Awards Presentation
- International Women's Day
- Police Update

15. **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 subjects to be discussed in this session are as follows:
  - Advice of Counsel with regard to building mediation;
  - Advice of Counsel with regard to AFSME update;
  - Advice of Counsel with regard to litigation matter.
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Settlement of agreements shall only be approved by the Township Committee in a public session.

15-1. Deputy Mayor Singh moved to close the meeting to the public. The motion was seconded by Committee Member Barragan and carried unanimously.

15-2. Deputy Mayor Singh moved to reopen the meeting to the public. The motion was seconded by Committee Member Barragan and carried unanimously.

**ADJOURNMENT** was at 8:08 p.m. on a motion by Deputy Mayor Singh. The motion was seconded by Committeeperson Barragan and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk