

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
July 29, 2010

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

TOWNSHIP COMMITTEE: Deputy Mayor Dyer, Committeemembers Wilson and Carter
Mayor Caliguire and Committeeman Fay were absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Deputy Mayor Dyer 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. Deputy Mayor Dyer led the Salute to the Flag.

4. **BOYS AND GIRLS CLUB BIKE EXCHANGE**

Jackie Samard, Boys & Girls Club representative, inquired about the many used bikes that the Police Department had in its possession. She asked the Township Committee to consider donating these bikes to the Boys and Girls Club Bike Exchange. She explained that the Princeton Freewheelers, a group of volunteers from Princeton and Montgomery, collect donated bikes, fix them up, and sell them. The proceeds from the sale of these bikes goes to benefit the Boys and Girls Club After School programs for at-risk children.

Deputy Mayor Dyer asked if the Township was legally allowed to donate items confiscated by the Police Department to a charitable group.

Attorney Hadinger explained that the Township has the ability to legally donate.

It was the consensus of the Township Committee to look into this and then get back to Ms. Samard with an answer.

5. **CODE/CONSTRUCTION AND ENGINEERING DEPARTMENTS**

Richard Grosso, Raymond Lane, stated that something has to be done about the length of time it takes to obtain building permits and getting inspections done. He asked that the Township take action, such as making one of the part-timers a full-time employee or adding more inspectors.

Administrator Nieman stated the problem is that there is not any volume of work compared to what there used to be and the Township is looking at whether or not it can merge with another department to increase staff.

Mr. Grosso discussed his issues with the Engineering Department and problems he's experiencing getting his cash bond back for the three (3) houses across from the Municipal Building that he built in 2005. There is a punch list of approximately 16 items which do not even concern him, such as cutting the grass on Route 206 by the entrance to this private road.

Dave Schmidt, Engineer, spoke about the punch list received on this project, and explained that most of the items were either already addressed or being addressed, but the main concern were the rain gardens.

Administrator Nieman said that he would look into this issue and get back to Mr. Grosso and Mr. Schmidt.

Gary Milchanoski, Griggstown Road, asked about bringing the couple of part-time inspectors already working for the Township back to full-time positions.

John Chang, owner of Tusk Restaurant, commented on the effect that the Building Department budget cuts have on small businesses. He submitted a full application for a permit back in January, 2010 and as of today he had not received his full permit. He was told by the Building Department personnel that he would be getting his permits for everything except for the Fire Code.

Administrator Nieman stated that the Township was under severe financial limitations and could not bring these positions back to full-time. He further stated that there just was not enough work to justify the status change. He stated that there was discussion about the possibility of shared services with another municipality to help.

6. **SKILLMAN VILLAGE AND COAH**

Robert Kress, Meadow Run Drive, stated that he had concerns regarding Skillman Village and COAH. The problem, as he saw it, was that the people of Montgomery Township were never intimately involved in either one of the cases. The process started with a Bond issue that was the largest single Bond issue in Montgomery's history, which was not approved by voters. He mentioned his concerns with traffic circulation by having affordable housing on that property, plus all of the development in other areas of the Township causing traffic circulation issues. He stated that the Township needs to go back to Referendum voting regarding issues of this magnitude.

7. **AUGUST TOWNSHIP COMMITTEE MEETING SCHEDULE**

Administrator Nieman asked if the Township Committee would have a quorum for the August 19, 2010 meeting. It was decided that there would be a quorum and there would be a meeting on August 19, 2010 at 7:00 p.m.

8. **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 #10-7-180 - REFUND OVERPAID 2010 TAXES**

BE IT RESOLVED That a refund in the amount of \$4,683.30 be given to Topnotch Title Services, Inc., 1279 Route 46, Building A, Suite 19, Parsippany, NJ 07054 for the overpayment of 2010 taxes on the following properties:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Quarter</u>	<u>File Number</u>
5019	5.23 CONDO	\$1,939.33	2010/1 st	TN10-1657
5024	5	\$2,743.97	2010/2 nd	TN10-1723

B. **RESOLUTION #10-7-181 - ACCEPTANCE OF DONATION** - Michael Stachowicz to Montgomery Township - Snow Shovels

BE IT RESOLVED That a donation of snow shovels by Michael Stachowicz be accepted by Montgomery Township.

C. **RESOLUTION #10-7-182 - TEMPORARY ROAD CLOSING** - Block Party - Knickerbocker Drive

BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of Knickerbocker Drive to accommodate a neighborhood block party scheduled for September 11, 2010 from approximately 4:00 - 9:00 p.m. (raindate - September 12, 2010 from 1:00 - 6:00 p.m.). The Montgomery Township Police have no objection to the road closing provided that:

The roadway must be made accessible to emergency vehicles.

The roadway must be made accessible to traffic originating and terminating on the closed section.

Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.

D. **RESOLUTION #10-7-183 - TO AUTHORIZE REJECTION OF BID** - 2009 International, Model 7400 SFA 4x2 or equal, with Spreader and Optional Plow

WHEREAS, After proper notice and advertisement, bids for a 2009 International Model 7400 SFA 4X2 or equal with Spreader and Optional Plow were received and publicly opened on Friday, July 16, 2010; and

WHEREAS, One bid was received, as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Trius, Inc.	\$124,995.00

and

WHEREAS, It is the recommendation of the Purchasing Agent to reject and re-bid because the specifications require substantial modification

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the aforesaid bid is hereby rejected and the Purchasing Agent is hereby authorized and directed to make the required modifications to the specifications and to re-bid the 2009 International Model 7400 SFA 4X2 or equal with Spreader and Optional Plow.

E. **RESOLUTION #10-7-184 - EXTENSION OF TIME FOR THE COMPLETION OF THE PUBLIC IMPROVEMENTS** - Blawenburg Village/Yardville National Bank

WHEREAS, Gail Smith, Township Engineer, has certified on July 15, 2010 that adequate funds remain in the posted guarantee to cover the remaining public improvements in the following development and therefore recommends a time extension to complete said improvements:

<u>Development</u>	<u>New Completion Date</u>
Blawenburg Village/Yardville National Bank	June 20, 2011

F. **RESOLUTION #10-7-185 - AUTHORIZING PAYMENT FOR NEW JERSEY AMERICAN WATER SERVICE CONNECTION AT THE SKILLMAN VILLAGE SEWAGE TREATMENT PLANT AND THE SKILLMAN FARM** - NPDC Wastewater Treatment Plant Waterline Extension Project - Ernest Renda Contracting Co.

BE IT RESOLVED By the Montgomery Township Committee that, in accordance with paragraph 24.B.6(c) of the Purchase and Sale Agreement for the former North Princeton Developmental Center property, payment to Ernest Renda Contracting Co. Inc. for a NJ American Water service connection at the Skillman Village Sewage Treatment Plant and the Skillman Farm in the amount of \$6,200.00 should be paid from the escrow account held by Mason, Griffin & Pierson.

(CONSENT AGENDA Cont.)

- G. **RESOLUTION #10-7-186 - AUTHORIZING PAYMENT FOR NEW JERSEY AMERICAN WATER SERVICE CONNECTION AT THE SKILLMAN VILLAGE SEWAGE TREATMENT PLANT AND THE SKILLMAN FARM - NPDC Wastewater Treatment Plant Waterline Extension Project - Hanntz Plumbing & Heating, Inc.**

BE IT RESOLVED By the Montgomery Township Committee that, in accordance with paragraph 24.B.6(c) of the Purchase and Sale Agreement for the former North Princeton Developmental Center property, payment to Hanntz Plumbing & Heating, Inc. for the State permit for a NJ American Water service connection to Skillman Farm in the amount of \$250.00 should be paid from the escrow account held by Mason, Griffin & Pierson.

- H. **RESOLUTION #10-7-187 - AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM**

WHEREAS, Pursuant to the Somerset Municipal Banc Program ("Program"), the Somerset County Improvement Authority ("SCIA") may sublease to Somerset County ("County") and to various municipalities and school districts within the County various capital equipment and other personal property ("Equipment") from private vendors; and

WHEREAS, Pursuant to the Program, the SCIA entered into a Master Lease Agreement with TD Bank Commercial Leasing, LLC ("Lessor") for the lease of two (2) police vehicles("Equipment"); and

WHEREAS, The SCIA desires to sublease the Equipment the Township of Montgomery ("Township") pursuant to the terms of a "Sublease Purchase Agreement," ("Agreement"); and

WHEREAS, The Township desires to sublease the Equipment from the SCIA; and

WHEREAS, N.J.S.A. 40:37A-78 authorizes the Township to enter into such an agreement; and

WHEREAS, The Chief Finance Officer has certified the availability of funds.

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

1. Pursuant to N.J.S.A. 40:37A-78, the Mayor and the Township Clerk are hereby authorized and directed to enter into a sublease-purchase agreement with the SCIA for the lease or purchase of the Equipment. Subject to the approval of the Township Attorney, the Mayor and the Township Clerk are hereby authorized to execute the said Agreement with such additions, deletions or modifications as necessary in the best interests of the Township.
2. Subject to the prior approval of the Township Attorney, the Mayor Township Clerk and the Chief Finance Officer, are further authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the lease agreement and for effectuating all related transactions contemplated by this resolution.

- 8-1. Committeeman Carter moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Wilson and carried on the following:

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

9. **RESOLUTION #10-7-188 - RESOLUTION AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICE AGREEMENT TO CGP&H, LLC**

WHEREAS, The Township of Montgomery ("Township") requires the specialized services of an experienced and reputable firm to provide administrative services in connection with the implementation of its affordable housing program; and

WHEREAS, CGP&H, LLC of East Windsor, NJ ("CGP&H"), is familiar with the Township's requirements and is willing to provide said services; and

WHEREAS, The Township Administrator has determined and certified in writing that the value of the required services required will exceed \$17,500.00; and

WHEREAS, The Township has a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law" and in connection therewith, CGP&H has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and Affidavit Prerequisite to Execution of Agreement Exempt from Public Bidding and in Excess of \$5,000.00 pursuant to Section 2-22.2 of the Code of the Township of Montgomery (1984) (collectively, the "Pay-to-Play Forms"); and

WHEREAS, The agreement shall be for an amount not to exceed \$75,600.00; and

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

(Item #9 Cont.)

WHEREAS, The Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the Township to award this agreement as an extraordinary unspecifiable service agreement, without competitive bidding:

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 an agreement with CGP&H consistent with this Resolution. The terms of said agreement are subject to the approval of the Township Attorney.
 2. The agreement is subject to the approval of the New Jersey Council on Affordable Housing.
 3. The agreement is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(ii), for the reasons set forth in the Township Administrator's Certification of Extraordinary Unspecifiable Service, which reasons are incorporated herein as if fully restated.
 4. CGP&H shall be paid a fee not to exceed \$37,800.00 annually to provide these services from January 1, 2010 until December 31, 2011. The total contract amount during this two-year term shall not exceed \$75,600.00. The agreement may be extended beyond the initial two-year term for up to two additional one (1) year terms, in accordance with and as permitted by law.
 5. A copy of this Resolution, the Certification of Contract Value, the Township Administrator's Certification of Extraordinary Unspecifiable Service, the Pay-to-Play Forms and the Agreement shall be placed on file in the Office of the Township Clerk.
 6. A notice of this action shall be published in the official newspaper as required by law.
 7. A copy of this Resolution and the Agreement shall be submitted to the Council on Affordable Housing for approval.
- 9-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried on the following:

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

10. **RESOLUTION #10-7-189 - AUTHORIZATION TO EXECUTE GRANT APPLICATION AND AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR 2011 LOCAL AID GRANT - Fairview Road Improvement Project - Phase II**

WHEREAS, Montgomery Township plans improvements to Fairview Road between approximately 1,250 feet south of Grandview Road (the end of Fairview Road Improvement Project, Phase I) to approximately 500 feet south of Hillside Terrace, including widening the road to a uniform width, reconstruction of the pavement, replacement of the existing culvert, and the repair and overlay of Hillside Terrace; and

WHEREAS, The improvements are necessary because of the poor condition of the bridge and roadway.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee formally approves a grant application in the amount of \$250,000.00 for the Fairview Road Improvement Project Phase II.

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of Montgomery Township.

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Montgomery Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

101. 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 - Carter, Dyer
Nays - Wilson
Absent - Fay, Caliguire

- 10-2. Committeewoman Wilson explained that she felt there were other projects that should take precedence and also, no one living on the road wanted to see this project happen.

11. **RESOLUTION #10-7-190 - AUTHORIZING AFFORDABLE HOUSING AGREEMENT WITH HARLINGEN ASSOCIATES, INC.**

WHEREAS, The Fair Housing Act of 1985, *N.J.S.A. 52:27D-301 et seq.* ("Act") requires that municipalities provide for their fair share of affordable housing opportunities; and

WHEREAS, The New Jersey Council on Affordable Housing ("COAH") was established by the Act for the purpose of assisting municipalities in providing for realistic opportunities for the planning and development of affordable housing; and

WHEREAS, COAH's rules, *N.J.A.C. 5:96* (Procedural Rules of the New Jersey Council on Affordable Housing For the Period Beginning June 2, 2008) and *5:97* (Substantive Rules of the New Jersey Council on Affordable Housing For the Period Beginning June 2, 2008), provide for varying compliance mechanisms for addressing a municipal fair share obligation, including zoning for inclusionary development; and

WHEREAS, Harlingen Associates, L.L.C. ("Developer") is the owner of property located in Montgomery Township of approximately 22.18 contiguous acres located on Van Horne Road and which is identified as Block 6001, Lots 33, 34, 34.01, 35, 35.01 and 36 on the Township's Tax Assessment Maps (rev. ed. 2008) ("Property"); and

WHEREAS, The Property was included in the Township's Housing Plan Element and Fair Share Plan, as submitted to COAH, for the development of a mixed-use inclusionary development consisting of thirty (30) units of multifamily rental housing, with fifty percent (50%) of the units to be set aside for family-rental affordable housing in accordance with COAH regulations, 24,880 square feet of retail space, 9,200 square feet of office space, and 8,400 square feet for a child care center; and

WHEREAS, The Township and Developer have agreed to mutually satisfactory terms regarding the production of affordable housing on the Property, as set forth in a certain agreement between the Township and Developer, entitled "Affordable Housing Agreement."

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, in Somerset County that a certain agreement entitled "Affordable Housing Agreement," between the Township and Developer, a copy of which is on file in the office of the Township Clerk, is hereby approved and the Mayor and Clerk are authorized to execute the same.

11-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Carter and carried on the following:

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

12. **RESOLUTION #10-7-191 - AUTHORIZING AFFORDABLE HOUSING AGREEMENT WITH DeVAN DEVELOPMENT COMPANY, LLC**

WHEREAS, The Fair Housing Act of 1985, *N.J.S.A. 52:27D-301 et seq.* ("Act") requires that municipalities provide for their fair share of affordable housing opportunities; and

WHEREAS, The New Jersey Council on Affordable Housing ("COAH") was established by the Act for the purpose of assisting municipalities in providing for realistic opportunities for the planning and development of affordable housing; and

WHEREAS, COAH's rules, *N.J.A.C. 5:96* (Procedural Rules of the New Jersey Council on Affordable Housing For the Period Beginning June 2, 2008) and *5:97* (Substantive Rules of the New Jersey Council on Affordable Housing For the Period Beginning June 2, 2008), provide for varying compliance mechanisms for addressing a municipal fair share obligation, including zoning for inclusionary development; and

WHEREAS, DeVan Development Co., L.L.C. ("Developer") is the owner of property located in Montgomery Township, comprising of approximately five (5) contiguous acres located on Van Horne Road (Route 206), and which is identified as Block 29002, Lot 45 on the Township's Tax Assessment Maps (rev. ed. 2008) ("Property"); and

WHEREAS, The Property was included in the Township's Housing Plan Element and Fair Share Plan, as submitted to COAH, for the development of a mixed-use inclusionary development consisting of sixty (60) units of multifamily rental housing in two (2) apartment buildings of thirty (30) units each, with fifty percent (50%) of the total units to be set aside for family-rental affordable housing in accordance with COAH regulations, and 15,000 square feet of retail space; and

WHEREAS, The Township and Developer have agreed to mutually satisfactory terms regarding the production of affordable housing on the Property, as set forth in a certain agreement between the Township and Developer, entitled "Affordable Housing Agreement."

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, in Somerset County that a certain agreement entitled "Affordable Housing Agreement," between the Township and Developer, a copy of which is on file in the office of the Township Clerk, is hereby approved and the Mayor and Clerk are authorized to execute the same.

12-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried on the following:

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

13. **RESOLUTION #10-7-192 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, the 2010 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2010 Budget being adopted, in order to maintain operations until such time as the Township Budget is in place; and

WHEREAS, N.J.S.A. 40A:4-20 provides for approval of emergency temporary appropriations prior to the Municipal Budget being adopted, by a confirming vote of two-thirds of the full governing body;

NOW, THEREFORE, BE IT RESOLVED, by confirmation of two-thirds of the full governing body, that the Chief Finance Officer is authorized to increase the temporary emergency appropriations as follows:

	AMOUNT
Legal Services & Costs	
Other Expenses	105,000.00
State Health Services Grant	
Other Expenses	16,825.00

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

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

14. **RESOLUTION #10-7-193 - ADOPTION OF THE 2010 MUNICIPAL BUDGET - Tabled to August 19, 2010**

BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of \$25,772,875.72 for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(1)	GENERAL REVENUES	
	Surplus Anticipated	\$ 5,507,146.00
	Miscellaneous Revenue Anticipated	8,426,288.61
	Receipts from Delinquent Taxes	585,000.00
(2)	AMOUNT TO BE RAISED BY TAXATION FOR	
	MUNICIPAL PURPOSES	<u>11,254,441.11</u>
	TOTAL REVENUES	\$25,772,875.72
(3)	GENERAL APPROPRIATIONS	
	Within "CAPS"	
	Operations Including contingent	\$16,083,030.00
	Deferred Charges and Statutory	
	Expenditures - Municipal	1,697,713.43
	Excluded from "CAPS"	
	Operations - Total Operations	
	Excluded from "CAPS"	1,956,046.68
	Capital Improvements	.00
	Municipal Debt Service	4,897,200.00
	Reserve for Uncollected Taxes	<u>1,138,885.61</u>
	TOTAL APPROPRIATIONS	\$25,772,875.72

14-1. Committeewoman Wilson moved to **TABLE** the adoption to August 19, 2010. The motion was seconded by Committeeman Carter and carried on the following:

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

15. **ORDINANCE #10-1360** - Capital - Acquisition of Various Equipment and Improvements -
Public Hearing

A. Deputy Mayor Dyer read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND IMPROVEMENTS FOR THE TOWNSHIP OF MONTGOMERY, AND APPROPRIATING \$609,500 THEREFOR FROM THE TOWNSHIP'S CAPITAL IMPROVEMENT FUND.

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

C. BE IT RESOLVED By the Township Committee that the foregoing ordinance be hereby adopted this 29th day of July, 2010 and that notice thereof be published in an official newspaper as required by law.

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

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

16. **ORDINANCE #10-1361 - BOND** - Various Capital Improvements and Related Expenses -
Public Hearing - Tabled to August 19, 2010

A. Deputy Mayor Dyer read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$401,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$380,950 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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

16-1. Committeeman Carter moved to **TABLE** the Ordinance to August 19, 2010. The motion was seconded by Committeewoman Wilson and carried on the following:

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

16-2. Committeewoman Wilson asked if this was just for the Jefferson Curve project. Chief Financial Officer Sheppard responded that it was.

17. **ORDINANCE #10-1362** - Capital - Acquisition of Various Equipment By The Sewer Utility -
Public Hearing

A. Deputy Mayor Dyer read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OR SOMERSET, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT BY THE SEWER UTILITY OF THE TOWNSHIP OF MONTGOMERY, AND APPROPRIATING \$129,500 THEREFOR FROM THE TOWNSHIP'S SEWER CAPITAL IMPROVEMENT FUND.

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

C. BE IT RESOLVED By the Township Committee that the foregoing ordinance be hereby adopted this 29th day of July, 2010 and that notice thereof be published in an official newspaper as required by law.

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

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

18. **ORDINANCE #10-1363 - BOND** - Various Sewer Utility Improvements and Related Expenses -
Public Hearing - Tabled to August 19, 2010

A. Deputy Mayor Dyer read the title of the ordinance as follows:

BOND ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$1,500,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$1,500,000 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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

18-1. Committeeman Carter moved to **TABLE** the foregoing ordinance until August 19, 2010. The motion was seconded by Committeewoman Wilson and carried on the following:

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

19. **APPROVAL OF MINUTES**

Committeeman Carter moved the adoption of the Regular Session minutes of July 15, 2010. The motion was seconded by Committeewoman Wilson and carried unanimously.

20. **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.

20-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried on the following:

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

21. **ECONOMIC DEVELOPMENT COMMISSION**

Committeeman Carter questioned the Township's rules as to the Economic Development Commission developing a Twitter or Facebook account.

Attorney Hadinger stated that there were rules on the web-site regarding distribution, length of articles and posting of information. She further stated that the Township should come up with rules regarding Twitter, Facebook, etc.

ADJOURNMENT was at 7:02 p.m. on a motion by Committeeman Carter. The motion was seconded by Committeewoman Wilson and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk