

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
June 18, 2015

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 Madrid, Deputy Mayor Trzaska, Committeeman Sugden  
Committeewoman Graham (via telephone after Item #6)  
Committeeman Smith was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

ASSISTANT CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. Mayor Madrid 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 Madrid led the Salute to the Flag.
4. **EAGLE SCOUT PROCLAMATION** - Kyle Coleman, Rohan Dang and Andrew Dollard

WHEREAS, The prestigious rank of Eagle Scout with the Boy Scouts of America has been earned by Kyle Coleman, Rohan Dang and Andrew Dollard; and

WHEREAS, The standards established for this honor are high and very difficult to achieve; and

WHEREAS, Those who have worked diligently to achieve this rank have exhibited excellence in leadership and a deep commitment to their community.

NOW, THEREFORE, BE IT RESOLVED That, with great pride, the Montgomery Township Committee congratulates Kyle Coleman, Rohan Dang and Andrew Dollard on this remarkable achievement and extends its sincere wishes for continued success.

- 4-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried unanimously.
- 4-2. The Eagle Scouts explained their projects to the Governing Body:
  - Kyle Coleman built an outside classroom at Montgomery High School in the court yard by the Media Center, which included six moveable benches, bushes along the windows and a mulched flower bed;
  - Rohan Dang posted mile marker signs along the Montgomery Park trails;
  - Andrew Dollard painted 45 fire hydrants in Cherry Valley Country Club.

5. **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 subject to be discussed in this session is as follows:
    - Personnel - Police Interview.
  3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Any appointment shall only be authorized by the Township Committee in a public session.
- 5-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried unanimously.

6. The meeting reconvened in Open Session.

7. **RESOLUTION #15-6-143 - AUTHORIZING THE HIRING OF A PROBATIONARY POLICE OFFICER**

BE IT RESOLVED That the Montgomery Township Committee authorizes the hiring of Vincent H. Maglione conditioned upon satisfactory completion of all applicable Montgomery Township and law enforcement pre-employment screening requirements effective June 29, 2015.

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

**ROLL CALL** - Ayes - Sugden, Trzaska, Madrid  
Nays - None  
Absent - Smith, Graham

8. Committeewoman Graham joined the meeting via telephone.

9. **POLICE REPORT**

Police Director Palmer reported on the following activities of the Police Department for the month of May, 2015:

- 72 motor vehicle accidents;
- 21 arrests;
- 9 thefts;
- 5 burglaries;
- 5 criminal mischief;
- 2 domestic violence.

10. **PUBLIC COMMENT**

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

11. **SEWER CONSOLIDATION PRESENTATION**

James Cosgrove, Vice President of Kleinfelder East, Inc. explained what was needed to complete the Wastewater Treatment Plant consolidation. The Township is now operating six plants. He explained the reasons for consolidation of the treatment plants are management efficiency; cost efficiency; the utilization of new advanced treatment plants to improve receiving streams; and the ability to save on the cost of rebuilding the aging treatment plants.

In 2012, there was a Wastewater Treatment Plant Consolidation Master Planning Study completed which evaluated various consolidation alternatives. Some plants were more cost effective than others. He recommended that the Township abandon the Oxbridge and Riverside wastewater treatment plants and send the flow to the Pike Brook wastewater treatment plant. He did not recommend the following:

- Abandoning the Riverside wastewater treatment plant and sending the flow to the Somerset-Raritan Valley Sewerage Authority in Hillsborough;
- Abandoning the Cherry Valley wastewater treatment plant and sending the flow to the Skillman Village wastewater treatment plant;
- Abandoning the Stage II Wastewater Treatment Plant and sending the flow to the Stony Brook Regional Sewerage Authority.

The Wastewater Treatment Plant Consolidation Preliminary Design Report evaluated various routes for force mains from the Riverside and Oxbridge plants to the Pike Brook plant; evaluated pump types and sizes; and refined cost estimates for force main and pump stations. He stated that the net savings for the consolidation of the Riverside and Oxbridge service areas into Pike Brook would be approximately \$4,400,000.00.

Mr. Cosgrove stated that the approval of the June 8, 2015 proposal was needed to begin the project and explained the following steps that were needed to commence with the consolidation:

- Build the pump stations at Riverside and Oxbridge wastewater treatment plants;
- Build a 6-inch force main from Riverside to Pike Brook (14,000 linear feet);
- Build a 6-inch force main from Oxbridge to Pike Brook (14,000 linear feet);
- Demolish the existing Riverside and Oxbridge plants.

Mayor Madrid asked how long this would take to complete. Mr. Cosgrove responded that it would take a couple of years.

Deputy Mayor Trzaska asked when the work would begin and end. Mr. Cosgrove explained that if the Township Committee approved the June 8 proposal, they would start design work immediately. He estimated it would take approximately one year for design and permitting, and another year for construction.

Attorney Hadinger inquired about any anticipated acquisitions. Mr. Cosgrove responded that he did not believe there would be any.

12. **RESOLUTION #15-6-144 - PROFESSIONAL SERVICES AGREEMENT FOR DESIGN AND PERMITTING SERVICES - Riverside and Oxbridge Consolidation into the Pike Brook Wastewater Treatment Plant - Kleinfelder East, Inc.**

WHEREAS, The Township of Montgomery seeks to retain the services of a professional engineering firm to implement the improvements that will enable shutdown of the Riverside and Oxbridge Wastewater Treatment Plants (WWTPs) and the consolidation of treatment at the Pike Brook WWTP; 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

WHEREAS, The firm of Kleinfelder East, Inc. (Kleinfelder) has submitted a proposal dated June 8, 2015 to perform the scope of service on a time-charged-plus-expense basis in accordance with the terms, conditions and billing rates of their annual professional services agreement with the Township; and

WHEREAS, Kleinfelder proposes a total budget of \$383,480.00 which will not be exceeded without a change in scope and prior approval by the Township; and

(Item #12 Cont.)

WHEREAS, Kleinfelder 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 Kleinfelder has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township, along with a Certification Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26 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 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; and

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

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available for this purpose in account #08-215-56-388-1388A.

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

1. The Mayor and Clerk are authorized and directed to execute an agreement with Kleinfelder to provide professional engineering services to implement the improvements that will enable shutdown of the Riverside and Oxbridge Wastewater Treatment Plants (WWTPs) and the consolidation of treatment at the Pike Brook WWTP.
2. Kleinfelder shall be paid a not to exceed fee of \$383,480.00 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 June 8, 2015 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.

12-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

13. **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 #15-6-145 - REFUND OVERPAID 2015 TAXES - Veteran Exemption**

WHEREAS, The New Jersey Department of Veteran Affairs has declared Alvin E. Schoen, Jr., 189 Dutchtown-Harlingen Road, Belle Mead, NJ 08502 to be a 100% disabled veteran as of April 22, 2015.

NOW, THEREFORE, BE IT RESOLVED That the taxes on the property located at Block 15014 Lot 3, 189 Dutchtown-Harlingen Road and owned by Schoen, Alvin E. Jr. & Mary K. be cancelled as of April 22, 2015.

B. **RESOLUTION #15-6-146 - REFUND OVERPAID 2015 TAXES**

BE IT RESOLVED That a refund in the amount of \$882.70 be given to AmeriSave Mortgage Corporation, 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047-8945 for the overpayment of 2015 taxes on Block 8001, Lot 36.

C. **RESOLUTION #15-6-147 - REFUND OVERPAID 2015 SEWER CHARGES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2015 sewer charges:

Block	Lot	Name	Amount
5018	122.2	A. Stein c/o Barlis Property Management	\$ 267.00
7032	30	Alan J. & Vicki Brody	\$ 786.00
28002	2	Brian J. Geiger	\$ 181.50
30001	16.24	John A. & Rozanara Singarayar	\$1,179.00
31001	107	Yiping Feng & Lei Cao	\$ 611.00
31003	22	Dennis & Stephanie A. O'Leary	\$ 38.50
31009	86	Anthony O. Arcuni	\$ 442.00
35002	8	Ochia 947 LLC %GB Ltd. Oper Co., Inc.	\$ 39.00
37002	4.10	Evelyn F. Good	\$ 13.00

D. **RESOLUTION #15-6-148 - REFUND UNUSED PORTION OF SPECIAL DUTY MONIES**

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;

RCW Contracting, Inc.  
2228 Turk Road  
Doylestown, PA 18901  
Attn: Bob Peterson  
\$805.00

(CONSENT AGENDA Cont.)

E. **RESOLUTION #15-6-149 - ACCEPTANCE OF DONATION - Montgomery Arboretum - Kevin and Jennifer Griffin**

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BE IT RESOLVED that the Montgomery Township Committee hereby accepts the following donation for Montgomery Arboretum.

<u>Name</u>	<u>Amount</u>	<u>Check #</u>
Kevin J. and Jennifer M. Griffin	\$1,200.00	451

F. **RESOLUTION #15-6-150 - RESOLUTION AUTHORIZING THE MONTGOMERY TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c. 72**

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WHEREAS, The Montgomery Township Tax Collector will be unable to mail the Township's 2015 tax bills on a timely basis; and

WHEREAS, The Montgomery Township Chief Finance Officer/Tax Collector has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, in the County of Somerset and State of New Jersey on this 18th day of June, 2015, as follows:

1. The Montgomery Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2015 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1994, c. 72 (N.J.S.A. 54:4-66.2 and 54.4-66.3).
2. The entire estimated tax levy for 2015 is hereby set at \$108,713,114.10.
3. In accordance with law the third installment of 2015 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

G. **RESOLUTION #15-6-151 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - Clean Communities Program**

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

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

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2015, in the amounts listed below, which item is now available as a revenue from the State of New Jersey;

Clean Communities Program	\$59,339.64
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

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

H. **RESOLUTION #15-6-152 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - DOT Bridgepoint Road**

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

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

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2015, in the amounts listed below, which item is now available as a revenue from the State of New Jersey Department of Transportation;

DOT Bridgepoint Road	\$162,000.00
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

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

(CONSENT AGENDA Cont.)

I. **RESOLUTION #15-6-153 - AUTHORIZING AN AGREEMENT WITH SAVE, A FRIEND TO HOMELESS ANIMALS FOR THE USE OF A FACILITY TO HOLD IMPOUNDED ANIMALS**

WHEREAS, The Township of Montgomery is in need of a facility to provide proper care of a facility to hold animals impounded by its Animal Control Officers and SAVE, A Friend to Homeless Animals has such a facility.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute an agreement with SAVE, A Friend to Homeless Animals for SAVE to provide animal care and sheltering, and related veterinary care to animals impounded by Montgomery Township Animal Control and its contracting municipalities.

J. **RESOLUTION #15-6-154 - AUTHORIZATION TO EXECUTE TREATMENT WORKS APPROVAL PERMIT APPLICATION (TWA) - Pike Brook Wastewater Treatment Plant**

BE IT RESOLVED By the Montgomery Township Committee that Donato Nieman, Township Administrator, is hereby authorized to execute a Treatment Works Approval Permit application to the New Jersey Department of Environmental Protection related to the Pike Brook Wastewater Treatment Plant to deactivate the Ultraviolet Disinfection Systems (with the option of running the system at a lower dose).

K. **RESOLUTION #15-6-155 - AUTHORIZATION TO EXECUTE TREATMENT WORKS APPROVAL PERMIT APPLICATION (TWA) - Skillman Village Wastewater Treatment Plant**

BE IT RESOLVED By the Montgomery Township Committee that Donato Nieman, Township Administrator, is hereby authorized to execute a Treatment Works Approval Permit application to the New Jersey Department of Environmental Protection related to the Skillman Village Wastewater Treatment Plant to deactivate the Ultraviolet Disinfection Systems (with the option of running the system at a lower dose).

13-1. Committeeman Sugden moved the adoption of the **CONSENT AGENDA** . The motion was seconded by Deputy Mayor Trzaska and carried on the following:

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

14. **RESOLUTION #15-6-156 - APPROVING MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT - Burchell Fair Share Analysis - Rutgers through Dr. Robert Burchell, Principal Investigator**

WHEREAS, The Township of Montgomery has filed or anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey, Somerset County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"); and

WHEREAS, Fair Share Housing Center ("FSHC"), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the "FSHC Numbers") for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, The Township of Montgomery desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey ("Rutgers"), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the "Burchell Fair Share Analysis") for determination of a municipality's obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region's affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision") and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality's fair share obligation; and

WHEREAS, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000; and

WHEREAS, It is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000; and

WHEREAS, It is anticipated that if each municipality contributes \$2,000, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

WHEREAS, A Municipal Shared Services Defense Agreement (hereinafter MSSDA"), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter "the Rutgers Agreement") and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

(Item #14 Cont.)

WHEREAS, The MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC ("Surenian") will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000 fee; and

WHEREAS, It is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000 fee so that Burchell can conduct the necessary analysis; and

WHEREAS, Notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000 fee; and

WHEREAS, In such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

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

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000 is hereby authorized to be expended by the Township of Montgomery for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Township of Montgomery certifying that sufficient funds are available for this purpose.
4. The Township Administrator be and is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the Township of Montgomery in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The Township of Montgomery hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the Township of Montgomery the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the Township of Montgomery will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000 it paid.
7. This Resolution shall take effect immediately.

14-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

15. **ORDINANCE #15-1492 - Acquisition of Equipment-Sewer Capital 2015 - Public Hearing**

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

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE ACQUISITION OF CERTAIN EQUIPMENT BY THE TOWNSHIP OF MONTGOMERY SEWER UTILITY AND APPROPRIATING \$4,500.00 THEREFOR FROM THE "SEWER CAPITAL IMPROVEMENT FUND" OF SAID TOWNSHIP.

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

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 18<sup>th</sup> day of June, 2015 and that notice thereof be published in an official newspaper as required by law.

15-1. Committeeman Sugden moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Trzaska and carried on the following:

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

16. **ORDINANCE #15-1493 - Acquisition of Equipment-Capital Improvement Fund 2015 - Public Hearing**

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

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE ACQUISITION OF CERTAIN EQUIPMENT BY THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$65,950.00 THEREFOR FROM THE "CAPITAL IMPROVEMENT FUND" OF SAID TOWNSHIP.

B. Mayor Madrid opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Deputy Mayor 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 18<sup>th</sup> day of June, 2015 and that notice thereof be published in an official newspaper as required by law.

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

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

17. **ORDINANCE #15-1494 - BOND - Providing for Various Capital Improvements - Public Hearing**

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A. Mayor Madrid 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 \$4,690,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$4,455,500 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 18<sup>th</sup> day of June, 2015 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

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

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

18. **ORDINANCE #15-1495 - BOND - Providing for Various Sewer Utility Improvements - Public Hearing**

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A. Mayor Madrid 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 SEWER UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$6,626,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$6,626,000 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 18<sup>th</sup> day of June, 2015 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

18-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

**ROLL CALL** - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

19. ORDINANCE #15-1496 - Acquisition of Property (Firmenich/Webster Farm) - Public Hearing

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, AUTHORIZING THE EXPENDITURE AND CONTRIBUTION OF FUNDS FROM THE OPEN SPACE TRUST TO THE ACQUISITION BY THE MONTGOMERY FRIENDS OF OPEN SPACE OF INTERESTS IN PROPERTY DESIGNATED AS BLOCK 33001, LOTS 22 AND 22.01, MONTGOMERY TOWNSHIP MUNICIPAL TAX ASSESSMENT MAPS (REV. ED. 2013), ON MOUNTAINVIEW ROAD, IN THE TOWNSHIP OF MONTGOMERY, IN CONJUNCTION WITH THE STATE AGRICULTURE DEVELOPMENT COMMITTEE AND SOMERSET COUNTY.

B. Mayor Madrid opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Committeeman Sugden and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 18<sup>th</sup> day of June, 2015 and that notice thereof be published in an official newspaper as required by law.

19-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

ROLL CALL - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

20. ORDINANCE #15-1497 - 2015 Salary and Wage - Introduction

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

AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND TO PROVIDE FOR ITS ADMINISTRATION IN 2015.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing July 2, 2015 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

20-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

ROLL CALL - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith

21. APPROVAL OF MINUTES - June 4, 2015

The minutes of June 4, 2015 were approved as printed.

22. 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.

22-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

ROLL CALL - Ayes - Sugden, Graham, Trzaska, Madrid  
Nays - None  
Absent - Smith



23. **DEER HUNTING PROGRAM**

Administrator Nieman stated that he had discussions with Committeewoman Graham and Township Clerk Kukla regarding the possibility of reorganizing the Wildlife Management Committee. The current deer management program has been operating in excess of 10 years, and there is a need to reorganize and modernize the operation of the committee and revisit the way the program is managed.

Township Clerk Kukla explained that she was in the dark about certain issues such as number of deer culled and areas of open space that may need to be evaluated with regard to the number of hunters assigned to each location. She stated that there needed to be some changes in how the Township manages the program.

24. **RECREATION COMMITTEE**

Committeeman Sugden reported that the Recreation Committee was still discussing ongoing improvements to programming, etc. There was also discussion of the Fireworks and the upcoming summer programs.

25. **HEALTH DEPARTMENT**

Committeewoman Graham stated that the Health Department wishes to make a presentation to the Township Committee on some Animal Control issues.

26. **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 subject to be discussed in this session is as follows:
  - Potential acquisition of property with public funds - Block 19001 Lots 4 & 11 (McAlpin).
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Acquisition of land shall only be authorized by the Township Committee in a public session.

26-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried unanimously.

27. The meeting reconvened in Open Session and **ADJOURNMENT** was at 8:30 p.m. on a motion by Committeewoman Graham. The motion was seconded by Deputy Mayor Trzaska and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk