

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
July 7, 2011

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Caliguire, Deputy Mayor Dyer, Committeemembers Graham and Trzaska  
Committeeman Carter was absent

Also present were:

TOWNSHIP ATTORNEY - Kevin Van Hise, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

DEPUTY TOWNSHIP CLERK - Margaret Crawford

2. Mayor Caliguire stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."

3. Mayor Caliguire led the Salute to the Flag.

4. **PUBLIC COMMENT**

- 4-1. John Kumpf, Monroe Avenue, announced that he would be taping the meeting and that it would be available at the web-site, [www.themontgomeryteaparty.org](http://www.themontgomeryteaparty.org). He asked about publishing the fact that these videos were online in the Township Newsletter.

Mayor Caliguire explained that he had some discussions with the Township Attorney and he was concerned because any group could theoretically publish their web-site name on the Township's web-site. He stated he wasn't sure that the Township wanted to have just any link.

Administrator Nieman stated he thought because of the fact that it is a political organization, that it makes it a separation. He thought one of the accommodations that was made was to have the name of the web-site placed in the minutes.

Mayor Caliguire noted that it would be very difficult to limit any political organization from having a link on the Township's web-site, if the Montgomery Tea Party was allowed to have one.

Mr. Kumpf stated that one of their goals is to raise public awareness, and he felt that someone reading the minutes has already had their awareness raised. He asked if they would be allowed to put a poster up on the doors of the Municipal Building, as he noticed other organizations have.

Attorney Van Hise stated that this was an on-going subject that another attorney from his firm was actively working with the Township on.

Mayor Caliguire explained that, at present, if there are other organizations posting bulletins on the doors, he felt that the Montgomery Tea Party could also. He also stated that the Township Attorney would be consulted again.

Mr. Kumpf stated that as the Township's Tea Party is structured, they consider themselves primarily an educational organization. They are trying to raise people's awareness of their government at every level. They do not endorse any candidates, but they do have certain views about how government should be conducted.

William Randolph, Boulder Creek Court, stated that the Montgomery Tea Party was not affiliated with any other Tea Party and they were more an informational organization.

- 4-2. William Randolph, Boulder Creek Court, commented on the \$5 million Bond Ordinance which was adopted at the Township Committee meeting of June 16, 2011. He spoke about the additional \$95,000.00 which was allocated for a backhoe. His concern was that there was room somewhere in the \$5 million that the backhoe could be squeezed in so that the additional money would not be needed.

Administrator Nieman stated that the ordinance was specific for the Riverside Sewage Treatment Plant.

Mr. Randolph stated he made an Open Public Records Act request to get a detailed accounting of the \$5 million. He found out it was based on a study that was done for the Riverside plant in May of 2003 and a revision done in December of 2003. Now, his concern was why was the Township taking eight (8) years to respond to the study and also that there was no specific accounting of \$5 million.

(Item #4-2 Cont.)

Administrator Nieman explained that the \$5 million is in the Sewer Utility Budget. The reason that the plant was not upgraded in 2003 was because the Township prevailed upon our Environmental Consultant to do studies that would change the parameters of the permit and reduce the cost of the upgrades to the plant. The other thing that happened was the Township had other priorities in the Sewer Utility and they could "band-aid" Riverside and keep it going. The design will have to be completed in order to give a much better picture of what the plant will need in terms of an upgrade, if the Township chooses to pursue it. The Township may discover, through the consolidation study, that the plant should be taken off-line. The ordinance could be amended to reflect the need to create the necessary infrastructure to pump the flow from that neighborhood to the plant that is designated to receive it. So, either way, that money can be used, or the money may not be used at all. He explained, because it is in the Sewer Utility, it is just an authorization and no money is actually used until such time as the Township goes out and spends the money.

Mr. Randolph stated that it was his understanding that two of the six plants were undergoing major upgrades. Administrator Nieman responded that those two plants would never be taken off-line. He explained that the Riverside Plant was a "package" plant and a lot of the construction materials are metal, so there were corrosion issues. If the plant fails, the Township will have to do the work and the Department of Environmental Protection won't cut the Township any slack. He stated that the money is there if it is needed, but at this point there has been no spending of that money.

Mr. Randolph wondered why the consolidation study was not done four or five years ago. Since the Township was now looking at a consolidation study, he felt bonding the money before the study is complete was putting the cart before the horse. He also questioned the need for a backhoe for the sewer treatment plant.

Administrator Nieman explained that the backhoe was for the Sewer Utility and was for maintaining all of the sewer easements and digging up of sewer lines for repair. This backhoe is to replace an existing backhoe which was quite old. He explained that in an emergency it might also be used to move snow.

- 4-3. Robert Kress, Meadow Run Drive, stated that at the last meeting he asked if the Township would pursue, as a result of the resolution on the striping for Route 206, the turn lanes for the Griggstown Road intersection and the mess outside the Municipal Building.

Administrator Nieman stated he had requested this and the Department of Transportation had not responded as yet. He stated that the Township did take a position on a study that was being done and the Township objected to what the Department of Transportation had stated on how we should treat the Municipal Building entrance. They wanted to restrict turn movements into this building off Covert Drive and the Township opposed it.

- 4-4. Mr. Kress spoke about an article in the Montgomery Township which states that the tax reduction per year as the result of the sale of Skillman Village would be somewhere between \$10 and \$25.

Administrator Nieman stated that he would have to look at reduction in debt service, because that's where it would come from.

Committeewoman Graham stated that purpose of the sale of Skillman Village was debt reduction. Tax reduction comes from reducing the debt service and reducing other services.

- 4-5. Mr. Kress asked if there had ever been an impact analysis from the current COAH plan on traffic or on school projections or the plan as presented.

Mayor Caliguire stated that the current COAH plan was unknown as there is no Council on Affordable Housing anymore.

Mr. Kress asked if, based on what the Township has developed and presented to date, there was any indication of what the traffic analysis impact would be.

Mayor Caliguire replied that there was no traffic impact or school impact analysis done, because COAH told the Township what the obligation was, and the question was where it was going to be located. That obligation is, without a doubt, going to change.

Mr. Kress expressed the concern, when looking at the profile of what is proposed on number of bedroom counts, what the impact on the schools was going to be. Planning Director Lori Savron responded that the plan that she worked on with Township Planner Richard Coppola. She stated that they did look at the traffic impacts to the school and impacts to schools. Bedroom counts are dictated by the State, in terms of the breakdown.

Mr. Kress asked that if you were going to build something or something was proposed to be built, what is the alternative in risk in what the Township does for the composition. Ms. Savron responded that when the plan was prepared, they absolutely looked at the variety of ways the Town can reduce traffic impacts and impacts to the school and developed a plan that they believed produced the least amount of impacts given the mandates that they had from the State in terms of the amount of affordable housing that needed to be produced.

(Item #4 Cont.)

4-6. Mr. Kress stated that at the last Transportation Advisory Committee meeting, the discussion came up with regard to studying the residential boulevard for Route 206. That concept was determined to be flawed for over 30 years. It has been repeatedly reviewed and it is a fantasy that can't serve any purpose whatsoever. If you want to conduct a sturdy, you have to conduct it according to Article 3 of the 1992 Stipulation Agreement. That Agreement was developed specifically with the idea of protecting Montgomery as to the magnitude of the study to prevent Pike Run from being divided and from Montgomery Township being divided.

Mayor Caliguire stated, for the record, it was advocated by the Transportation Advisory Committee of which Mr. Kress and Mr. Huttar were members. He pointed out that both Mr. Kress and Mr. Huttar were at that meeting and were in favor of doing a study of the impact of growth projections in the Town on traffic in the Town and how we should react to that. Now, Mr. Kress is saying that he doesn't want to do the study.

Mayor Caliguire stated, for the record, it was requested that the Township do a study of potential solutions to traffic, particularly in the Route 206 corridor.

Mr. Kress stated that approximately five or six years ago, the Transportation Advisory Committee went to three or four public hearings. A number of issues were developed and a number of roadways developed. The conclusion that was presented to, not only bordering municipalities but to Somerset County was the current Master Plan Traffic Circulation Plan. Unfortunately, there have been amendments to that Plan which have seriously impacted functionality.

Mayor Caliguire suggested that Mr. Kress meet with the members of the Township Committee who would like to be brought up to speed on the history of the traffic studies done to date.

4-7. Walter Beadling, Thornton Way, spoke about the Bond Ordinance for the Sewer Utility. He asked how the \$5 million figure was arrived at.

Administrator Nieman stated that it was an estimate of what the Township thought it would need based upon a 2003 study.

Mr. Beadling went on record as saying there is a 20-day period for objections, and he would like to get a better accounting of the monies and discuss it further.

5. **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 #11-7-183 - REFUND OVERPAID 2010 AND 2011 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2010 and 2011 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Year</u>	<u>Amount</u>
5008	39	Foundation Title, LLC	2011	\$2,619.52
5018	203.1 CONDO	Carol E. Nebesney c/o Jennifer Fleisher	2011	\$1,581.72
7019	54	Core Logic	2010	\$2,429.12
7024	11	Daniel & Karen Doo c/o John V. Iacona	2011	\$5,984.45
15010	6	Emad Youseff	2011	\$4,724.08
16010	16	Cortes & Hay, Inc.	2011	\$4,433.22
18005	7	Core Logic	2010	\$3,101.27
18025	5	Capital Title Agency, Inc.	2011	\$5,108.64
21001	3	Mega Title	2011	\$2,069.01
24001	40	Sterling Title Agency	2011	\$3,350.16
30002	104	Anne & William Garrymore	2011	\$4,148.10
30003	32	Core Logic	2011	\$3,495.36
30004	7	BAC Tax Services Corp.	2011	\$6,125.65
34001	42.25	Jeffrey & Amy Miller c/o Peter Treichler	2011	\$3,024.78
34019	6	BAC Tax Services Corp.	2011	\$3,113.22
34019	37	Core Logic	2010	\$3,104.17
34019	39	Bruce Goldsmith & Rika Aoki	2010	\$2,970.25
34019	50	Greater NJ Title Agency	2011	\$3,099.36
37001	4.02	Joseph & Maryann Coffey	2011	\$1,690.42
37002	4.12	James T. Barringer	2011	\$2,201.76
37002	5.169	Core Logic	2010	\$2,364.80
37004	1.46	Hartsough, Kenny, Chase & Sullivan	2011	\$1,764.84

B. **RESOLUTION #11-7-184 - REFUND UNUSED PORTION OF SPECIAL DUTY**

BE IT RESOLVED That a refund be given to the following business/company for monies owed by the Township of Montgomery for Private Duty Services;

N.J. American Water Co.  
120 Raider Blvd.  
Hillsborough, N.J. 08807  
\$340.00

(CONSENT AGENDA Cont.)

C. **RESOLUTION #11-7-185 - EXTENSION OF TIME FOR THE COMPLETION OF PUBLIC IMPROVEMENTS - Various Projects**

WHEREAS, Gail Smith, Township Engineer, has certified on June 24, 2011 that adequate funds remain in the posted guarantees to cover the remaining public improvements in the following developments and therefore recommends time extensions to complete said improvements:

<u>Development</u>	<u>New Completion Date</u>
Blawenburg Village, Yardville National Bank	June 20, 2012
Princeton Airport, Hanger #1, Phase 1	August 4, 2012
Princeton North Shopping Center, SW Benjamin Blvd.	May 1, 2012
Rockledge Court	May 26, 2012
Switching Station Cabinet at Sunset Road/Route 206	July 7, 2012
Tapestry at Montgomery, Main Pump Station and Force Main	June 30, 2012
Tapestry at Montgomery, Phase 1B-1 and Site, w/o Force Main & Pump Station	June 30, 2012
Tapestry at Montgomery, Phase 1B-2 and Site, w/o Force Main & Pump Station	June 30, 2012

D. **RESOLUTION #11-7-186 - ACKNOWLEDGING RECEIPT OF A DISASTER PREPAREDNESS ASSESSMENT REPORT AND DRAFT BUSINESS RECORDS CONTINUITY PLAN FROM ACCESS SYSTEMS, CONTRACTOR FOR SOMERSET COUNTY UNDER THE PARIS GRANTS PROGRAM**

WHEREAS, The State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management needs of county and municipal governments; and

WHEREAS, In support of this program Access Systems has been contracted through Somerset County to perform a Disaster Preparedness Assessments focused on essential records and develop draft Business Records Continuity Plans (BRCP) and Disaster Preparedness Assessment Reports for each of the 21 municipalities within the County; and

WHEREAS, Also included as a part of this project was a preparedness review of all of the County's departments and divisions with regards to their respective abilities to protect and readily access essential records in event of a disaster; and

WHEREAS, This document addresses the project's findings within the various functional units of each municipality as well as provides recommendations for the municipality to further protect its own records and ensure their accessibility in the event of a disaster; and

WHEREAS, A separate document given to the county called the "Municipal Business Records Protection Assessment Summary Report", presents a summary of the findings among the 21 municipalities and their ability to respond to a disaster affecting electronic and hardcopy records. Additionally, the summary document also identifies common areas needing improvements in disaster prevention and recovery among the municipalities, and where the County may be able to provide further assistance related to protecting essential municipal records. This document will be used by the county to identify further potential grant funding to assist the municipalities in their endeavors to enhance their disaster preparedness and Business Records Continuity Plans (BRCP); and

WHEREAS, Montgomery Township takes the recommendations in the assessment report very seriously and has begun to implement recommendations, taking into account budget constraints.

NOW THEREFORE, BE IT RESOLVED, By the Township Committee of the Township of Montgomery that we do hereby confirm receipt of the Disaster Preparedness Assessment in addition to the Business Records Continuity Plans (BRCP) prepared by Access Systems per the contract with Somerset County; and

BE IT FURTHER RESOLVED That we do hereby commend and thank Somerset County for taking the lead in obtaining PARIS grant funding in securing these reports; and

BE IT FURTHER RESOLVED, That we do hereby strongly urge Somerset County to again take the lead and investigate utilization of a Somerset County facility for off-site disaster recovery for Montgomery Township and other Somerset County municipalities; or to investigate a third party vendor contract to leverage cost containment for the taxpayers of Somerset County; and that a copy of this resolution be provided to each Somerset County municipality.

(CONSENT AGENDA Cont.)

E. **RESOLUTION #11-7-187 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY PROVIDING AUTHORIZATION TO THE PROPER MUNICIPAL OFFICIALS TO EXECUTE A RELEASE TO THE STATE OF NEW JERSEY (PAYMENT BY THE STATE FOR CERTAIN UTILITY EXPENSES @ THE FORMER NPDC PROPERTY)**

WHEREAS, In 2006 the Township and the State of New Jersey entered into a Purchase & Sale Agreement ("Agreement") regarding the sale to the Township of the former North Princeton Developmental Center property ("Property"); and

WHEREAS, Pursuant to the Agreement, the State is obligated to reimburse the Township for certain utility expenses incurred at the Property; and

WHEREAS, The Township Engineer has determined and calculated the utility expenses to be paid by the State; and

WHEREAS, The State has required that the Township execute a Release as a condition of payment for the utility expenses.

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

1. The Mayor and Clerk be and hereby are authorized to sign Release documentation in favor of the State of New Jersey for utility expenses at the Property in the amount of \$31,852.00 (\$9,550.00 for electric and sewer at Brookview Farm, and \$22,302.00 for sewer and water at Skillman Dairy Farm). The form of Release is attached hereto.

F. **RESOLUTION #11-7-188 - AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A CONTRACT WITH DONNELLY ENGINEERING SOLUTIONS FOR THE DIRECT INSTALLATION OF ENERGY IMPROVEMENTS IN CERTAIN TOWNSHIP-OWNED STRUCTURES, FUNDED DIRECTLY BY FEDERAL AND STATE GRANTS; AND FURTHER AUTHORIZING AND APPROPRIATING \$13,612.51 FOR INSTALLATION OF CERTAIN ADDITIONAL ENERGY IMPROVEMENTS TO THE MUNICIPAL BUILDING BY THE SAME CONTRACTOR.**

WHEREAS, The Township has been accepted for participation in the Energy Efficiency and Conservation Block Grant Rebate Program (EECBG) through the New Jersey Board of Public Utilities, funded by the United States Department of Energy through the American Recovery and Reinvestment Act (ARRA); and

WHEREAS, Additional funding for the Direct Installation costs is being provided by the New Jersey Clean Energy Program (NJCEP); and

WHEREAS, The energy improvements are to be made to the Municipal Building, DPW Garage, and Otto Kaufman Community Center as set forth in an approved Scope of Work for each location, in accordance with the following Grant Breakdown:

Municipal Building	DPW Garage
Total cost of upgrades:	Total cost of upgrades:
\$60,486.35	\$11,399.70
EECBG award: \$10,582.03	EECBG award: \$4,559.88
Direct Install award:	Direct Install award: \$6,839.82
\$36,291.81	Township pays: \$0
Township pays: \$13,612.51	

Otto Kaufman Community Center
Total cost of upgrades:
\$12,145.23
EECBG award: \$4,858.09
Direct Install award:
\$7,287.14
Township pays: \$0

;and

WHEREAS, Donnelly Energy Solutions, 557 Route 23 South, Wayne, NJ 07470, [Donnelly] has been selected by both the state and federal funding entities as the contractor to perform the direct installations and to receive payment directly from them; and

WHEREAS, The Township desires to engage the services of Donnelly for installation of the additional energy improvements that are not covered by the grant funds, at a cost of \$13,612.51; and

WHEREAS, The Chief Financial Officer has certified that the funds are available for this purpose in 04-216-55-901--1360B; and

WHEREAS, The Township Attorney has reviewed the grant documents and Donnelly agreement and found them to be in order;

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

(CONSENT AGENDA Item F Cont.)

1. The above Preamble is incorporated herein as if set forth at length.
2. The Township accepts the terms and conditions of the state and federal grants.
3. The Mayor and Clerk are hereby authorized and directed to execute a construction agreement for the performance of the approved Scope of Work for each of the three locations, including the additional work at the Municipal Building as set forth in the Grant Breakdown, with Donnelly Energy Solutions, in an amount not to exceed \$13,612.51, unless further authorized by the Township.
4. The Administrator or his designee, in consultation with the Township Attorney, shall coordinate with the funding entities and Donnelly the need, if any, for additional documentation required by New Jersey law or Township Code, including but not limited to Affirmative Action addendum, bonding, and/or insurance.

G. **TOWNSHIP COMMITTEE APPOINTMENT - Shade Tree Committee**

BE IT RESOLVED That Sarah Roberts be hereby appointed Shade Tree Committee Advisor, 1 year term expiring December 31, 2011.

- 6-1. Committeeman Trzaska moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Graham and carried on the following:

**ROLL CALL** - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

7. **RESOLUTION #11-7-189 - TO AUTHORIZE A COST-SHARING AGREEMENT WITH THE MONTGOMERY BUSINESS ASSOCIATION TO PROMOTE THE BENEFITS OF BUYING LOCAL IN THE TOWNSHIP; AND AUTHORIZING THE EXPENDITURE OF UP TO \$1400.00 FROM THE ENVIRONMENTAL COMMISSION BUDGET FOR THAT PURPOSE.**

WHEREAS, In the interest of optimizing quality-of-life for Township residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive, the Township Committee established the "Green Team Subcommittee of the Environmental Commission," now known as "Sustainable Montgomery"; and

WHEREAS, As a result of the efforts of Sustainable Montgomery and the Township, the Township was named a certified "Sustainable Jersey" municipality by the coalition of public sector entities and nonprofits known as "Sustainable Jersey"; and

WHEREAS, In order to help the Township maintain the certification as a "Sustainable Jersey" municipality, Sustainable Montgomery has determined that it would be beneficial for the Township to enter into an agreement with the Montgomery Business Association ("MBA"), a 501(c)(3) organization, of local business owners who have established a "Shop Local-Montgomery" campaign; and

WHEREAS, The Township's "Buy Local" campaign and the MBA's campaign share the same goals of increasing awareness of the environmental, economic and social benefits of shopping local; and

WHEREAS, The Township Committee has determined that it would be beneficial for the Township and its residents to form a "partnership" of the two campaigns for a term of one year, and to share certain expenses of same with the MBA; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds for this purpose are available in the Environmental Commission budget.

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 a cost-sharing agreement with the Montgomery Business Association to promote the benefits of buying local in Montgomery Township, said agreement to be subject to approval of the Township Attorney.
2. The Township's financial commitment under the aforesaid agreement shall be limited to \$1400.00 from the budget of the Environmental Commission, and shall be used toward the cost of the purchase of promotional materials.
3. A copy of this Resolution and of the Agreement authorized herein shall be on file in the office of the Township Clerk.

- 7-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

8. **RESOLUTION #11-7-190 - ADOPTING A SPECIAL TRAFFIC REGULATION, PURSUANT TO N.J.S.A. 39:4-197.3, CLOSING CERTAIN STREETS WITHIN SKILLMAN VILLAGE DUE TO A TEMPORARY CONDITION**

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WHEREAS, The Township of Montgomery purchased property from the State of New Jersey known as Skillman Village, formerly known as the North Princeton Developmental Center, also known as Lot 1, Block 26001 and Lots 1 & 1.01, Block 27001 (Tax Assessment Maps rev. ed. 2008); and

WHEREAS, The Township, in accordance with a resolution adopted on April 21, 2011, closed certain streets within Skillman Village because of a temporary condition until July 31, 2011; and

WHEREAS, The Township will be demolishing buildings within Skillman Village between July 1, 2011 and September 4, 2011, and all of the streets within Skillman Village, to the extent they were ever opened for public passage, must be temporarily closed to public passage during the demolition and environmental remediation to protect the public's health, safety, and welfare; and

WHEREAS, Pursuant to N.J.S.A. 39:4-197.3, the Township is authorized to adopt special traffic regulations, including regulations closing streets, in response to a temporary or emergent condition for a period not exceeding three (3) months; and

WHEREAS, Pursuant to N.J.S.A. 39:4-197.3 the Township is responsible for posting signs to inform the public of the temporary special traffic regulation; and

WHEREAS, Pursuant to N.J.S.A. 39:4-94.2, the Township has the authority to provide for penalties for the violation of a temporary street closing regulation; and

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

1. A temporary condition, within the meaning of N.J.S.A. 39:4-197.3, will exist within Skillman Village beginning on or about July 1, 2011, and ending on or about September 4, 2011, due to demolition and continuing environmental remediation.
2. To the extent any or all of the following streets within Skillman Village could be deemed to have ever been opened to public passage they shall be closed to public passage during the period between July 1, 2011, and September 4, 2011:
  - Brophy Circle
  - Garrison Lane
  - Doctor's Row
  - Moosbrugger Way
  - Association Drive
  - Dodds Road
  - Larocque Circle
  - Lake (Lakeside) Drive
  - Maplewood Drive
  - Schley Drive
  - Fairview Road
  - Green House Drive
  - Main Boulevard
  - Bergen Circle
  - Morrow Road
  - Strecker Road
  - Industrial Road
  - Wilson Drive
  - Dungan Drive
  - Spruce Drive
3. Signs notifying the public of the temporary street closings and barricades prohibiting public passage will be placed at the intersections for the above mentioned streets.
4. Any person found on any of the above streets without authorization from the Police Director or his designee during the period in which they are closed to the public shall be subject, in accordance with N.J.S.A. 39:4-94.2, to a fine of not more than \$100.00.
5. This regulation shall take effect upon final adoption and publication in accordance with the law.

8-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

9. **RESOLUTION #11-7-191 - ABC LICENSE #1813-44-010-001 - Yasotha Thillainathan**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-44-010-001 for Yasotha Thillainathan:

- a. The submitted application form is complete in all aspects;
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions; and
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business;
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-44-010-001 is hereby granted for the year 2011-2012.

- 9-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

**ROLL CALL** - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

10. **RESOLUTION #11-7-192 - TO AUTHORIZE THE SALE OF MUNICIPAL PERSONAL PROPERTY**

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; and

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, no longer needed for public purposes;
2. The Purchasing Agent is hereby authorized and directed to advertise the 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.

EXHIBIT A

1. 2000 Ford F150 Pickup 4 x 2 1FTRF17W9YKA30958
2. 2007 Ford Crown Vic 2FAHP71WX7X136471
3. 2005 Ford Crown Vic 2HAHP71W45X132378
4. 2007 Ford Crown Vic 2FAHP71W87X136470
5. 1993 Cimline Hot Tar Crack Seal Trailer HMDFL20080050

- 10-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

11. ORDINANCE #11-1389 - Fire Prevention Fees - Public Hearing

A. Mayor Caliguire read the title of the ordinance as follows:

AN ORDINANCE AMENDING CHAPTERS XIII, FIRE PREVENTION AND VIII, BUILDING, HOUSING AND FARMING, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ESTABLISH NEW FEE SCHEDULES FOR FIRE PREVENTION REGISTRATION, INSPECTION, PERMIT FEES AND SMOKE-SENSITIVE ALARM DEVICES

B. Mayor Caliguire opened the hearing to the public. There being no comment, Deputy Mayor Dyer moved that the public hearing be closed. The motion was seconded by Committeeman Trzaska and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 7<sup>th</sup> day of July, 2011 and that notice thereof be published in an official newspaper as required by law.

11-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

12. APPROVAL OF MINUTES

June 16, 2011 - Regular Session

Minutes were approved as printed.

13. PAYMENT OF BILLS

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

WHEREAS, The Chief Finance 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.

13-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Trzaska, Graham, Dyer, Caliguire  
Nays - None  
Absent - Carter

14. CANCELLATION OF AUGUST 18, 2011 MEETING

It was the consensus of the Governing Body to cancel the Township Committee meeting scheduled for August 18, 2011.

15. FIREWORKS

Mayor Caliguire reported on the huge success of the 2011 Fireworks.

16. EMPLOYEE EFFICIENCY SUGGESTION - Collection of Professional Service Fees

Administrator Nieman spoke about the suggestion that was brought to the Employee Efficiency Incentive Committee regarding non-profit recreation groups obtaining park leases and the idea that they would pay a portion of the cost of the legal and professional reviews. He felt that this had to be carefully weighed, because oft-times they do provide a benefit to the Township relieving us of obligations, whether it be field maintenance or the like.

Committeewoman Graham stated she thought it should be considered. She had concerns about pushing all the professional costs over onto these organizations. It might be that they could pay part of the fee.

It was the consensus of the Governing Body to consider this further and asked that the employee who suggested it develop further criteria.

ADJOURNMENT was at 8:05 p.m. on a motion by Committeewoman Graham. The motion was seconded by Committeeman Trzaska and carried unanimously.

Date of Approval: