

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE
May 4th, 2023
7:00 p.m.

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

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

Also present were:

ADMINISTRATOR - Lori Savron

TOWNSHIP ATTORNEY - Wendy Rubinstein-Quiroga

TOWNSHIP CLERK - Donna Kukla

CHIEF FINANCIAL OFFICER - Michael Pitts

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

3. Mayor Keenan led the salute to the flag.

4. **MENTAL HEALTH AWARENESS MONTH - May 2023**

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, mental illnesses are real and prevalent in our nation, and half of us will have a mental health diagnosis at some point in our lives; and

WHEREAS, all Americans experience times of difficulty and stress in their lives, and should feel comfortable in seeking help and support to manage these times; and

WHEREAS, engaging in prevention, early identification, and early intervention are as effective ways to reduce the burden of mental illnesses as they are to reduce the burden of other chronic conditions; and

WHEREAS, there is a strong body of research that identifies behavioral health risks and supports specific tools that all Americans can use to protect their health and well-being; and

WHEREAS, with effective treatment, all individuals with mental illnesses - even serious mental illnesses - can make progress toward recovery and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen has a responsibility to promote mental health and well-being for all.

NOW, THEREFORE, we the Montgomery Township Committee do hereby proclaim May 2023 as Mental Health Awareness Month in Montgomery Township to increase public awareness and understanding of the importance of mental health, to support members of our community facing mental health challenges, and urges all residents and stakeholders in our community to commit to eliminating the stigma associated with mental illness; and

FURTHERMORE, we the Montgomery Township Committee thank the Municipal Alliance Committee's team of resident and stakeholder volunteers and professional staff from the Montgomery Township Health Department and the Montgomery Township School District for their leadership and dedication to addressing mental health in Montgomery Township's youth community.

5. **HEALTH DEPARTMENT PRESENTATION/BRANCBURG SHARED SERVICES - Devangi Patel**

Health Officer Devangi Patel gave a presentation on the Health Department. Items discussed were:

- Mission Statement
- Shared Services
- Health Grants
- Animal Care and Management
- Environmental Health and Emergency Preparedness

6. **2023 MUNICIPAL BUDGET**

- A. **RESOLUTION #23-5-118 - REGARDING PUBLIC HEARING OF THE 2023 LOCAL MUNICIPAL BUDGET OF THE TOWNSHIP OF MONTGOMERY, STATEMENTS OF REVENUES AND APPROPRIATIONS**

WHEREAS, for at least one week, the complete Municipal Budget as advertised, has been posted in a public place in the Municipal Building; and

WHEREAS, the 2023 Budget has been made available to each and every person requesting the same for at least one week.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee (not less than a majority of the full membership concurring) of the Township of Montgomery in Somerset County, that the Township Committee hereby determines that the 2023 Municipal Budget, Statements of Revenues and Appropriations shall be read by title, and that the conditions of N.J.S.A. 40A:4-8, Sections 1A and 1B, have been satisfied.

6-1. Deputy Mayor Singh moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Barragan and carried on the following:

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

B. **2023 MUNICIPAL BUDGET - Public Hearing**

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

C. **RESOLUTION #23-5-119 - ADOPTION OF THE 2023 MUNICIPAL BUDGET**

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 **\$35,124,251.21** 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	\$ 4,143,522.00
Miscellaneous Revenue Anticipated	\$11,995,123.04
Receipts from Delinquent Taxes	\$ 820,000.00
(2) AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	\$18,165,606.17
TOTAL REVENUES	\$35,124,251.21
(3) GENERAL APPROPRIATIONS	
Within "CAPS"	\$22,806,745.00
Operations Including Contingent	
Excluded from "CAPS"	\$ 5,180,336.21
Operations - Total Operations Excluded from "CAPS"	
Capital Improvements	\$ 163,170.00
Municipal Debt Service	\$ 5,514,000.00
Total Deferred Charges	
Reserve for Uncollected Taxes	\$ 1,460,000.00
TOTAL APPROPRIATIONS	\$35,124,251.21

6-2. Deputy Mayor Singh moved the adoption of the foregoing resolution. The motion was seconded by Committee Member Barragan and carried on the following:

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

7. **CONIFER PRESENTATION**

Representatives for Conifer and PIRHL provided background and a brief overview of the transition of ownership to Conifer for the development. Ms. Savron also provided history behind the project. Mayor Keenan commented on safety concerns due to one of the roads that is still not complete. Conifer suggested reaching out to the Community Manager at this time and arrange a meeting following the June closing.

8. **PUBLIC COMMENT**

Each speaker will have a maximum of five (5) minutes to speak and should limit comments to matters pertaining to the Township. Additionally, if your comments are similar to comments already made, instead of repeating them at length, we ask that you instead indicate that you join in or support those comments previously made. Groups are asked to select a spokesperson to speak on their behalf.

8-1. Bhupinder Kohli, 12 Woodview Drive, Belle Mead, expressed concerns for the lack of public transport in Montgomery. She proposed the benefits of adding more public transportation for commuters. Deputy Mayor Singh thanked Ms. Kohli for her thoughts and let her know they are in the process of working on more public transportation.

8-2. There being no further comment, Mayor Keenan closed public comment.

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

A. **RESOLUTION #23-5-120 - REFUND OVERPAID 2019 TAXES**

BE IT RESOLVED that a refund in the amount of \$5,842.52 be given to Janak Raguraman & Sandhya Gopalkrishna, 6 Saratoga Lane, Belle Mead, NJ 08502 for the overpayment of 2019 taxes on Block 4024 Lot 12.

B. **RESOLUTION #23-5-121 - REFUND OVERPAID 2020 TAXES**

BE IT RESOLVED that a refund in the amount of \$4,147.00 be given to Chandrasekhara Suresh & Vidya Surya, 110 Scarborough Road, Belle Mead, NJ 08502 for the overpayment Of 2020 taxes on Block 4020 Lot 56.

C. **RESOLUTION #23-5-122 - REFUND OVERPAID 2023 TAXES**

BE IT RESOLVED that a refund in the amount of \$11,361.31 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119 for the Overpayment of 2023 taxes on the properties listed below;

BLOCK	LOT	CERTIFICATE	PROPERTY LOCATION	AMOUNT
5018	2.22 CONDO	#22000032	222 RHOADS DRIVE	\$2,520.34
22001	12	#22000039	30 HESSIAN ROAD	\$4,156.65
28003	154	#22000042	9 COMSTOCK LANE	\$4,684.32

D. **RESOLUTION #23-5-123 - REDEMPTION OF TAX SALE CERTIFICATE #21-00003**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00003 in the amount of \$77,862.70.

BE IT RESOLVED that a refund in the amount of \$77,862.70 be given to Ram Tax Lien Fund LP, 4450 Cedar Glen Court, Moorpark, CA 93021 for redemption of Tax Sale Certificate #21-00003 on Block 5024 Lot 20.02 CONDO.

Tax Lien Redemption

Certificate Amount	\$ 2,048.07
Redemption Penalty	\$ 40.96
Subsequent Charges	\$20,886.62
Interest	\$ 3,522.05
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$51,300.00
TOTAL	\$77,862.70

E. **RESOLUTION #23-5-124 - REDEMPTION OF TAX SALE CERTIFICATE #21-00020**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00020 in the amount of \$3,716.83.

BE IT RESOLVED that a refund in the amount of \$3,716.83 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119 for the Redemption of Tax Sale Certificate #21-00020 on Block 37005 Lot 19.

Tax Lien Redemption

Certificate Amount	\$ 712.42
Subsequent Charges	\$ 1,124.43
Redemption Penalty	\$ 14.25
Interest	\$ 100.73
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 1,700.00
TOTAL	\$ 3,716.83

F. **RESOLUTION #23-5-125 - AUTHORIZING FIREWORKS PERMIT**

BE IT RESOLVED that authorization is granted for the Parks and Recreation Department to conduct a fireworks display on June 29, 2023 (rain date - July 6, 2023) at Montgomery High School. Approvals of the Police Department and Fire Protection Inspector Roy Mondri have been received.

G. **RESOLUTION #23-5-126 - WAIVER FROM FIRE INSPECTION FEES - Fireworks Display**

BE IT RESOLVED that fire inspection fees, totaling \$480.00 in connection with the fireworks display to be conducted June 29, 2023 (rain date - July 6, 2023) are hereby waived.

H. **RESOLUTION #23-5-127 - AUTHORIZING CLOSING OF SKILLMAN ROAD - Fireworks**

BE IT RESOLVED that Skillman Road between County Route 601 and Camp Meeting Avenue, be closed to all vehicle traffic between the hours of 6:00 p.m. and 10:00 p.m. on June 29, 2023 (rain date - July 6, 2023) for the fireworks event.

I. **RESOLUTION #23-5-128 - AUTHORIZING ACCESS AND USE AGREEMENT BETWEEN THE TOWNSHIP OF MONTGOMERY AND MONTGOMERY TOWNSHIP BOARD OF EDUCATION - Swimming Pool**

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute an Access and Use Agreement between the Township of Montgomery and the Montgomery Township Board of Education with respect to use of the swimming pool located at Montgomery High School. The term of the agreement shall be from July 1, 2023 to June 30, 2024.

J. **RESOLUTION #23-5-129 - AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION - Stage II Treatment Plant**

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute a Settlement Agreement with NJDEP in order to resolve penalty liability accrued by the Township of Montgomery with regard to the Stage II Treatment Plant.

K. **RESOLUTION #23-5-130 - AUTHORIZING RELEASE OF LANDSCAPING BUFFER GUARANTEE - 56**
Hillside Terrace (Block 12001, Lot 10.06)

WHEREAS, the applicant, Sandipan Gangopadhyah, has completed the punch list pertaining to the Landscaping Buffer Guarantee; and

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of the Landscaping Buffer Guarantee because all work has been satisfactorily completed and acceptable to the Engineer and Township Landscape Architect; and

WHEREAS, the Township Engineer recommends the release of escrow funds after Landscaping review invoices have been charged to the account.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash Landscaping Buffer Guarantee in the amount of \$4,800.00 be released to Sandipan Gangopadhyah, 56 Hillside Terrace, Skillman, NJ 08558. The township will not accept any improvements.

L. **RESOLUTION #23-5-131 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR ROAD OPENING PERMIT 22-R-31 - 110 Orchard Road - BLOCK 20001, LOT 20.02**

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of a cash performance guarantee to James A. Hamilton because all work has been satisfactorily completed with respect to Street Opening Permit 22-R-31 at Block 20001, Lot 20.02 (110 Orchard Road).

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash performance guarantee in the amount of \$855.00 be released to James A Hamilton, 110 Orchard Road, Skillman, NJ 08558.

M. **RESOLUTION #23-5-132 - ENDORSEMENT OF NJDEP TREATMENT WORKS APPROVAL APPLICATION**
Carrier Clinic Wastewater Treatment Plant Decommissioning, New Pump Station & Force Main

BE IT RESOLVED by the Montgomery Committee that Lori Savron, Township Administrator, is hereby authorized to execute a Treatment Works Approval (TWA) application to the New Jersey Department of Environmental Protection related to Carrier Clinic, subject to review and approval by the Township Engineer and Township Attorney as to form and content.

N. **RESOLUTION #23-5-133 - AUTHORIZING THE EXECUTION OF A BICYCLE AND PEDESTRIAN PLANNING ASSISTANCE PROGRAM APPLICATION WITH NJDOT**

WHEREAS, New Jersey Department of Transportation (NJDOT) has committed to the planning, design, construction, maintenance and operation of facilities that provide for the safe access and mobility of pedestrians, bicyclists and transit users of all ages and abilities; and

WHEREAS, NJDOT offers support to communities with the Bicycle and Pedestrian Planning Assistance program (BPPA) to provide services at no cost to counties and municipalities that demonstrate a need and desire to undertake planning activities that will lead to infrastructure projects that will improve travel for people who walk and bike or use scooters, wheelchairs or transit.

NOW, THEREFORE, BE IT RESOLVED that Montgomery Township desires to participate in the Bicycle and Pedestrian Planning Assistance program and will make a good faith effort to implement the recommendations (actual or implied) of the planning study and authorizes the Mayor, Administrator and/or Clerk to execute any and all documents necessary and related to the submission of the application.

O. **RESOLUTION #23-5-134 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE TOWNSHIP OF BRANCBURG FOR PUBLIC HEALTH NURSING SERVICES**

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

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

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

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

P. **RESOLUTION #23-5-135 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE TOWNSHIP OF BRANCBURG FOR HEALTH EDUCATION SERVICES**

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

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

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

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

Q. **RESOLUTION #23-5-136 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Danish Mirza**

WHEREAS, Danish Mirza has requested approval of the Township Committee to conduct a Community Get Together event on June 4, 2023 at Montgomery Veterans Park; and

BE IT RESOLVED that the Township Committee has considered the application and hereby grants the same subject to the following conditions:

- a. This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
- b. This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
- c. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.

9-1. Deputy Mayor Singh moved to adopt CONSENT AGENDA. The motion was seconded by Committee Member Barragan and carried on the following:

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

10. **RESOLUTION #23-5-137 - PROFESSIONAL SERVICES RESOLUTION - Wastewater Management Plan Site-Specific Amendment Professional Services Proposal for the Haven at Princeton Development - One Water Consulting**

WHEREAS, the Planning Board has approved the 154-unit Haven at Princeton residential development for which some of the buildings, or portions thereof, are not within a current sewer service area; and

WHEREAS, the Montgomery Township-Rocky Hill Borough component of the Somerset County Wastewater Management Plan (WWMP) must be amended to add these buildings to the Stage II Sewer Service Area and subsequently amend the Upper Raritan Areawide Water Quality Management Plan (WQMP); and

WHEREAS, the WWMP amendment does not increase the WWMP anticipated sewer flow for the Haven at Princeton project; and

WHEREAS, the developer has paid the required sewer capacity charges and entered into a Sewer Capacity Reservation Agreement authorized by Resolution 23-4-107 on April 20, 2023; and

WHEREAS, the Township of Montgomery seeks to retain the services of professional engineering firm to prepare a site-specific amendment to the Montgomery Township-Rocky Hill Borough component of the Somerset County Wastewater Management Plan (WWMP); and

WHEREAS, the Township has a need to acquire these services without a "fair and open process" as defined in P.L. 2004, c. 19, the "Local Unit Pay-To-Play Law", and One Water Consulting has completed and filed with the Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying that One Water Consulting 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. 19:44-20.26 and an Affidavit Prerequisite to Execution of Agreement Exempt from Public Bidding and in Excess of \$ 5,000.00 as required by Subsection 2-22.2 of the Code of the Township of Montgomery (1984) (collectively "Pay-To-Play Forms"); and

WHEREAS, the firm of One Water Consulting has submitted a proposal dated April 13, 2023 to provide the sought-after services to the Township for an sum not to exceed \$25,000.00; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition over the course of the contract is anticipated to exceed \$17,500.00; and

WHEREAS, the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq authorizes the award of a contract as "professional services" without competitive bidding; and

WHEREAS, the Chief Financial Officer has provided a certification that sufficient funds are available for payment of this contract under Account #07-201-55-544-251.

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 an agreement with One Water Consulting to provide professional engineering services for the Haven at Princeton development Wastewater Management Plan Site-Specific Amendment.
2. One Water Consulting shall be paid a sum not to exceed \$25,000.00 for its professional services. The contract amount may be amended by change order, as permitted by law.
3. A copy of this Resolution, the Certification of Contract Value, the April 13, 2023 proposal, the Pay-To-Play Forms and the agreement shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection
4. A notice of this action shall be published in the official newspaper as required by law.

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

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

11. **RESOLUTION #23-5-138 - AMENDMENT #1 TO PROFESSIONAL SERVICES AGREEMENT** - Engineering Design, Permitting, and Financing Assistance Services for Consolidation of the Cherry Valley and Skillman Village Wastewater Treatment Plants - Kleinfelder

WHEREAS, by Resolution No. 20-12-245 adopted on December 17, 2020, the Township Committee awarded an agreement for professional services to the firm of Kleinfelder to provide Engineering Design, Permitting and Financing Assistance Services for Consolidation of the Cherry Valley and Skillman Village WWTPs, including but not limited to preliminary design, final design, permitting, financing assistance, meeting attendance and project administration for Consolidation of the Cherry Valley and Skillman Village WWTPs as well as additional design services for upgrades at the Skillman Village WWTP ("Project") for the sum of \$717,601.00 ("Agreement for Professional Services" or "Agreement"); and

WHEREAS, the Township Engineer is requesting that the Township Committee authorize Kleinfelder to complete additional financing assistance, permitting, and design services in connection with this Project, and in particular, to extend the scope of Kleinfelder's services to include a Level 2 Environmental Planning Report and associated work required by NJDEP; additional work for NJDEP freshwater wetlands and flood hazard area applications; additional surveying, design, and permitting work to modify the sewer servicing Bedens Brook Country Club and prevent the need to construct a new pump station at the existing Cherry Valley WWTP site; additional work required for the DRCC application and stormwater design; new work to prepare a Cultural Resources Investigation; coordination and permitting with Green Acres and Somerset County Parks; additional modifications to pump station 6A; and additional permitting fees; all of which were not included in the original scope of services for said Project; and

WHEREAS, Kleinfelder submitted a written proposal dated April 19, 2023 to complete these additional services for a sum not to exceed \$77,122.00 ("Proposal"), which Proposal shall be incorporated herein by reference; and

WHEREAS, the work set forth in the Proposal extends beyond the original scope of services with Kleinfelder and therefore, the parties seek to memorialize the Proposal's scope of work and estimated cost by amending the existing Agreement for Professional Services; and

WHEREAS, the existing Agreement with Kleinfelder was awarded without competitive bidding as a professional services agreement pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and as such, the Township Committee may amend same by Resolution adopted under N.J.A.C. 5:30-11.6(e); and

WHEREAS, there exists account #CV WWTP 08-215-901-1685A which will fund this Agreement amendment; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The existing Agreement for Professional Services entered into between the Township and Kleinfelder, is hereby amended, to extend the scope of Kleinfelder's services to include a Level 2 Environmental Planning Report and associated work required by NJDEP; additional work for NJDEP freshwater wetlands and flood hazard area applications; additional surveying, design, and permitting work to modify the sewer servicing Bedens Brook Country Club and prevent the need to construct a new pump station at the existing Cherry Valley WWTP site; additional work required for the DRCC application and stormwater design; new work to prepare a Cultural Resources Investigation; coordination and permitting with Green Acres and Somerset County Parks; additional modifications to pump station 6A; and additional permitting fees; all of which were not included in the original scope of services for said Project, as more specifically detailed in Kleinfelder's April 19, 2023 Proposal, incorporated herein by reference.

2. As a result of the increase in scope of services, the contract amount shall be increased by a sum not to exceed \$77,122.00, bringing the contract total, as amended, from \$717,601.00 to an amount not to exceed \$794,723.00.
3. The Mayor and Clerk are hereby authorized and directed to execute an Amendment to the Professional Services Agreement which shall be executed by the parties to confirm the additional scope of services and anticipated cost; the form of the Amendment to Agreement for Professional Services shall be subject to the approval of the Township Attorney.
4. A copy of this Resolution and Amendment to Agreement for Professional Services shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

11-1. Deputy Mayor Singh moved to adopt the resolution. The motion was seconded by Committee Member Barragan and carried on the following:

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

12. **ORDINANCE #23-1699 - BOND - 2023 ANNUAL CURRENT FUND BOND ORDINANCE** - Public Hearing

- A. Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$3,263,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,107,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
- B. Mayor Keenan opened the hearing to the public. There being no comment, Mayor Keenan closed the public hearing.
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 4th day of May, 2023 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

12-1. Deputy Mayor Singh moved to adopt the foregoing ordinance. The motion was seconded by Committee Member Barragan.

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

13. **ORDINANCE #23-1700 - BOND - 2023 ANNUAL SEWER FUND BOND ORDINANCE** - Public Hearing

- A. Title: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF SEWER UTILITY FACILITIES IN AND BY THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF
- B. Mayor Keenan opened the hearing to the public. There being no comment, Mayor Keenan closed the public hearing.
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 4th day of May, 2023 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

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

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

14. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for April 20, 2023 stand approved.

15. **PAYMENT OF BILLS - Posted**

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

WHEREAS, the Chief Financial Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills.

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

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Township Officials are authorized to sign the checks.

15-1. Deputy Mayor Singh moved the adoption of the foregoing resolution. The motion was seconded by Committeeperson Barragan and carried on the following:

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

16. **COMMITTEE REPORTS**

16-1. Committee Member Ahn gave an update on the following:

- Low - Mow May

Economic Development Commission

- Fun Fest Appreciation
- Arts and Crafts - May 21

16-2. Deputy Mayor Singh gave an update on the following:

- Spring Fling - May 6

16-3. Committee Member Todd gave an update on the following:

Inclusion and Equity Committee

- Asian American and Pacific Islander Heritage Month
- English as a second language classes potentially coming to the library this fall

17. **COMMITTEE CORRESPONDENCE**

- Concerns regarding the proposed cell tower at the Johnson Farm

18. **NEW & UNFINISHED BUSINESS**

- Electric Vehicle Charging Stations - Ms. Rubenstein-Quiroga advised that electric vehicle charging stations are now in use and that the next step is to consider an ordinance to regulate usage and establish fees for the cost of electricity. Mayor Keenan to proceed.
- Early Voting/Summer Schedule - Ms. Kukla explained that the Council Chambers and meeting Room 117 will be unavailable for the regular June 1, 2023 Township Committee meeting due to Early Voting for the June 6, 2023 Primary Election. It was the consensus of the Committee that the June 1, 2023 meeting be cancelled.

Ms. Kukla inquired as to Committee Members' vacation schedules for the July and August meetings. Committee Members to forward summer schedules to the Clerk's office.

- BYOB at Entertainment Venues - Ms. Rubenstein-Quiroga explained that there are potential recreational businesses i.e. axe throwing, virtual golf, that are seeking authorization to permit "BYOB" and that the Township does not have an ordinance authorizing such. Ms. Fania explained that she had advised the requestor to submit a written request including zoning approvals, for consideration at a future meeting. Discussion carried to a future meeting as additional information is required for consideration.

19. **ADMINISTRATOR'S REPORT**

Ms. Savron reported that Dawn Baker has received her Planning and Zoning Board Secretary Certification and also provided an update on the status of pickleball courts at the upper middle school. Ms. Savron advised that the demolition process is underway at the site of the vacant auto parts store and that the Texaco site will follow shortly. Ms. Savron also provided an update on the status of the "Report a Concern" improvements advising that the selections have been reduced and that there will be a prominent button on the website home page. Mayor Keenan emphasized that the list be no more than fifteen. Mayor Keenan to review list prior to implementation.

20. **UPCOMING MEETINGS**

May 18

- Township Clerk Appointment - Lisa Fania
- Eagle Scout Presentation
- Award of Bid - Retail Consumption License

21. **RESOLUTION TO CLOSE MEETING TO THE PUBLIC**

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.

2. The general nature of the subjects to be discussed in this session are as follows:
 - Advice of Counsel with respect to lease of municipal property (cell tower);
 - Advice of Counsel regarding implementation of Legislative updates.
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Agreements shall only be authorized by action of the Township Committee in a public session.

21-1. Deputy Mayor Singh moved to close the meeting to the public. The motion was seconded by Committee Member Barragan and carried unanimously.

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

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

ADJOURNMENT was at 8:56 p.m. on a motion by Deputy Mayor Singh. The motion was seconded by Committee Member Barragan and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk