

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE  
REORGANIZATION MEETING  
January 7, 2010  
6:00 p.m.

1. The Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 6:00 p.m. on the above date.

2. The Township Clerk called the meeting to order and led the salute to the flag.

3. The Open Public Meeting Statement was recited by the Clerk:

"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."

4. Todd Caliguire administered the Oath of Office to Committeeman-elect Mark Caliguire.

5. Congressman Leonard Lance administered the Oath of Office to Committeeman-elect Thomas Gary Carter.

5. Present by ROLL CALL were:

TOWNSHIP COMMITTEE - Louise Wilson, Mark Caliguire, Brad Fay, Kacey Dyer and  
Thomas Gary Carter

Also noted as present were the following:

TOWNSHIP ADMINISTRATOR - Donato Nieman

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TEMPORARY CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

6. **ELECTION** of Mayor for 2010

6-1. Committeewoman Dyer nominated Committeeman Caliguire for the Office of Mayor. The motion was seconded by Committeewoman Wilson and carried on the following:

ROLL CALL - Ayes - Wilson, Caliguire, Fay, Dyer, Carter  
Nays - None

6-2. By virtue of the vote, Mark Caliguire was elected Mayor of Montgomery Township for 2010.

6-3. Congressman Leonard Lance administered the Oath of Office to Mayor Caliguire.

7. **ELECTION** of Deputy Mayor for 2010

7-1. Committeeman Carter nominated Committeewoman Dyer for the Office of Deputy Mayor. The motion was seconded by Committeeman Fay and carried on the following:

ROLL CALL - Ayes - Wilson, Fay, Dyer, Carter, Caliguire  
Nays - None

7-2. By virtue of the vote, Kacey Dyer was elected Deputy Mayor of Montgomery Township for 2010.

7-3. Congressman Leonard Lance administered the Oath of Office to Deputy Mayor Dyer.

8. **ADDRESS BY MAYOR MARK CALIGUIRE**

Mayor Caliguire read the following:

"Before we do anything else, I would like to take this opportunity to recognize the fact that we have a number of elected officials here, and I would ask you to help me in recognizing their service. We all saw Congressman Leonard Lance, who we are honored to have here tonight. We also have Freeholder Peter Palmer, Freeholder Bob Zaborowski, Freeholder Pat Walsh, Sheriff Frank Provenzano, County Clerk Brett Radi. We also have some people who have sat in this chair before, some former Mayors. I would like to recognize them: Ted Lubas, Bob Kress, Don Matthews and Peter Treichler.

(Item #8 Cont.)

Thank all of you again for your vote to be Mayor. This is an exciting time of challenge in Montgomery and I'm also excited to take on a new responsibility. Since Election day, many people around Montgomery either called me, emailed me, pulled me aside to offer congratulations and to wish me well and then the conversation inevitably turned to the state of things in New Jersey, the state of things in Montgomery and then, of course, taxes. Sometimes those same people would say they just can't see themselves staying in Montgomery, or for that matter, staying in New Jersey for a whole lot longer because our town and our State is just too expensive. I find it discouraging that too many people believe that no matter what this Township Committee does, no matter what our School Board does, and no matter what our Freeholder Board does the challenges continue to outpace the solutions. For those of us born and raised in New Jersey, that loss of faith is both heart-breaking and it's a call to action. More than at anytime I can recall, our fate is tied to the fiscal mess in Trenton. And more than at any other time, it's frustrating that things like COAH, unfunded mandates, underfunded school aid formulas, huge pension liabilities and State budget shortfalls are tying our hands and pressuring us to either cut services or increase taxes.

Our new Governor has got his work cut out for him. He deserves our support and he deserves our prayers, and I am hopeful the Christie administration and his colleagues across the aisle in the legislature will put partisanship aside to work together and aggressively address these problems. But every crisis also presents opportunity, so let us all use our voices to ensure that Trenton does not let this opportunity for real and lasting change pass.

At the same time, let's also commit ourselves to a singular goal. Let's challenge ourselves to do what we can to make things better for our neighbors here in Montgomery. We just can't be content to settle for every increasing taxes. Business as usual will just not cut it in 2010. Too often we hear elected officials talk of the "tough choices" to raise taxes, well to me raising taxes isn't the tough choice, it's the easy one. Passing the buck to someone else is always easier than taking responsibility and doing the job yourself. The tough call is to roll up your sleeves, figure out how to do more with less, reduce costs, reduce debt, create efficiencies and avoid tax increases. Our neighbors not only deserve it, they need it. Let us commit ourselves today to pushing the envelope, challenging the status quo and leading by example. Let us challenge every assumption and look anew at every nickel we spend. Let's cut costs and continue to lead in the consolidation and sharing of services. Here's a great example, last year we transferred our emergency dispatch service to Somerset County's Communication facility. That has been a resounding fiscal and operational success. We should be advocates for even more innovative thinking.

I am a firm believer in Home Rule, when it comes to land use, zoning and the health and safety of our neighbors. These functions are the core of what local government is best situated to deal with. The fact that 1/3 of our Town is preserved as either public or private Open Space is proof of that. The simple fact is, the 566 municipalities in New Jersey can no longer afford to act independently and in many ways terribly inefficiently with many services and functions that can and should be regionalized using technology and modern communications. So I will be an advocate for taking a hard look at the potential for regionalized or shared Courts, Tax Assessor, Health Services, Recreation functions, Building Code functions. Municipal government and our School Board should look to consolidate where it makes sense. I will never agree to give up local control over core municipal functions, but the assumptions of the past about what can only be done locally have been superseded by economic reality.

As I have said at every Reorganization meeting I have participated in, public service is a privilege. A truly fulfilled life is about making a difference in the lives of others. I am honored to serve the people of Montgomery and excited to work with colleagues who care first and foremost about keeping Montgomery one of the best places to live and raise a family in New Jersey. Yes, we face challenges but let us on this Committee rise to the opportunity presented to us by this crisis to deliver real and lasting change. As I look around this room I see so many who serve at our food bank, as EMTs and Fireman, and on countless Boards and Commissions. Thank you for your public service. Thank you again for being here tonight and thank you for the tireless work so many of you do for this community. Thank you."

9. **ADDRESS BY DEPUTY MAYOR KACEY DYER**

Deputy Mayor Dyer read the following:

"I would like to thank everyone for coming tonight. This is a great night. I am thrilled to welcome Thom Carter to the Township Committee and to celebrate our new Mayor - Mark Caliguire. As I begin my second year on the Township Committee and take on the responsibilities of Deputy Mayor, I remain committed to working with my colleagues to sell Skillman Village to the County to be an open-space park and to using the proceeds to reduce our skyrocketing debt. As all levels of government, businesses, and families are tightening their budgets, we too have a tough year ahead of us financially. We must cut costs by identifying and eliminating wasteful spending as well as looking for new shared services opportunities. I believe government should be open and responsive to the needs of the community. I am available to listen to anyone who has thoughts or concerns to share."

10. ADDRESS BY COMMITTEEWOMAN LOUISE WILSON

Committeewoman Wilson read the following:

"Happy New Year

I look forward to working with our new Mayor and the majority.

I know we all want to deliver the best possible service to our residents, and stay in the lead with shared and regional services, and with green policies and practices.

I hope we will stay focused on retrofitting our little downtown area - the Route 206 corridor from Orchard Road south to Princeton - as an attractive place to live, work and play. There is much to do on that front - there are big opportunities and big challenges.

Speaking of challenges: COAH remains an expensive and very troublesome issue for Montgomery. As an optimist I believe reason and logic must prevail in the end, and maybe they finally will this year. If they do, we will see fundamental reforms as well as a very substantial reduction in the Township's required number of new affordable units. Until that day comes, we must continue to fight tooth and nail against those who seek to exploit and otherwise do harm to this Township, under false pretenses and apparently without shame.

On the topic of the municipal budget - we all know how tough it will be. I hope very much that further layoffs will not be necessary, but to achieve that goal will require some sacrifice and a high degree of cooperation from the bargaining units.

Regarding Skillman Village - I believe it is critical that our community play an active role in planning the park. And I hope very much that the vision of a gathering place that features public art, performance venues and of course the Veterans' Memorial, in addition to passive recreation, endures."

11. ADDRESS BY COMMITTEEMAN BRAD FAY

Committeewoman Fay stated the following:

"Change in administration is always an exciting time. I don't think it matters what party you are from, it is a chance for a re-shuffling of the deck, for looking at things in new ways, new people taking new approaches to problems. I just want to say to the Mayor, I wish you all the best and I offer you my support. I look forward to working with you closely to solve these challenges that we have. I think that your remarks tonight and recently in the paper have had a wonderful tone of bi-partisanship. I think that has been the major hallmark of this Committee the last number of years. I know it will continue and I appreciate that.

I think there are three major areas of importance that we are going to deal with this year that have implications; major decisions that we will make in 2010 that have implications for generations to come and that is why they are so important. One of them is Land Use policy. We have made major strides over the last decade in approving land use policies, being leaders in Open Space preservation. We have done that on a bi-partisan basis. There are major pressures on us as others have alluded to already and I think its very important that we maintain some of the policies we have had before. There are going to be major changes on the Planning Board and in other areas of the Township. I hope that we will maintain many of the same goals and policies that we've had over the last decade.

The budget is going to be a huge challenge for us as has been said previously. Maintaining high quality services in core areas is absolutely essential for us to do but we have to look at things differently. Last year we made a major stride, leading in our County and really in our region, in consolidating our Emergency Services Dispatch with the County. We have here tonight some of the Freeholders that helped to make that possible and that was a terrific achievement. I think that what we have done is going to be a model for other communities and it needs to be a model for what we do in other areas. We need to look at shared services in areas like Tax Assessment, Code Enforcement and I think even in some of the bigger areas like Public Works. We may need to look not just within the County but across County lines to find partners who are increasingly willing to work with us, because the pressures we're feeling are the pressures that are being felt around the State. All of our neighboring communities are going to become open minded to doing things differently and may work with us.

Finally, on Skillman Village, as Ms. Wilson mentioned, I think it's very important that we not only enjoy the potential financial relief by having the County as our partner with the park, but that we also take advantage of this great moment for creative design in how that park not only meets our residents needs and wishes but also the County residents and our regions needs by providing something that is truly unique and special and worthy of that beautiful piece of land. So, I think those are the major things that we are going to work on this year. All of them have huge implications for generation ahead."

12. ADDRESS BY COMMITTEEMAN THOM CARTER

Committeeman Carter read the following:

"Distinguished guests, my fellow Montgomery-ians, friends:

Thank you all for coming out to support us tonight. I am especially grateful that my parents are here. For those of you who don't know my parents let me take a moment to introduce you to them. My father, Gary Carter, is a Bronze Star winning veteran who spent his post-military career working to improve the quality of health care provided to the people of Utah, New Hampshire, and New Jersey. My mother, Susan Carter, was a three term legislator in New Hampshire and a ten year member of the Montgomery Township Board of Education. I, along with my two sisters and brother, are truly blessed to have such amazing parents. They worked every day to teach us by word and example that service to our fellow man is one of the most important aspects of having a quality life. They taught us not only to be God Fearing, but God Loving. One of the themes that weaved its way through my youth was that of potential. My parents tirelessly reminded my siblings and me that we should live up to our potential, know that we can accomplish what we set our mind to accomplish, and strive to achieve higher ground.

It is this simple principle; POTENTIAL; that I want to spend a few moments talking about tonight.

It has been said that one of the greatest tragedies of our time is that so many people live far below their potential. A friend of mine who passed away not too long ago had a favorite two-word statement that he used frequently to motivate us: "Always improving." A religious leader continually encouraged us to "lengthen our stride" and to "enlarge our vision." Implicit in these quotations is the message that each of us can and should do more to meet the expectations set of us, to do our best, and to improve the lives of those around us.

As individuals, it is our responsibility to recognize the great potential that we have and then work to achieve higher ground.

This Township that we all love has a great potential too. As a graduate of Montgomery High School, I know that we give the children of this community many great advantages in their quest to achieve their potential. I know that everyone in this room has a vested interest in seeing our community achieve higher ground.

Over the last year, as I have walked the streets of our beautiful township, knocking on your doors, talking to you, your friends and neighbors; listening to what people have to say; I heard the same thing over and over again, "Montgomery hasn't been living up to her potential." Our friends and neighbors feel that we have been going down the wrong path and that if we are to reach our great potential we must change course, enlarge our vision, and make difficult decisions to ensure that we reach higher ground.

As a result, I sit here today, humbled by the faith that the voters have put in me. I know that Mayor Caliguire and Deputy Mayor Dyer are the right people at the right time to lead this township through this difficult time. Over the past few years we lost our way: our taxes went up, our debt increased, and our surplus was depleted. Now we stand at a difficult crossroads and people are depending on us to change course and live up to our potential as leaders. We plan on doing just that. To do this, we must put aside the partisan bickering that comes with campaigns and move forward with the voice of the people in mind.

President Theodore Roosevelt once said, "Believe you can and you're halfway there." Well, I believe that we can; no - I know that we can achieve our potential.

President Roosevelt also said, "I have a perfect horror of words that are not backed up by deeds." Now is the time for us to back up all of our words and rhetoric with deeds. I know that it will be hard, but in the end it will be worth it, we will have put our house in order and fulfilled the sacred trust that you, the citizens of Montgomery, have put in us.

Ladies and Gentlemen, We all carry with us a tremendous potential for excellence. Let us all try to stand a little taller, rise a little higher, and be a little better. Make the extra effort with vigilance and hope; we will succeed in our journey together to Higher Ground.

This is my pledge to you.

God Bless You, God Bless Montgomery. And God Bless America"

13. Mayor Caliguire suggested that a 15 minute break be taken.

14. ADDRESS BY CONGRESSMAN LEONARD LANCE

Congressman Lance stated the following:

"I want to congratulate the Mayor on his re-election and on becoming Mayor. The Deputy Mayor and all members of the Governing Body. I want the people of Montgomery Township to know that I have tried to work well with former Mayor Wilson and I will continue to try to work well with the current Committee. I have met with the former Mayor in this building on matters related to the Township of Montgomery and certainly in a bi-partisan way. Louise has always been very generous with her time, as we have worked on issues that related to this Township. I am extremely excited about the fact that Mark has become Mayor. He and his wife Trisha are friends with my wife Ivy and me. I must say that when Todd, who I have know for 25 years, swore Mark in his re-election as a member of the Governing Body, Todd said "I, state your name". When I swore Mark in as Mayor, I said "I, Mark Caliguire". Now this, of course, shows the difference being an older brother and a younger brother. I know the feeling, Mark, I am nine minutes younger than my older brother.

I will be returning to Washington on Monday evening, we are in session beginning Tuesday and we will be in session probably until August. The nation is in a very challenging situation, we are dealing not only with the Health Care issue and the Energy Legislation but we are dealing fundamentally with the state of the American economy. It is not a tolerable situation with a 10% unemployment rate in this country. Internationally, we are dealing with the number of troops in Afghanistan and Iraq. In this State, there is the inauguration of the new Governor. Finally, congratulations to Thom Carter on his election to the Governing Body."

15. APPOINTMENTS BY TOWNSHIP COMMITTEE

OFFICE	TERM	
Township Attorney	1 yr.	Kristina P. Hadinger (Mason, Griffin & Pierson)
Special Projects/Conflict Counsel	1 yr.	Thomas J. Cafferty (Scarcini & Hollenbeck)
Special Projects/Conflict Counsel	1 yr.	Bill Cooper (Cooper & Cooper)
Labor Counsel	1 yr.	Steve Goodell (Herbert, Van Ness, Cayci & Goodell)
Environmental Counsel	1 yr.	Richard Crooker (Cuyler Burke, LLP.)
Prosecuting Attorney, Alternate	1 yr.	
Public Defender	1 yr.	James Wronko
Township Planners - Planning & Zoning	1 yr.	Richard T. & Cindy Coppola
Bond Counsel	1 yr.	Michael Gluck (Gluck Walrath, LLP)
Deputy Township Clerk	1 yr.	Margaret Crawford
Assessment Search Official	1 yr.	Donna Kukla
Flood Search Official	1 yr.	Gail Smith
Somerset Co. Community Dev. Comm.	1 yr.	Duncan Finlayson
Somerset Co. Community Dev. Comm., Alt.	1 yr.	Lori Savron
Conservation Easement Officer	1 yr.	Joseph Palmer
Building Inspector	1 yr.	Ken Clayton
Fire Protection Inspector	1 yr.	Roy Mondi
Fire Protection Inspector	1 yr.	John Hall
Fire Protection Inspector	1 yr.	John Marold
Fire Prevention Official	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Joe Novak
Township Engineer	3 yrs.	Gail Smith
Traffic Engineer	1 yr.	John Rea (McDonough-Rea)
Environmental Engineer	1 yr.	Omni Environmental
Special Projects Engineer	1 yr.	Environmental Resolutions, Inc.
Consulting Engineer	1 yr.	
Consulting Engineer	1 yr.	I.H. Engineering
Surveyor	1 yr.	Boundary Lines
Tax Map Officials	1 yr.	
Landscape Architect	1 yr.	
Codifier of Township Ordinances	1 yr.	Coded Systems Corporation
Financial Advisor	1 yr.	Concord Financial
Appraiser	1 yr.	Sockler Realty Services
Appraiser	1 yr.	Valuation Consultants
Appraiser	1 yr.	Robert McNeely Vance & Co.
Appraiser	1 yr.	
Municipal Housing Liaison	1 yr.	Lori Savron
Temporary Housing Official	1 yr.	Theodore Merritt
Township Physician (Workers Compensation & Medical Services)	1 yr.	
Risk Management Consultant	1 yr.	Howe Insurance Group
Clean Communities Coordinator	1 yr.	Arthur Villano
Recycling Coordinator	1 yr.	Arthur Villano
Americans w/ Disabilities Compliance Coord.	1 yr.	John Marold
Affirmative Action Compliance Official	1 yr.	Donato Nieman
Dog Canvasser	1 yr.	Ryan Giordano
Municipal Court/Violations Deputy Court Administrator	1 yr.	Judy Norris
Somerset Co. Solid Waste Advisory Council	1 yr.	Donald Matthews
Sourland Planning Smart Growth Steering Committee (Planning Board)	1 yr.	Sarah Roberts

(Item #15 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Airport Advisory Committee General Aviation	3 yrs.	Raffaelli	G. Lawrence Raffaelli
Board of Fire Prevention Business Representative	1 yr.	Best	John Best
Board of Health Regular Member	3 yrs.	Strong	Ben Strong
Regular Member	3 yrs.	Kaganowicz	Greg Kaganowicz
Regular Member (exp. 12/31/10)	3 yrs.	Kosztyo	Maureen Lintott
Alternate I	2 yrs.	Lintott	Maryanne Couch
Board of Improvement Assessors Regular Member	2 yrs.	Bucci	William Bucci
Regular Member	2 yrs.	Lookwood	Colleen Lockwood
Efficiency Incentive Committee Township Committee Member	3 yrs.	Caliguire	Louise Wilson
Emergency Services Coordinating Committee Police Director, Chair	1 yr.	Palmer	Capt. Robert Palmer
Chief, Co. #1	1 yr.	Giordano	Ryan Giordano
Chief, Co. #2	1 yr.	Bolen	Bill Ballinger
President, EMS	1 yr.	Jozwick	Peter Jozwick
Captain, EMS	1 yr.	Fan	Linda Fan
Advisor, Public Safety Tech.	1 yr.	Goldberg	Jeffrey Goldberg
Communications Center Liaison	1 yr.	Lovering	Sgt. Ronald Lovering
Fire District #1	1 yr.	Kennedy	Richard Kennedy
Fire District #2	1 yr.	Laughlin	Toby Laughlin
Staff Liaison, Health Officer	1 yr.	Carey	Stephanie Carey
Sustainable Montgomery Regular Member, Mayor	1 yr.	Wilson	Mark Caliguire
Regular Member, Twp. Comm. Liaison to Env. Comm.	1 yr.	Fay	Brad Fay
Regular Member, Twp. Admin.	1 yr.	Nieman	Donato Nieman
Regular Member, Open Space Coord., Liaison to EC, Ag. Adv. and Shade Tree Committees	1 yr.	Wasilauski	Lauren Wasilauski
Regular Member, Sustainable Montgomery, Montgomery Green	1 yr.	Brecknell	Leslie Brecknell
Regular Member, Sustainable Montgomery, Planning Board, Zoning Bd., Open Space Comm.	1 yr.	Roberts	Sarah Roberts
Regular Member, Env. Comm., Regular Member, Env. Comm., Board of Health, Master Plan Committee	1 yr.	Reyes	Yasmin Reyes
Regular Member, Env. Comm., Planning Board	1 yr.	Kaganowicz	Greg Kaganowicz
Regular Member, Env. Comm., School District Pollution Prevention Comm.	1 yr.	Mason	Dave Mason
Regular Member, Env. Comm., Sustainable Montgomery	1 yr.	Reece	Mary Reece
Regular Member, Bd. Of Education	1 yr.	Fallon	Debbie Gartenberg
Regular Member, Economic Dev. Comm.	1 yr.	Luke	Reg Luke
Regular Member, Shade Tree Comm. Alternate, Env. Comm., Site Plan/Subdivision Comm.	1 yr.	Geslak	Walter Geslak
Alternate, Env. Comm.	1 yr.	Stein	Irene Stein
Alternate, Env. Comm., Sustainable Montgomery, Alternate, School District Science Curriculum Coord.	1 yr.	Bookman	Alan Bookman
Alternate, Interested Resident Advisor, Hillsborough Sustainability Committee	1 yr.	Grossman	Douglas Grossman
	1 yr.	Gartenberg	Annie Michaelson
	1 yr.	Peacock	Erin Peacock
	1 yr.	Broderick	Lisa Broderick
	1 yr.	Le	Thuy Anh Le
Joint Insurance Fund Commissioner	1 yr.	Sheppard	Walter Sheppard
Alternate	1 yr.	Nieman	Donato Nieman
Alternate	1 yr.	Smith	Susan Smith
License Appeals Board Regular Member	1 yr.	Johnson	Richard Kennedy
Regular Member	1 yr.	Karsay	Richard Karsay
Regular Member	1 yr.	Miller	Jim Miller

(Item #15 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
<b>Montgomery/Rocky Hill Municipal Alliance</b>			
Citizen-At-Large	1 yr.	Church	Robert Church
Citizen-At-Large	1 yr.	Booth	Pam Booth
Citizen-At-Large	1 yr.	R. Carr	Johnny Rooney
Village School PTA Rep.	1 yr.	Simpkins	Paula Simpkins
Orchard Hill School PTA Rep.	1 yr.	Haftel	Jennifer Haftel
Montgomery High School PTA	1 yr.	Rao	Vasanthi Rao
Montgomery High School	1 yr.	DeGennaro	Ann DeGennaro
Upper Middle School	1 yr.	Robbins	William Robbins
Board of Education Liaison	1 yr.	Wang	YiPing Wang
Local Civic Organization	1 yr.	Arons	Michael Arons
HiTops Rep.	1 yr.	Drakes	Sarah Drakes
Police Department Liaison	1 yr.	Fillebrown	Lt. Guy Fillebrown
EMT	1 yr.	Johnson	Debbie Johnson
Advisor, Lower Middle School	1 yr.	Erickson	Ariana Erickson
Advisor, Lower Middle School	1 yr.	Haas	Leslie Hass
Recreation Department Rep.	1 yr.	Carr	Pauline Carr
Health Department Rep.	1 yr.	Sargent	Kristen Sargent
Rocky Hill Health Dept. Rep.	1 yr.	Poelstra	Beverly Poelstra
<b>Montgomery/Rocky Hill Youth Services Commission</b>			
Citizen-At-Large	1 yr.	Church	Robert Church
Citizen-At-Large	1 yr.	Booth	Pam Booth
Citizen-At-Large	1 yr.	R. Carr	Johnny Rooney
Village School PTA Rep.	1 yr.	Simpkins	Paula Simpkins
Orchard Hill School PTA Rep.	1 yr.	Haftel	Jennifer Haftel
Montgomery High School PTA	1 yr.	Rao	Vasanthi Rao
Montgomery High School	1 yr.	DeGennaro	Ann DeGennaro
Upper Middle School	1 yr.	Robbins	William Robbins
Board of Education Liaison	1 yr.	Wang	YiPing Wang
Local Civic Organization	1 yr.	Arons	Michael Arons
HiTops Rep.	1 yr.	Drakes	Sarah Drakes
Police Department Liaison	1 yr.	Fillebrown	Lt. Guy Fillebrown
EMT	1 yr.	Johnson	Debbie Johnson
Advisor, Lower Middle School	1 yr.	Erickson	Ariana Erickson
Advisor, Lower Middle School	1 yr.	Haas	Leslie Hass
Recreation Department Rep.	1 yr.	Carr	Pauline Carr
Health Department Rep.	1 yr.	Sargent	Kristen Sargent
Rocky Hill Health Dept. Rep.	1 yr.	Poelstra	Beverly Poelstra
<b>Open Space Committee</b>			
Regular Member	4 yrs.	Boynton	Steven Boynton
<b>Planning Board</b>			
Class III	1 yr.	Birge	Kacey Dyer
<b>Recreation Committee</b>			
Regular Member	3 yrs.	Matthews	Sarah Simpson
Regular Member	3 yrs.	Perhach	Kurt Perhach
Regular Member	3 yrs.	Wilson	Cliff Wilson
Regular Member	3 yrs.	O'Rourke	Joe O'Rourke
<b>Sewer Committee</b>			
Mayor	1 yr.	Wilson	Mark Caliguire
<b>Shade Tree Committee</b>			
Regular Member	1 yr.	Koplik	Larry Koplik
Regular Member	1 yr.	Zak	Ewa Zak
Regular Member	1 yr.	Stein	Irene Stein
Regular Member	1 yr.	Waltz	John Waltz
Regular Member	1 yr.	Epp	Richard Epp
Regular Member	1 yr.	Drbal	Elizabeth Drbal
Regular Member	1 yr.	Joye	Lucy Joye
Staff Liaison	1 yr.	Wasilauski	Lauren Wasilauski
<b>Zoning Board of Adjustment</b>			
Regular Member	4 yrs.	Walker	Jerry Walker
Regular Member	4 yrs.	Gamache	Mike Gamache
Regular Member (exp. 12/31/11)	4 yrs.	Some	Paul Woitach
Alternate I	2 yrs.	Woitach	Mike Gray
Alternate II (exp. 12/31/10)	2 yrs.	Mineo	Robert Francolini
Alternate III	2 yrs.	Gray	Steve Some
Alternate IV (exp. 12/31/10)	2 yrs.		Kurt Perhach

15-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

**ROLL CALL** - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
 Nays - None

16. TOWNSHIP COMMITTEE APPOINTMENT - Prosecuting Attorney

OFFICE	TERM	
Prosecuting Attorney	1 yr.	William Willard, Christopher 'Kip' Bateman (DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer)

16-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Caliguire  
 Nays - Wilson, Fay

16-2. Committeewoman Wilson stated that she wanted to be clear about her position on this. She voted no not out of disrespect to Senator Bateman, she does respect our Senator, and believes he is a very good and honest man. She stated the two reasons for not supporting this: 1. She was just not comfortable with a sitting member of the legislature serving as a Prosecutor in a town that he represents; and 2. she was concerned that the appointment violates the spirit if not the letter of our "Pay-to-Play" ordinance.

17. TOWNSHIP COMMITTEE APPOINTMENT - Prosecuting Attorney

OFFICE	TERM	
Auditor	1 yr.	Robert Swisher (Suplee Clooney)

17-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Caliguire  
 Nays - Wilson, Fay

17-2. Committeewoman Wilson explained her reasons for voting no on this appointment. She recalled that when she first came onto the Township Committee there were some quite alarming, unusual and questionable activities in the Finance office and specifically by the Chief Finance Officer who was relieved of his responsibilities. Our Auditor at the time who failed to raise the "Red Flag" was Suplee Clooney. In addition, the same firm has served for decades as the Auditor to the County Park Commission which was rightly excoriated by the Wolf Sampson firm in its report of financial and other extravagancies and irregularities.

18. MAYORAL APPOINTMENTS WITH CONSENT OF TOWNSHIP COMMITTEE

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Agricultural Advisory Committee			
Regular Member	3 yrs.	Wengel	Doug Wengel
Regular Member	3 yrs.	Siedel	Edward Siedel
Economic Development Commission			
Regular Member	3 yrs.	Willson	Ernest Willson
Regular Member	3 yrs.	Rockstrom	Doug Zehr
Regular Member	3 yrs.	Charbonneau	Phil Welch

18-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
 Nays - None

19. MAYORAL APPOINTMENTS

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Economic Development Commission			
Advisor	1 yr.	Laskey	James Laskey
Advisor	1 yr.	Delaney	William Delaney
Advisor	1 yr.	Collins	Adriana Collins
Environmental Commission			
Regular Member	3 yrs.	Bookman	Alan Bookman
Regular Member	3 yrs.	Grossman	Douglas Grossman
Regular Member	3 yrs.	Fallon	Debbie Gartenberg
Alternate I	2 yrs.	Gartenberg	Annie Michaelson
Advisor	1 yr.		Regis Wyluda
Landmarks Commission			
Class C	4 yrs.	Matthews	Donald Matthews
Class C	4 yrs.	Mineo	Candy Willis
Class C (exp. 12/31/10)	4 yrs.		Kathy Martin
Alternate I	1 yr.	Terhune	Grace Terhune
Alternate II	1 yr.		Charles Przelop
Advisor	1 yr.		Shahab Kahn

(Item #19 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
<b>Local Emergency Planning Council</b>			
OEM Coordinator	1 yr.	Palmer	Capt. Robert Palmer
Deputy OEM Coordinator	1 yr.	Goldberg	Jeffrey Goldberg
Montgomery Twp. School District	1 yr.	Venanzi	Tom Venanzi
Johnson & Johnson	1 yr.	Connolly	Michael Connolly
Bloomberg	1 yr.	Voss	Brian Voss
Chief, Fire Company #1	1 yr.	Giordano	Ryan Giordano
Chief, Fire Company #2	1 yr.	Bolen	Bill Ballinger
Captain, Montgomery EMS	1 yr.	Fan	Linda Fan
Mayor	1 yr.	Wilson	Mark Caliguire
Carrier Clinic	1 yr.	Hotz	Rebecca Hotz
Montgomery Township Engineer	1 yr.	Smith	Gail Smith
Montgomery Twp. Fire Subcode Off.	1 yr.	Mondi	Roy Mondi
Montgomery Twp. Health Officer	1 yr.	Carey	Stephanie Carey
Montgomery Twp. Recreation Director	1 yr.	Zimmerman	Karen Zimmerman
Montgomery Twp. Public Works Superintendent	1 yr.	Villano	Arthur Villano
<b>Open Space Committee</b>			
Advisor	1 yr.	Reim	Maia Reim
Advisor	1 yr.	Roberts	Sarah Roberts
Advisor	1 yr.	Stoltzfuss	Bill Stoltzfuss
Advisor	1 yr.	Moroney	Kevin Moroney
Advisor	1 yr.	Herring	Douglas Herring
<b>Planning Board</b>			
Class I	1 yr.	Wilson	Mark Caliguire
Class II	1 yr.	Greisinger	Steve Some
Class IV	4 yrs.	Rodgers	Donald Matthews
Class IV	4 yrs.	Lee	Mark Conforti
Alternate II	2 yrs.	DeRochi	Steve DeRochi
Advisor	1 yr.	Glockler	Tony Glockler
Advisor	1 yr.	Stein	Ed Trazska
<b>Recreation Committee</b>			
Advisor	1 yr.		Bala Maik
Advisor	1 yr.		Anne St. Mauro
<b>Shade Tree</b>			
Advisor	1 yr.	Blane	Michelle Blane

20. MAYORAL APPOINTMENTS - LIAISON/REPRESENTATIVES

OFFICE	TERM	APPOINTMENT
<b>REPRESENTATIVES</b>		
Somerset Co. Community Dev. Comm.		
Regular Member	1 yr.	Beth Prevost
Alternate	1 yr.	Donato Nieman
Delaware & Raritan Canal Commission		
Regular Member	1 yr.	Clem Fiori
Somerset County Solid Waste Advisory Council		
Regular Member	1 yr.	Larry Koplik
Somerset County Cultural & Heritage Commission		
Regular Member	1 yr.	

21. TOWNSHIP COMMITTEE LIAISONS AND REPRESENTATIVES

OFFICE	RETIRING OFFICER	NEW APPOINTMENT
Board of Adjustment	Wilson	Kacey Dyer
Board of Fire Prevention	Wilson	Louise Wilson
Board of Health	Caliguire	Thom Carter
Economic Development Commission	Dyer	Thom Carter
Emergency Services Coordinating Comm.	Wilson	Mark Caliguire
Environmental Commission	Fay	Brad Fay
Landmarks Commission	Dyer	Brad Fay
Montgomery/Rocky Hill Municipal Alliance/Youth Services	Fay	Thom Carter
Open Space Committee	Caliguire	Louise Wilson
Recreation Committee	Caliguire	Kacey Dyer
Sewer Committee	Birge	Louise Wilson

22. MAYORAL AD HOC COMMITTEE APPOINTMENTS

OFFICE

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BUDGET AND FINANCE COMMITTEE

Jane McGuigan  
Karen Lattanzio  
Mark Caliguire, Township Committee Liaison  
Jeff Scott  
Jeffrey Berger  
Alexandra McClay  
Kent Youngberg  
Frank Pontillo  
John Lui  
Chris Sudgen  
Walter Sheppard  
Concord Financial  
Donato Nieman

QUARRY TECHNICAL ADVISORY COMMITTEE

Debbie Boyea  
George Remboske  
Gwen Farley  
Jennifer Coffey  
Jeffery Perlman  
Jerry Haimowitz  
Jim Kotsmith  
Marion Freeman  
Peg Van Patton  
Stephanie Carey  
Lauren Wasilauski

TRANSPORTATION ADVISORY COMMITTEE

Sid Palius  
Bill Hyncik  
John Rea  
Richard Coppola  
Gail Smith  
Lori Savron  
Donato Nieman, Twp. Administrator  
Kacey Dyer, Twp. Comm. Liaison  
Director Robert Palmer, Police Dept. Rep.

VETERANS MEMORIAL COMMITTEE

Louise Wilson, Township Committee Representative

WASTEWATER MANAGEMENT PLAN COMMITTEE

Mark Caliguire  
Gail Smith, Township Engineer  
\_\_\_\_\_ Planning Board Chair  
Arthur Villano, Superintendent of Public Works  
James Cosgrove, Omni Environmental

WILDLIFE MANAGEMENT COMMITTEE (formerly Hunting Committee)

Bruce Perone  
Ted Lubas  
Jim Hunt  
Fred Pata  
Sgt. Gerard DiDonato, Police Advisor  
Sue Martka, NJ Div. Fish, Game & Wildlife Rep.  
Kacey Dyer, Twp. Comm. Rep.

TOWNSHIP LIAISON TO LIBRARY ADVISORY BOARD

Anne Wooley

23. MAYORAL AUTHORIZATION TO PERFORM MARRIAGES - Deputy Mayor

BE IT AUTHORIZED That the Deputy Mayor may solemnize marriage ceremonies in the absence of the Mayor.

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

A. **RESOLUTION #10-1-1 - PROFESSIONAL SERVICES RESOLUTION**

WHEREAS, There exists a need to acquire the following services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law":

- (1) Bond, General, Labor, Special and Environmental Legal Services, and
- (2) Auditing Services, and
- (3) General, Environmental, Special and Traffic Engineering Services, and
- (4) Professional Planning Services, and
- (5) Appraisal Services, and
- (6) Surveying Services, and
- (7) Environmental Consultant Services.

WHEREAS, The Montgomery Township Purchasing Agent has determined and certified in writing that the value of the services over the course of the contracts is anticipated to exceed \$17,500.00.

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

- (1) The Mayor and Clerk are hereby authorized and directed to execute proper agreements with Gluck Walrath, LLP as Township Bond Counsel; McManimon & Scotland, LLC as Bond Counsel for Skillman Village Wastewater Treatment Plant Upgrade and Pike Brook Wastewater Treatment Plant Upgrade and Expansion; Kristina P. Hadinger of Mason, Griffin & Pierson as Township Attorney; Thomas J. Cafferty of Scarcini & Hollenbeck and Bill Cooper of Cooper & Cooper as Special Projects/Conflict Counsel; Steve Goodell of Herbert, Van Ness, Cayci & Goodell as Labor Counsel; Richard Crooker of Cuyler Burk, LLP as Environmental Counsel; Suplee Clooney as Township Auditor; John Rea of McDonough-Rea as Traffic Engineer; Omni Environmental of Environmental Engineer; Environmental Resolutions, Inc. as Special Projects Engineer; I.H. Engineering as Consulting Engineer; Richard T. & Cindy Coppola as Township Planners; Sockler Realty Services, Valuation Consultants and Robert McNeely Vance & Co. as Appraisers; Boundary Lines as Surveyor.
- (2) These contracts are awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law NJSA 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.
- (3) These contractors must complete and file with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying they have not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.
- (6) Performance of services under the terms of these contracts, and payment for the services, is subject to the certification of availability of funds by the Finance Director.

B. **RESOLUTION #10-1-2 - PETTY CASH CHECKS**

BE IT RESOLVED That the Chief Financial Officer be authorized to draw checks, one in the amount of \$1,000 to the Township Clerk, custodian of the Township Clerk's Petty Cash Funds.

C. **RESOLUTION #10-1-3 - DEPOSITORY FOR TOWNSHIP MONIES**

BE IT RESOLVED That the depositories for the funds of the Township of Montgomery for the year 2010 shall be any bank licensed to do business in the State of New Jersey and who holds a Governmental Unit Deposit Protection Act Certificate.

D. **RESOLUTION #10-1-4 - OFFICIAL SIGNATURES**

BE IT RESOLVED That the Township officers authorized to sign the Township checks are Mark Caliguire, Mayor; Walter Sheppard, Chief Financial Officer; Donna Kukla, Township Clerk.

E. **RESOLUTION #10-1-5 - DEPUTY SIGNATURES**

BE IT RESOLVED That Kacey Dyer, Deputy Mayor is hereby authorized to sign Township checks in 2010 in the absence or inability to serve of the Mayor and that Margaret Crawford, Deputy Township Clerk is authorized to sign Township checks in the year 2010 in the absence or inability to serve of the Township Clerk.

(CONSENT AGENDA Cont.)

F. **RESOLUTION #10-1-6 - AUTHORIZATION TO ESTABLISH INTEREST ON TAX DELINQUENCIES AND TAX SALES**

WHEREAS, N.J.S.A. 54:4-67 permits the Township Committee to establish by resolution the rate of interest to be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became due and payable; and

WHEREAS, Chapter 75, P.L. 1991, now permits the governing body to establish a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year; and

WHEREAS, The Township Committee of the Township of Montgomery finds it to be in the best interests of the Township to establish said penalty.

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

1. Pursuant to N.J.S.A. 54:4-67, the Township Committee of the Township of Montgomery reaffirms that the following interest shall be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became payable: 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment. The term "delinquent" as used herein shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.
2. In addition, the Township Committee hereby fixes as a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year an additional sum of 6% of the amount of the delinquency.
3. This resolution shall take effect immediately.
4. A certified copy of this resolution shall be furnished by the Township Clerk to the Tax Collector.

G. **RESOLUTION #10-1-7 - GRACE PERIOD FOR DELINQUENT TAXES**

BE IT RESOLVED That the Tax Collector is hereby authorized to waive the interest charge on delinquent taxes where payment is received within 10 days after the due date and that any installment received after the expiration of this grace period bear interest from the due date.

H. **RESOLUTION #10-1-8 - LEGAL NEWSPAPERS**

BE IT RESOLVED That the newspapers for legal municipal advertising and notice in 2010 shall be the Courier News and the Spectator.

I. **RESOLUTION #10-1-9 - ADEQUATE NOTICE OF MEETINGS**

BE IT RESOLVED By the Township Committee of the Township of Montgomery that:

- (1) The Township Clerk is hereby authorized and directed to cause adequate notice to be given of every meeting of this body to be held during 2010, EXCEPTING only those meetings that are:
  - (a) Shown on the duly adopted and disseminated 2010 schedule of meetings and revisions thereof;
  - (b) Limited to matters of urgency, and as to which this body authorizes a meeting without adequate notice, as provided by Section 4b of the Open Public Meeting act; or
  - (c) Limited only to consideration of items as to which the public may be excluded pursuant to Section 7b of the Open Public Meetings Act.
- (2) The adequate notice required under paragraph 1 of this resolution shall be substantially in the following form:

NOTICE OF MEETING  
MONTGOMERY TOWNSHIP COMMITTEE  
BELLE MEAD, NJ  
Date: \_\_\_\_\_

Notice is hereby given that the Township Committee will hold a meeting on (date) at (time) at (location). The agenda for said meeting, to the extent known, and a statement whether or not formal action may be taken as to items on the agenda, are as follows:

- (3) Said notice, at least 48 hours in advance of the meeting shall be:
  - (a) Prominently posted at the Municipal Building.
  - (b) Mailed, emailed, telephoned or hand delivered to the officially designated newspapers.
  - (c) Filed in the Office of the Township Clerk.
  - (d) Mailed to those persons who as of that time have requested and paid the charge for the same.

(CONSENT AGENDA Cont.)

J. **RESOLUTION #10-1-10 - FIXED CHARGE FOR MEETING NOTICE**

BE IT RESOLVED By the Township Committee of the Township of Montgomery:

- (1) A charge of \$12.00 is hereby fixed to cover the cost of providing the 2010 schedule of regular meetings.
- (2) Said charge shall abate at the rate of \$1.00 for each full calendar month that shall have elapsed between the calendar year and the date such request is submitted.
- (3) Payment of such charge shall accompany said request and shall be payable to this body or such public agency as this body shall from time to time designate.
- (4) All such requests for notices shall terminate as of midnight on December 31, 2010.
- (5) Notwithstanding the foregoing, requests from news media (other than the newspapers to which notice is required to be given without charge pursuant to Sections 13, 4a and 3d of the Open Public Meetings Act) shall be honored free of charge.

K. **RESOLUTION #10-1-11 - STATE CONTRACT PURCHASING**

BE IT RESOLVED That the Township Purchasing Agent be authorized to purchase goods and services from firms having contracts with the State of New Jersey, and that a list of said firms be kept on file in the Purchasing Department and the contract numbers be listed on the appropriate Township vouchers for reference purposes.

L. **RESOLUTION #10-1-12 - AUTHORIZING ISSUANCE OF SOCIAL AFFAIRS PERMITS**

BE IT RESOLVED That the Township Clerk and Police Captain/Director or his designee are hereby authorized to endorse applications for Social Affairs Permits to the Director of the Division of Alcoholic Beverage Control, said applications to be in conformance with NJAC 13:2-5.1(d).

M. **RESOLUTION #10-1-13 - PROVISIONS FOR MAKING OF OFFICIAL CERTIFICATES OF SEARCHES AS TO MUNICIPAL IMPROVEMENTS AUTHORIZED BUT NOT ASSESSED**

BE IT RESOLVED That provision is hereby made for the making of official certificates of searches as to municipal improvements authorized by ordinance of the Township of Montgomery, but not assessed, affecting any parcel or tract of land in said Township in that a future assessment will be made thereon pursuant to such ordinance, and, further, the Township Clerk is hereby designated as the person who shall make such certificates.

N. **RESOLUTION #10-1-14 - DESIGNATION OF OFFICIAL TO MAKE SEARCHES AS TO UNPAID MUNICIPAL LIENS AND TO CERTIFY THE RESULTS THEREOF**

The Township Committee of the Township of Montgomery hereby designates the Chief Financial Officer to make examinations of official records as to unpaid municipal liens and to certify the results thereof.

O. **RESOLUTION #10-1-15 - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE NOTES**

BE IT RESOLVED That the Chief Financial Officer of the Township of Montgomery is hereby authorized to sell and issue Bond Anticipation Notes of the Township pursuant to all bond ordinances that have been finally adopted by the Township Committee; and

BE IT FURTHER RESOLVED That all Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to such ordinances, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subjects to the provisions of NJSA 40A:2-8(s). The Chief Financial Officer is hereby authorized to sell part of all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to such ordinance is made. Such report must include the amount, description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

(CONSENT AGENDA Cont.)

P. **RESOLUTION #10-1-16 - AUTHORIZING THE SIGNING OF CERTAIN CHECKS IN THE ABSENCE OF TOWNSHIP COMMITTEE AUTHORIZATION**

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

The Mayor, Chief Financial Officer and Township Clerk of the Township of Montgomery are hereby authorized to sign, in the absence of Township Committee authorization, checks from current funds for payroll and payment to the New Jersey Health Benefits Fund, as needed. In addition, such officials are hereby authorized to sign, as needed, checks from the Dog Tax Fund payable to the State of New Jersey, Department of Health, in accordance with the Statutes of the State of New Jersey and regulations thereunder. The Chief Financial Officer shall, forthwith, prepare vouchers in support of such checks and shall present the same to the Township Administrator for inclusion on the agenda of the next regularly scheduled Township Committee meeting for the consideration and approval of the Township Committee.

Q. **RESOLUTION #10-1-17 - COVENANTING COMPLIANCE WITH REQUIREMENTS OF THE INTERNAL REVENUE CODE OF 1986 IN ORDER TO PRESERVE TAX EXEMPTION OF INTEREST ON MUNICIPAL OBLIGATIONS AND AUTHORIZING DESIGNATION AND QUALIFICATION OF BONDS WHERE APPLICABLE FOR FAVORABLE TAX TREATMENT FOR CERTAIN FINANCIAL INSTITUTIONS**

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

Section 1. The Township hereby covenants that the representatives of the Township will take or will refrain from taking all actions within their control that are necessary upon the advice of Bond Counsel to assure that interest on the obligations of the Township is exempt from federal income taxation under the Internal Revenue Code of 1986.

Section 2. The Chief Financial Officer of the Township is hereby authorized to execute any necessary documents to indicate that the Township has covenanted to take all actions necessary to assure that interest on the obligations of the Township will be exempt from federal income taxation.

Section 3. The appropriate representatives of the Township are hereby authorized to take all necessary actions to assure that interest on the obligations of the Township will remain exempt from federal income taxation.

Section 4. The Chief Financial Officer of the Township is authorized to execute the necessary documents on behalf of the Township to designate and to qualify municipal obligations of the Township where applicable for exemption from the loss of the interest expense deduction for bank indebtedness incurred to purchase or to carry tax-exempt obligations.

Section 5. This resolution will take effect immediately.

R. **RESOLUTION #10-1-18 - AUTHORIZATION FOR ASSESSOR'S SPECIAL PETITIONS**

BE IT RESOLVED That in accordance with Rule 18:12A-1.6C of the Rules for County Boards of Taxation, effective immediately, the Montgomery Township Tax Assessor is hereby granted authorization to file Assessor's Special Petitions as needed for the Township of Montgomery during the year 2010.

The Assessor is also authorized to file roll back complaints, cross appeals and added and omitted assessments and to settle them as may be deemed appropriate.

S. **RESOLUTION #10-1-19 - AUTHORIZATION TO ISSUE DUPLICATE TAX SALE CERTIFICATES**

BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey that, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector is authorized to issue duplicate tax sale certificates in the event of loss or destruction of the original certificate, the fee for issuance of each duplicate being \$100.00.

T. **RESOLUTION #10-1-20 - CONCERNING PROPERTY TAX REFUNDS AND DELINQUENCIES**

WHEREAS, N.J.S.A. 40A:5-17.1 authorizes a municipality to designate a municipal employee to process property tax refunds in amounts less than \$10.00, and further authorizes a municipality to designate an employee to cancel property tax refunds or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery in Somerset County, New Jersey, that Randy Bahr, Tax Collector, is herewith authorized to (a) process, without further action by the Township Committee, any property tax refunds in amounts less than \$10.00 and (b) process, without further action by the Township Committee, the cancellation of any property tax refunds or delinquencies in amounts less than \$10.00.

(CONSENT AGENDA Cont.)

U. **RESOLUTION #10-1-21 - AWARDING CONTRACT FOR MUNICIPAL FINANCE SERVICES - CONCORD FINANCIAL**

WHEREAS, The Township of Montgomery ("Township") has a need to procure the services of a company with expertise in municipal finance services; and

WHEREAS, Concord Financial is familiar with the Township's requirements and is willing to provide said services; and

WHEREAS, The Township has a need to acquire these services without a "fair and open process" as defined by N.J.S.A. 19:44A-20.7, the "Local Unit Pay-to-Play" Law; and

WHEREAS, Concord Financial has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.2 et seq certifying that Concord Financial has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township, along with a Certification Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26 et seq and an Affidavit Prerequisite to Execution of Agreement Exempt from Public Bidding and in Excess of \$5,000.00 pursuant to Subsection 2-22.2 of the Code of the Township of Montgomery (1984)(collectively Pay-to-Play Forms"); and

WHEREAS, The Purchasing Agent has determined and certified in writing that the value of the required services required will exceed \$17,500; and

WHEREAS, The cost of services is not to exceed twenty-five thousand dollars (\$25,000) which is below the Township's bid threshold of \$29,000; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available to pay for said services.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Concord Financial consistent with this Resolution. The terms of said agreement are subject to the approval of the Township Attorney.
2. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, as well as the Contract shall be placed on file with the Clerk of the Township.

24-1. Committeeman Carter moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Deputy Mayor Dyer and carried on the following:

**ROLL CALL** - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
Nays - None

25. **RESOLUTION #10-1-22 - TOWNSHIP COMMITTEE MEETING SCHEDULE**

BE IT RESOLVED That the following is established as a schedule of meetings of the Township Committee to be held during the year 2010, said meetings to be open to the public and publicized in accordance with the Open Public Meetings Act. All meetings will begin at approximately 7:00 p.m., unless otherwise noted. Except as otherwise noted the location shall be the Township Municipal Building, 2261 Van Horne Road, Belle Mead, NJ.

January	7 - Reorganization (6:00 p.m.)	July	1
	21	August	15
February	4		5
	18	September	19
March	3		2
	18	October	16
April	1		7
	15	November	21
May	6		4
	20	December	10 (11 <sup>th</sup> is Veteran's Day)
June	3		2
	17		16

January 6, 2011, 6:00 p.m., Reorganization Meeting

In accordance with the dictate of the Open Public Meetings Act, a copy of this resolution shall be immediately:

- (a) Posted on the Municipal Bulletin Board and shall remain so posted for the year 2010.
- (b) Mailed to the officially designated newspapers.
- (c) Filed in the Office of the Township Clerk.
- (d) Mailed to those persons who have requested and paid the charges for copies of the schedule and revisions thereto and shall be promptly mailed to those persons who hereinafter make such request and prepay such charges.

25-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

**ROLL CALL** - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
Nays - None

26. **RESOLUTION #10-1-23 - 2010 TEMPORARY BUDGET**

WHEREAS, NJSA 40A:4-19 provides that temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, The date of this resolution is within the first thirty days of 2010; and

WHEREAS, The total appropriations in the 2009 Budget, less appropriations for Capital Improvement Fund, Debt Service and Public Assistance are as follows:

General	\$23,647,066.63
Sewer Utility	\$3,704,335.00

WHEREAS, 26.25% of the total appropriations in the 2009 Budget, less appropriations for the Capital Improvement Fund, Debt Service and Public Assistance in the said 2009 Budget is as follows:

General	\$6,207,354.99
Sewer Utility	\$972,387.93

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Finance Officer for his record.

2010 TEMPORARY BUDGET

	<u>AMOUNT</u>
Mayor and Committee	
Salaries & Wages	\$7,000.00
Other Expenses	2,000.00
Committee Expenses	
Other Expenses	30,000.00
Administrative & Executive	
Salaries & Wages	70,000.00
Other Expenses	10,000.00
Municipal Clerk	
Salaries & Wages	70,000.00
Other Expenses	20,000.00
Newsletter	
Other Expenses	10,000.00
Financial Administration	
Salaries & Wages	100,000.00
Other Expenses	10,000.00
Audit	
Other Expenses	10,000.00
Network Operations	
Salaries & Wages	30,000.00
Other Expenses	15,000.00
GIS	
Salaries & Wages	60,000.00
Other Expenses	25,000.00
Assessment of Taxes	
Salaries & Wages	40,000.00
Other Expenses	13,000.00
Collection of Taxes	
Salaries & Wages	12,000.00
Other Expenses	10,000.00
Legal Services & Costs	
Other Expenses	110,000.00
Engineering Services & Costs	
Salaries & Wages	115,000.00
Other Expenses	20,000.00
Public Buildings & Grounds	
Salaries & Wages	30,000.00
Other Expenses	25,000.00
Planning Board	
Salaries & Wages	60,000.00
Other Expenses	10,000.00
Revision of Master Plan	
Other Expenses	25,000.00
Zoning Board of Adjustment	
Salaries & Wages	30,000.00
Other Expenses	5,000.00
Landmarks Commission	
Other Expenses	2,000.00
Environmental Commission	
Salaries & Wages	2,000.00
Other Expenses	1,000.00
Economic Development	
Other Expenses	1,000.00
Insurance	
Group Insurance for Employees	500,000.00
Other Insurance Premiums	250,000.00
Workers Compensation Insurance	200,000.00
Disability Fund	
Other Expenses	25,000.00
Deferred Compensation	
Other Expenses	40,000.00

(Item #26 Cont.)

	<u>AMOUNT</u>
Fire Hydrant Service	
Other Expenses	165,000.00
Uniform Fire Safety	
Salaries & Wages	30,000.00
Other Expenses	3,000.00
Police	
Salaries & Wages	1,000,000.00
Other Expenses	80,000.00
Emergency Medical Services	
Other Expenses	1,000.00
Emergency Management Services	
Other Expenses	1,000.00
Emergency Services Committee	
Other Expenses	1,000.00
Community Services Act	
Other Expenses	1,000.00
Shade Tree Commission	
Other Expenses	3,000.00
Road Repairs & Maintenance	
Salaries & Wages	250,000.00
Other Expenses	250,000.00
Vehicle Maintenance	
Other Expenses	120,000.00
Public Works	
Salaries & Wages	20,000.00
Other Expenses	10,000.00
Board of Health	
Salaries & Wages	80,000.00
Other Expenses	105,000.00
Animal Control	
Salaries & Wages	20,000.00
Other Expenses	7,000.00
Recreation	
Salaries & Wages	100,000.00
Other Expenses	30,000.00
Kid Connection	
Salaries & Wages	25,000.00
Adult School	
Other Expenses	100,000.00
Summer Camp	
Salaries & Wages	20,000.00
Other Expenses	5,000.00
Maintenance of Parks	
Salaries & Wages	130,000.00
Other Expenses	30,000.00
Celebration of Public Events	
Other Expenses	7,000.00
Senior Center	
Salaries & Wages	25,000.00
Other Expenses	7,000.00
Solid Waste	
Other Expenses	35,000.00
Recycling Program	
Other Expenses	50,000.00
Construction Code	
Salaries & Wages	150,000.00
Other Expenses	5,000.00
Electricity	
Other Expenses	50,000.00
Telephone	
Other Expenses	30,000.00
Water	
Other Expenses	5,000.00
Natural Gas/Heating	
Other Expenses	45,000.00
Gasoline	
Other Expenses	50,000.00
Street Lighting	
Other Expenses	15,000.00
Social Security System	
Other Expenses	250,000.00
Unemployment	
Other Expenses	15,000.00
Municipal Court	
Salaries & Wages	45,000.00
Other Expenses	4,000.00
Prosecutor	
Other Expenses	12,000.00
Public Defender	
Other Expenses	500.00
Environmental Health Services	
Other Expenses	500.00
Pre School	
Salaries & Wages	350,000.00
Other Expenses	50,000.00

(Item #26 Cont.)

	<u>AMOUNT</u>
Camp Kid	
Salaries & Wages	10,000.00
Other Expenses	2,000.00
PERS	
Other Expenses	150,000.00
PFRS	
Other Expenses	150,000.00
Total 2010 Temporary Appropriations for Operating Purposes	<b>\$6,000,000.00</b>
Sewer Utility	
Salaries & Wages	300,000.00
Other Expenses	625,000.00
Total 2010 Temporary Appropriations for Sewer Utility	<b>\$925,000.00</b>
<b>Operating Fund</b>	
Capital Improvement Fund	
Other Expenses	.00
Debt Service	
Payment of Bonds	2,635,000.00
Interest on Bonds	390,000.00
Payment of Notes	175,000.00
Interest on Notes	310,000.00
Green Trust Program	
Other Expenses	125,000.00
SCIA Loan	
Other Expenses	15,000.00
Sewer Utility Fund	
Capital Improvement Fund	
Other Expenses	.00
Debt Service	
Payment of Notes	25,000.00
Interest on Notes	45,000.00

26-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Fay and carried on the following:

**ROLL CALL** - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
 Nays - None

27. **PAYMENT OF BILLS**

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.

27-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Carter and carried on the following:

**ROLL CALL** - Ayes - Dyer, Wilson, Fay, Carter, Caliguire  
 Nays - None

28. **PUBLIC COMMENT**

Mayor Caliguire opened the public comment portion of the meeting. There being no public comment, Mayor Caliguire closed this portion of the meeting.

29. **BOND ANTICIPATION NOTE SALE**

Administration Nieman stated that the Township held a sale on \$13.3 million dollars worth of Bond Anticipation Notes on January 17, 2010. There were six bidders. The net interest rate, which was won by J.P. Morgan Securities was .393%.

30. **FLU CLINIC**

Committeewoman Wilson reported on the Flu Clinic held at the Montgomery High School on January 9, 2010. She commended Health Officer Stephanie Carey and her staff on their outstanding job.

**ADJOURNMENT** was at 7:30 p.m. on a motion by Committeeman Fay, seconded by Committeeman Carter and carried unanimously.

Date of Approval:

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 Donna Kukla, Township Clerk