MINUTES FOR

MONTGOMERY TOWNSHIP COMMITTEE

June 15th, 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

Committee Members Ahn, Barragan

ABSENT: Deputy Mayor Singh, Committee Member Todd (arrived at 7:09 p.m.; left the meeting at 7:10

p.m.)

Also present were:

ADMINISTRATOR – Lori Savron

TOWNSHIP ATTORNEY – Wendy Rubinstein-Quiroga

TOWNSHIP CLERK – Lisa Fania

1. 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.”
2. Mayor Keenan led the salute to the flag.

4. **JUNETEENTH FREEDOM DAY PROCLAMATION**

WHEREAS, our Country is comprised of people from every nation on earth, who are declared equal not only in freedom but also in justice, both of which are essential for a healthy human civilization; and

WHEREAS, our nation was conceived on July 4th, 1776 with the Declaration of Independence, proclaiming “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness”; and

WHEREAS, at 2:00 p.m. on New Year’s Day, January 1, 1863, using his war powers as President, Abraham Lincoln signed the Emancipation Proclamation, providing that all persons held as slaves within any State or designated part of a State “shall be then, thenceforward, and forever free;” and

WHEREAS, the Emancipation Proclamation abolished slavery - the Union war aim - and provided the legal framework for the emancipation of nearly all four million slaves as the Union armies advanced; and

WHEREAS, hearing of the Proclamation, many slaves escaped to Union lines as the army units moved south; and

WHEREAS, when Union Army General Gordon Granger landed at the Texas port city of Galveston in 1865 as the Civil War drew to a close, one of his first actions was to read General Order #3, which stated that all slaves are free and that former masters and slaves have absolute equality of personal and property rights; and

WHEREAS, following his statement, June 19 (Juneteenth) became the emancipation date of those long suffering for freedom; and

WHEREAS, since then, as the oldest known celebration commemorating the end of slavery in America, the tradition of celebrating Juneteenth has remained strong well into the 21st century to recognize the triumph of the human spirit over the cruelty of slavery and to honor the strength, endurance, and faith of African American ancestors.

NOW, THEREFORE, BE IT PROCLAIMED that the Montgomery Township Committee hereby declares June 19, 2023 Juneteenth Freedom Day in Montgomery Township and encourages residents, schools, businesses and community groups to celebrate Juneteenth as a day of remembrance, liberation, and celebration.

5. **LGBTQIA+ PRIDE MONTH PROCLAMATION**

WHEREAS, LGBTQIA+ Americans have long made, and continue to make, significant contributions to the health and vitality of our nation since its founding; and

WHEREAS, the LGBTQIA+ movement plays a critical role in community development throughout New Jersey; and

WHEREAS, LGBTQIA+ Americans continue to struggle with discrimination and injustice; and

WHEREAS, the Township of Montgomery is desirous of celebrating the achievements of LGBTQIA+ Americans; acknowledging the sorrows experienced; recognizing the work that remains to be done; and demonstrating support and acceptance by proudly displaying the Rainbow Pride Flag; and

WHEREAS, the Township of Montgomery affirms its commitment to continued justice, inclusion and equity for LGBTQIA+ Americans by declaring June 2023 LGBTQIA+ Pride month.

NOW, THEREFORE, BE IT PROCLAIMED that the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey hereby declares June 2023 LGBTQIA+ Pride Month to commemorate the strides made amongst LGBTQIA+ Americans and demonstrate support for continued justice, inclusion and equity this fifteenth day of June, two thousand twenty-three.

6. **PROCLAMATION RECOGNIZING** **LOCAL FIREFIGHTERS AND EMERGENCY SERVICES PERSONNEL**

WHEREAS*,* firefighters and emergency services personnel courageously make the ultimate sacrifice in protecting lives and property in local communities; and

WHEREAS, the Township Committee of the Township of Montgomery is desirous of recognizing the selfless dedicated efforts of the volunteer firefighters and emergency services personnel that serve more than twenty-three thousand residents and local businesses; and

WHEREAS,Montgomery Township is served by Montgomery Township Volunteer Fire Company No. 1; Montgomery Township Volunteer Fire Company No. 2; and Montgomery Township Emergency Medical Services; and

WHEREAS, these first responder volunteers demonstrate commitment to the community through life-saving acts twenty-four hours per day, three-hundred sixty-five days per year over thirty-two square miles; go through endless hours of training; and provide mutual aid to neighboring towns; and

WHEREAS, Montgomery Township Volunteer Fire Company No. 1, established in 1939, responds to approximately 250 calls annually; serves the northern portion of the Township with a membership of about 50; and provides aid for incidents ranging from firefighting to swift water rescue; and

WHEREAS, Montgomery Township Volunteer Fire Company No. 2, established in 1946, serves the southern part of the Township with approximately 65 members trained in firefighting, vehicle extrication and water rescue responding to approximately 350 calls per year; and

WHEREAS, Montgomery Emergency Medical Services, founded in 1972, has more than 70 members that provide 9-1-1 emergency basic life support, rehabilitation support at fire incidents, CPR and basic medical training classes; perform standbys at school and community events; and respond to over 1,750 calls yearly.

NOW, THEREFORE, BE IT PROCLAIMED, that the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, on behalf of all its citizens, hereby expresses sincere appreciation and support to the volunteers of Montgomery Township Volunteer Fire Co. 1; Montgomery Township Volunteer Fire Co. 2; and Montgomery Township Emergency Medical Services for the dedicated services and contributions provided in safeguarding the health, safety and well-being of the community on this second day of June, two-thousand twenty-three.

7. **SOMERSET COUNTY OFFICE OF PLANNING, POLICY AND ECONOMIC DEVELOPMENT**

Somerset County Office of Planning, Policy and Economic Development Director, Walter Lane and Manager, Economic Development, Jessica Paolini, spoke on coordinated efforts among state, county and local governments to promote economic development in the County. Director Lane provided background on the roles and responsibilities of the Office of Planning, Policy and Economic Development including attracting new business; supporting existing business growth; workforce development; and sustainability. Manager Paolini spoke about trends in life sciences in New Jersey, the county and potential opportunities for Montgomery Township. Director Lane also provided a brief explanation of the rezoning and redevelopment project of the former AT&T site in Bedminster Township.

During the presentation, Committee Members expressed support for the program and requested that feedback from the Township be considered in future economic development.

8. **PUBLIC COMMENT**

Each speaker will have a maximum of five (5) minutes to speak and should limit comments to matters pertaining to the Township. 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. Groups are asked to select a spokesperson to speak on their behalf.

8-1. Dr. A. Vanbeveran, 952 Route 518, advised Committee Members that the Township’s current zoning ordinances do not permit windmills. Dr. Vanbeveran spoke on the benefits of roof-powered windmills and requested the Committee review existing ordinances.

8-2. During Public Comment, Mayor Keenan acknowledged Dr. Vanbeveran’s request for a review of local zoning ordinances regarding windmills and offered to meet to discuss further.

8-3. There being no further comment, Mayor Keenan closed public comment.

9. **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. **APPOINTMENT OF BUILDING INSPECTOR – Bob Van Benschoten\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED by the Montgomery Township Committee that Bob Van Benschoten is hereby

appointed Building Inspector, effective May 16, 2023, one-year term expiring May 15,

2024.

B. **APPOINTMENT OF PART-TIME PLUMBING INSPECTOR** **– John Glynn\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED by the Montgomery Township Committee that John Glynn is hereby appointed Part-time Plumbing Inspector, effective April 4, 2023, one-year term expiring April 3,

2024.

C. **RESOLUTION #23-6-159 – Amending Resolution #23-4-114 Municipal Alliance Grant\_\_\_\_\_\_\_\_**

BE IT RESOLVED that Resolution #23-4-114 2023-2024 Municipal Alliance Grant be amended to reflect the corrected “In-kind” amount of $5,147.75 vs. $5,137.74.

D. **RESOLUTION #23-6-160 - REFUND OVERPAID 2022 and 2023 TAXES**

BE IT RESOLVED that a refund in the amount of $10,418.49 be given to Prashant and Jennifer Mascarenhas, 27 Muirhead Court, Belle Mead, NJ 08502 for the overpayment of 2022 and 2023 taxes on Block 5024 Lot 15.

E. **RESOLUTION #23-6-161 - REFUND OVERPAID 2022 and 2023 TAXES\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED that a refund in the amount of $9,630.23 be given to Yinggang Zheng and Haiping Qian, 12 Hillside Drive, East Hanover, NJ 07936 for the overpayment of 2022 and 2023 taxes on Block 34023 Lot 47.

F. **RESOLUTION #23-6-162 - REFUND OVERPAID 2021 TAXES\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED that a refund in the amount of $1,625.50 be given to Sangit Nangia, 45 East Hartwick Drive, Skillman, NJ 08558 for the overpayment of 2021 taxes on Block 28008 Lot 20.

G. **RESOLUTION #23-6-163 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) –**

**2023 Clean Communities Grant**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the State of New Jersey:

                 2023 Clean Communities Grant       $71,500.22

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

H. **RESOLUTION #23-6-164 – PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) –**

**2023-2024 Health Strengthening Capacity Grant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the State of New Jersey Department of Health:

                 2023–2024 Health Strengthening Capacity Grant $495,411.00

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

I. **RESOLUTION #23-6-165 - PURSUANT TO N.J.S.A. 40A:4-87** **(Chapter 159, P.L. 1948) –**

**2023 HIF Wellness Grant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the Central Jersey Health Insurance Fund:

                 2023 Wellness Grant       $11,670.00

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

J. **RESOLUTION #23-6-166 – AUTHORIZING AN AUCTION OF USED TOWNSHIP VEHICLES AND EQUIPMENT**

WHEREAS, the Township of Montgomery has determined that certain personal property as described below, is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40A:11-36 requires that such personal property be sold at public auction to the highest bidder.

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

1. The below listed schedule of Township property is declared surplus and no longer needed for public purposes.

2. The Purchasing Agent is hereby authorized and directed to advertise public sale of said personal property to be sold on GovDeals.com, a State of New Jersey authorized web-based auction. Said sale shall commence within ten (10) days of approval by the Township Committee.

3. The Township reserves the right to reject any and all bids if it determines such rejection to be in the public interest.

4. Said sale shall be in the manner of a public auction and in accordance with the procedure to be announced.

VEHICLES AND EQUIPMENT

2017 Ford Explorer Police Interceptor SUV 1FM5K8AR5HGC78077

2018 Ford Explorer Police Interceptor SUV 1FM5K8AR6JGB93576

K. **RESOLUTION #23-6-167 – AUTHORIZING USE OF TENT BY STOUTSBURG SOURLAND AFRICAN AMERICAN MUSEUM (SSAAM)FOR JUNETEENTH EVENT\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED that the Montgomery Township Committee hereby approves the use of the Township’s tent, tables and chairs for the Stoutsburg Sourland African American Museum (SSAAM) Juneteenth Event as the Township Parks & Recreation Department will be one of the sponsors of the event and the advertising will be provided to the Township. The event will be held on Saturday, June 17, 2023.

L. **RESOLUTION #23-6-168 – APPROVING DISABLED VETERAN PROPERTY TAX EXEMPTION\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, Ian McDermott, who resides at and is the owner of certain real estate in the Township of Montgomery, County of Somerset, State of New Jersey known as Block 12001, Lot 19 located at 26 Camp Meeting Avenue in Skillman, was deemed a 100%, totally and permanently disabled veteran in accordance with the provisions of N.J.S.A 54:4-3.30; and

WHEREAS, Ian McDermott made the appropriate claim for tax exemption through the Montgomery Township Tax Assessor’s Office as a 100%, totally and permanently disabled veteran and was approved; and

WHEREAS, the Department of Veterans Affairs has confirmed this information by way of a letter dated December 21, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the property known as 26 Camp Meeting Avenue, Block 12001, Lot 19, Skillman, New Jersey is hereby designated as a tax-exempt property as the owner, Ian McDermott, is a 100%, totally and permanently disabled veteran and therefore all property taxes on said property from February 10, 2023 forward are hereby cancelled.

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector, Treasurer, and Tax Assessor for their records.

M. **RESOLUTION #23-6-169 – AMENDING RESOLUTION #23-4-117 DESIGNATING SPECIFIC TRACTS OF**

**MUNICIPALLY-OWNED PARKS AND OPEN SPACES TO BE INCLUDED IN MONTGOMERY TOWNSHIP’S**

**DEER MANAGEMENT PROGRAM FOR THE HUNTING SEASON SEPTEMBER 2023 ENDING FEBRUARY 2024 TO**

**UPDATE THE NUMBER OF PERMITS PER CERTAIN PARCELS\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED that Resolution #23-4-117 Designating Specific Tracts Of Municipally-Owned Parks and Open Spaces Included in Montgomery Township’s Deer Management Program be amended to update the number of permits at Opatut and adjacent lands to 13 plus 2 youths; and Runyon-Fox Brook-Tomenchok to 11 plus 2 youths.

N**. RESOLUTION #23-6-170 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR ROAD OPENING**

**PERMIT 21-R-35 – 18 SARATOGA LANE - BLOCK 4024, LOT 15\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of a cash performance guarantee to Jayesh Gandhi because all work has been satisfactorily completed with respect to Street Opening Permit 21-R-35 at Block 4024, Lot 15 (18 Saratoga Lane).

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash performance guarantee in the amount of $705.00 be released to Jayesh Gandhi, 18 Saratoga Lane, Belle Mead, NJ 08502.

O. **RESOLUTION #23-6-171 - AUTHORIZING REDUCTION #1 OF PERFORMANCE GUARANTEE (#68179423),**

**FOR VILLAGE WALK AT MONTGOMERY PHASE 2A, BLOCK 28007, LOTS 1, 2, 3, 4\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, Mark Herrmann, Township Engineer, has certified on June 8, 2023 **t**hat a performance guarantee posted for Village Walk at Montgomery Phase 2A (Block 28007, Lots 1, 2, 3, and 4) may be reduced; and

WHEREAS, the remaining and partially completed improvements will be adequately covered by a performance guarantee as specified in the Township Engineer’s estimate dated June 8, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that a reduced performance guarantee amounting to $128,631.36, reduced from $286,660.86, be posted as follows:

10% cash $ 12,863.14

90% cash, Letter of Credit, or Surety Bond $115,768.22

There is sufficient escrow remaining for inspections.

P. **RESOLUTION #23-6-172 - AUTHORIZING REDUCTION #1 OF SAFETY & STABILIZATION**

**GUARANTEE (#68179423), FOR VILLAGE WALK AT MONTGOMERY PHASE 2A, BLOCK 28007, LOTS 1,**

**2, 3, 4\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, Mark Herrmann, Township Engineer, has certified on June 8, 2023 that a safety and stabilization guarantee posted for Village Walk at Montgomery Phase 2A (Block 28007, Lots 1, 2, 3, and 4) may be reduced; and

WHEREAS, the remaining and partially completed improvements will be adequately covered by a safety and stabilization guarantee as specified in the Township Engineer’s estimate dated June 8, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that a reduced safety and stabilization guarantee amounting to $7,574.78, reduced from $25,160.16, be posted s follows:

10% cash $ 757.48

90% Letter of Credit, or Surety Bond $6,817.30

There is sufficient escrow remaining for inspections.

Q. **RESOLUTION #23-6-173 - REDEMPTION OF TAX SALE CERTIFICATE\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00012 in the amount of $10,667.06.

BE IT RESOLVED that a refund in the amount of $10,667.06 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119 for the Redemption of Tax Sale Certificate #21-00012 on Block 34023 Lot 20.

Tax Lien Redemption

Certificate Amount $ 1,676.85

Subsequent Charges $ 3,356.41

Redemption Penalty $ 33.54

Interest $ 635.26

Recording Fees $ 53.00

Other Fees $ 12.00

PREMIUM $ 4,900.00

TOTAL $ 10,667.06

R. **RESOLUTION #23-6-174 - CLASSIFICATION OF PERMANENT POLICE OFFICERS – Joelle Bridgewater, Kyle Chin, Carolyn LaRue, Craig Merkle\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

BE IT RESOLVED that Joelle Bridgewater has completed her probationary period and is now classified as a permanent police officer effective June 14, 2023.

BE IT FURTHER RESOLVED that Kyle Chin has completed his probationary period and is now classified as a permanent police officer effective June 14, 2023.

BE IT FURTHER RESOLVED that Carolyn LaRue has completed her probationary period and is now classified as a permanent police officer effective June 14, 2023.

BE IT FURTHER RESOLVED that Craig Merkle has completed his probationary period and is now classified as a permanent police officer effective June 14, 2023.

9-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

10. **RESOLUTION #23-6-175 – AUTHORIZING THE PURCHASE OF NATURAL GAS SUPPLY SERVICES FOR PUBLIC USE**

**ON AN ONLINE AUCTION WEBSITE\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS**,** Montgomery Township has determined to move forward with the EMEX Reverse Auction in order to procure natural gas for Montgomery Township; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the “Act”) authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

WHEREAS**,** Montgomery Township will utilize the online auction services of EMEX, LLC., a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS**,** EMEX, LLC. is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS**,** the auction will be conducted pursuant to the Act.

BE IT RESOLVED**,** that the Township Committee of the Township of Montgomery is hereby authorized to execute, on behalf of Montgomery Township, any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

10-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was

seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

11. **RESOLUTION #23-6-176 – AUTHORIZING RENEWAL OF 2023-2024 PLENARY RETAIL CONSUMPTION LICENSES,**

**PLENARY RETAIL DISTRIBUTION LICENSES, AND CLUB LICENSES\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

WHEREAS, applications have been received for three (3)Plenary Retail Consumption Licenses, two (2) Plenary Retail Distribution Licenses, and three (3) Club Licenses; and

WHEREAS, these 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 inspected the applicants’ property and 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 2023-2024:

**PLENARY RETAIL CONSUMPTION**

1813-33-003-005 Princeton Innkeepers, Inc. (dba Tiger’s Tale)

1813-33-013-001 Clubcorp NV I, LLC (dba Cherry Valley Country Club)

**PLENARY RETAIL DISTRIBUTION**

1813-44-001-010 AKP Spirit, Inc. (dba Steele’s Wine Cellar)

1813-44-010-003 Shradha, LLC **(**Montgomery Discount Wine Market**)**

**CLUB LICENSES**

1813-31-004-001 Bedens Brook Club

1813-31-005-001 Princeton BPO Elks 2129

1813-31-006-001 Montgomery Tennis Patrons Associates (dba Nassau Racquet &

Tennis Club)

11-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was

seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

12. **RESOLUTION #23-6-177 – AUTHORIZING ROAD PAVING SERVICES THROUGH THE MORRIS COUNTY COOPERATIVE**

WHEREAS, exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to enter into a cooperative pricing agreement for the purchase of work, materials and supplies; and

WHEREAS, the Township of Montgomery has determined the following cooperative pricing system identifier MCCPC #6 – Road Resurfacing has provided the Township with the most competitive price for this item; and

WHEREAS, the roads to be paved under this contract are Kildee and Brandywine Roads; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number [04-215-55-901-1699F](http://localhost/%5bMSI_DB_REQUEST,FAS.AccountDB,ACCOUNT_HTML.04215559011699F%5d).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that the Road Resurfacing Services at a not to exceed amount of $352,500 shal1 be authorized through the utilization of the Morris County Cooperative Pricing Council to:

Schifano Construction Corporation

1 Smalley Avenue

Middlesex, NJ 08846

12-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

13. **ORDINANCE #23-1702** – 2023 Salary and Wages - Introduction

A. Title: AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR

THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND TO PROVIDE FOR ITS

ADMINISTRATION FOR THE YEAR 2023

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 July 6, 2023 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

13-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

14. **ORDINANCE #23-1701 –** Montgomery Ridge Phase 1 – Master Plan Road ROW Acceptance – Public

Hearing

A. Title: AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY

PROVIDING FOR THE ACCEPTANCE OF BLOCK 28001, LOT 5.119, IN

MONTGOMERY RIDGE, FOR ROAD AND RIGHT-OF-WAY PURPOSES

B. Mayor Keenan opened the hearing to the public. There being no comment, Mayor Keenan closed the public hearing.

At this time, Attorney Rubinstein-Quiroga explained Committee Member Barragan must recuse from the vote due to a conflict of interest and therefore the public hearing shall remain open and be carried to the July 6, 2023 meeting as there will not be the required votes for the adoption of the ordinance.

14-1. Committee Member Barragan moved to carry the public hearing to the July 6, 2023 regular meeting; motion was seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent -Todd, Singh

15. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for May 18, 2023 stand approved.

If there are no corrections, the following 2023 Executive Session minutes stand approved for Content and Form only: May 4 and May 18.

15.1 Committee Member Barragan moved to approve the Regular and Executive Session meeting minutes. The motion was seconded by Committee Member Ahn and carried unanimously.

16. **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.

16-1. Committee Member Barragan moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Ahn and carried on the following:

**ROLL CALL** - Ayes – Ahn, Barragan, Keenan

Nays – None

Absent – Todd, Singh

17. **COMMITTEE CORRESPONDENCE**

* OEM Coordinator Appointment of Evan Stampoulos as Deputy Coordinator for OEM
* Email from Anand Shah regarding pickleball courts

18. **NEW & UNFINISHED BUSINESS**

* **BYOB Commercial Recreational Facilities –**

Pawan Gupta, a resident of 17 River Road and owner of 2168 Highway 206, appeared before the Committee to request that BYOB – Bring Your Own Beverage be permitted at commercial recreational facilities. P. Gupta explained that zoning approval has been granted for an indoor golf simulation facility at 2168 Highway 206. P. Gupta advised of other such facilities throughout New Jersey that permit BYOB.

During the discussion, Committee Members raised questions regarding the square footage of the facility; the number of simulators; the number of persons per simulator; and required insurance. P. Gupta informed Committee Members that the size of the recreational facility will be about 4,000 square feet and each simulator could have up to four or five individuals.

Mayor Keenan explained that Committee Members will review the request.

* **Shade Tree Committee -**

Administrator, Lori Savron and Shade Tree Committee Chair, Larry Koplik presented a 2023 status report that included the following:

* Street Trees planting and maintenance in municipal Right-of-Ways
* Shade Tree Committee roles, responsibilities and membership
* Post-1988 plan updates
* 2023 action plan updates: communication; inventory; sidewalk damage; 2024 and

beyond

During the presentation, Administrator Savron informed Committee Members that the Township has an intern on staff working on inventory management through the GovPilot module. Discussion was held regarding sidewalk damage and possible alternatives to address the issue including root barriers. Mayor Keenan also voiced her opinion regarding the watering of newly planted trees.

* **Cell Tower** –

Mayor Keenan advised that the Township is considering the installation of a cell tower on the municipal center property. Administrator Savron explained that a courtesy mailing will be sent to surrounding property owners providing details of the proposed communication tower and notifying them that the Township Committee will be considering a resolution to go out to bid at the July 20, 2023 meeting.

19. **COMMITTEE REPORTS**

Committee Member Barragan reported on the following:

Veteran’s Committee

* There will be no meetings in July or August; the next meeting will be in September
* Memorial Day Ceremony update
* Ceremony held June 15 by Eagle Scout, Lucas Clark, unveiling the new Flag retirement box in the lobby of the Municipal Building

Open Space Committee

* Discussion of potential property acquisitions is ongoing

Mayor Keenan reported on the following:

* Montgomery PBA Clay Shoot
* June 2nd Community Picnic Recap
* Strawberry Festival Recap
* 2nd Grade Field Trip Recap

Environmental Commission

* Discussion was held regarding the Inland Flood Protection Rule and grant opportunities at the June 6, 2023 meeting

Recreation Committee

* Girl Scout Presentation – Nesting Boxes and Kindness Gardens in Van Horne Park
* Fireworks – June 29th
* Pickleball Updates – Partnering with the Board of Education

Board of Health

* Discussion is underway regarding the licensing of septics in the Township
* New Outreach Coordinator
* Opioid Settlement Discussion

At this time, Sarah Roberts, 48 Harlingen Road, spoke on the importance and benefits of shade trees in the community.

20. **ADMINISTRATOR’S REPORT**

Ms. Savron provided an update on the status of the Orchard Road sidewalk project advising that NJDOT is working on the crosswalk and pedestrian upgrades at the Orchard Road – Route 206 intersection; that the crosswalk at Montgomery Ridge will be completed sometime early summer; that efforts regarding possibilities for a bus service to New York City are underway including discussions with private bus companies for a line, potential location for a park and ride, and participation in a survey in process from Hillsborough Township. Administrator Savron also announced the one-year ribbon-cutting ceremony of the new Municipal Center and that the Township has been awarded a $431,000 stormwater management grant for the conversion of detention basins throughout the municipality. Administrator Savron recognized the efforts of Township Engineer, Mark Herrmann and Open Space & Stewardship Director, Lauren Wasilauski for their efforts in submitting the grant application.

21. **UPCOMING MEETINGS**

July 6

* Ordinance #23-1702 2023 Salary and Wages Ordinance – Public Hearing
* 2023 Salary Resolution

22. **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.

1. The general nature of the subjects to be discussed in this session are as follows:

* Advice of Counsel with respect to litigation
* Potential acquisition of property for open space, conservation, recreation and/or municipal purposes: Block 8001 Lots 5, 7.01 & 8 ("Staats"); Block 11001 Lot 12 ("Weber"); Block 11001 Lot 35 ("Hunt"); Block 15015, various lots ("Leoni"); Block 17001 17.01 ("Hardesty"); Block 15001 lots 33, 33.01, 33.03, 33.08, 33.09 ("Dorell"); Block 11002 Lot 36 (Thomas Harcarik)

3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Acquisition of property and settlement of litigation shall only be approved by the Township Committee in a public session.

Committee Member Barragan moved to close the meeting to the public. The motion was seconded by Committee Member Ahn and carried unanimously.

23. **MOTION TO REOPEN THE MEETING IN PUBLIC SESSION**

Committee Member Barragan moved to reopen the meeting to the public. The motion was seconded by Committee Member Ahn and carried unanimously.

**ADJOURNMENT** was at 9:42 p.m. on a motion by Committee Member Barragan. The motion was seconded by Committee Member Ahn and carried unanimously.

Date of Approval: July 6, 2023

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa Fania, RMC

Township Clerk