

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
July 16, 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, Committeemembers Graham, Smith and Sugden
Deputy Mayor Trzaska, was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

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. **RESOLUTION HONORING CAPTAIN JAMES J. CURRY, JR.**

WHEREAS, Civic dedication is a force by which achievement is attained and when exercised becomes a strength for every community; and

WHEREAS, On August 1, 2015, after more than 27 years of dedicated service to the residents of Montgomery Township, Captain/Deputy Director of Police James J. Curry, Jr. will retire from the Montgomery Township Department of Police Services; and

WHEREAS, During his years of faithful service Captain Curry has earned the admiration and respect of his friends, co-workers and residents for his many contributions to Montgomery commencing with his appointment as Police Officer on June 20, 1988; and

WHEREAS, Captain Curry was promoted to Sergeant on April 1, 1999 serving in both the Operations and Services Divisions until his promotion to Lieutenant on July 24, 2008 serving with distinction as the Operations Division Commander until his retirement; and

WHEREAS, James Curry was appointed Captain/Deputy Director of Police on August 1, 2013; and

WHEREAS, Some of Captain Curry's professional career accomplishments include completion of the FBI Law Enforcement Executive Development Program in June 2009; completion of the FBI National Academy Session in September 2010; the NJ Certified Public Manager Program in November 2010; Master of Science in Homeland Security from Fairleigh Dickinson University in February 2011; and he received the designation of Accredited Command Executive by the New Jersey State Association of Chiefs of Police in April 2015; and

WHEREAS, Captain Curry directed patrol operations through five declared States of Emergency occurring between March 2010 and October 2012; oversaw two major transformations in police operations including the dissolution of the Township's emergency communications center and municipal court; served as law enforcement liaison to the School District Safety Committee, and instituted numerous operational initiatives that enhanced police services to the community while incorporating efficiencies in service delivery; and

WHEREAS, Captain Curry is the recipient of numerous awards acknowledging his outstanding service and professionalism including Meritorious Service, Exceptional Service, Honorable Service, Esprit-De-Corps, and a Merit award; and

WHEREAS, Captain Curry received national recognition in the November 1991 issue of the FBI Law Enforcement Bulletin for his role in solving a violent home invasion occurring in Montgomery Township earlier that same year on June 10TH resulting in the arrest and conviction of two juvenile offenders.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery Township Committee hereby recognizes the contributions made by this most valued employee and extends its best wishes for a well-deserved retirement to Captain James Curry, an extraordinary member of the Montgomery Township Department of Police Services on this 16TH day of July, 2015.

- 4-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried unanimously.
- 4-2. Captain Curry thanked the Governing Body for this resolution. He stated that 27 plus years ago, while he was in college in Maryland, his mother sent him a small advertisement from the Newark Star Ledger. Montgomery Township was looking to hire a police officer so he applied. He thanked the Governing Body both past and present, his fellow police officers, and his wife and family for their continued support.
- 4-3. Donald Matthews, former Mayor and Township Committeeman, congratulated Captain Curry on his retirement and urged the Township Committee to keep him on in some capacity.
- 4-4. Mayor Madrid, the Township Committee and Administrator Nieman thanked Captain Curry for his service and wished him well on his retirement.
- 4-5. Captain Palmer summarized Captain Curry's career in law enforcement and shared the November, 1991 incident that was reported in the FBI Law Enforcement Bulletin. He thanked Captain Curry and reiterated his best wishes on his retirement.

5. **BOARD OF HEALTH PRESENTATION REGARDING ANIMAL CONTROL ISSUES**

Stephanie Carey, Township Health Officer, briefed the Governing Body on some of the recent actions of the Board of Health associated with Animal Control. She spoke about the backup services being provided to Princeton, the temporary animal sheltering services being provided to South Brunswick, and the upcoming sheltering and adoption services to be provided by S.A.V.E. - A Friend to Homeless Animals once they open their new facility in Skillman. They are also preparing their departmental strategic plan, trying to figure out what is the best way to protect the public health and safety over the coming years for all residents of Montgomery and the other communities that they serve. One of the key things that came out during their fact-finding for this strategic plan was the need to address rabies control within Montgomery. In particular, the Board of Health is looking at a proposal to adopt cat licensing as a means of protecting the community against rabies. She stated that cats are at the greatest risk of developing rabies of any domestic animal in the State of New Jersey. She stated that quite a few municipalities have adopted cat licensing programs and hoped that Montgomery Township would follow in the near future.

- 5-1. Donald Matthews, Rutland Road, asked what the plan was for finding unlicensed cats. He stated that cats were very different from dogs, in the fact that cats run free on farms, etc. and would be harder to track down. He also remarked that putting collars with tags on cats was dangerous if they were to get caught on fencing or tree branches. Ms. Carey stated that while the specific details were yet to be worked out as part of the policies associated with the program, there are break-away collars or micro-chipping. There are ways that people who have clusters of cats on their farm can do either ear-clipping, tattooing or use of photographs.

6. **RESULTS AND RECOMMENDATIONS OF THE DIVERSITY SURVEY BY THE ENVIRONMENTAL COMMISSION**

Mary Reece, Environmental Commission Chair, gave the following report on the Diversity Survey results and recommendation:

"As part of Montgomery's participation in the Sustainable Jersey program, the Environmental Commission conducted an anonymous diversity survey of all Township boards, commissions and committees, including the Board of Education. The Commission utilized the sample diversity survey provided by Sustainable Jersey, and modified some of the questions so that participants could respond in true anonymity. For instance, participants could select "Prefer Not to Answer" if they felt uncomfortable answering a particular question(s), but could still provide feedback. In November 2014, an email was sent to 135 participants using contact information from the Township's roster. A second, "reminder" email was sent in February 2015. In total, 64 responses were received, equivalent to a 47% response rate.

Diversity Survey Results

The Commission compiled a community profile for Montgomery using Census Bureau data, and compared the Census data to the survey results. There were a few disparities, most notably in the Asian population, and in the age of board/commission/committee members.

Asian population underrepresented: According to the 2010 Census, Montgomery's population is 25.6% Asian, while the survey results indicate only 6.2% of board/committee volunteers are Asian. This could be due to recent growth in the Asian population (11.5% in 2000 vs. 25.6% in 2010).

Aging membership: The 2010 Census results found 19.4% of Montgomery's population is between 18 and 40, but only 7.8% of committee members polled are under 40. Furthermore, over 46% of survey respondents indicated they were over age 56, versus the Census profile of 19.4% over age 56.

Feedback on diversity & inclusion: Overwhelmingly, survey respondents indicated they were not inhibited in participating on any board/commission/committee by any defining characteristic (83.8%), and 61% strongly agreed that all members of the community had the opportunity to participate on committees & commissions. 79.6% of respondents agreed that different cultures were welcomed in the Township.

However, slightly more than half of respondents (57.7%) felt that diversity was well-represented on the board/commission/committee on which they serve.

Recommendations

The Environmental Commission plans to proceed with a video series that can be broadcast on Channel 27 and posted on the Township website. The video will include interviews of Township staff and volunteer board/commission/committee members with the intent to make Township residents more aware of what each department does, and what it's like to serve on some of the different boards and committees. The Environmental Commission thinks this kind of outreach will engage more members of the population who may be too intimidated to serve on a board or committee, thinking they lack the expertise, or that they cannot devote enough time.

The Environmental Commission welcomes any further recommendations from the Township Committee."

7. **LANDMARKS COMMISSION ANNUAL REPORT**

Candy Willis, Landmarks Commission Chair, spoke about replacement of historic signage, the installation of a fence around the Dorland cemetery on Sunset Road, and the Historic Structures survey which was done in 1989 by the Somerset County Cultural and Heritage Commission. In 2010 the Landmarks Commission went out to see if the places still existed and they updated the list. They determined that 17 of the 112 original structures were gone. She is promoting doing another Township-wide survey. She explained that an estimated cost to do this would be approximately \$30,000.00 to \$50,000.00. She stated that one way to fund this project was for the Landmarks Commission to become a certified Local Government, which they are well on their way to becoming. Another way to fund this project was with the Historic Preservation Trust Fund. The third way to fund this was to put pressure on Somerset County to undertake this endeavor with the Somerset County Cultural and Heritage Commission. She spoke about the 1860 House and how one of the Commission's duties is to officially recognize local historic sites by adding them to the Master Plan and to the Township Historic Element Overlay. In 2010, the Landmarks Commission voted to add Maplewood House and the 1860 House to the Master Plan. They did the paperwork and submitted it to the professional staff and then they lost track of the progress. She asked if the Township Committee could vote on the addition to the Master Plan and then make it a condition of sale of the 1860 House. She spoke about the lack of progress regarding the removal of solar panels in historic districts. Administrator Nieman explained that PSE&G has stated that they have removed the total number of solar panels in Montgomery that they are going to remove and all further correspondence should be forwarded to their legal counsel.

8. **PUBLIC COMMENT**

8-1. John Byer, Bridge Velo, LLC, spoke about the outdoor assembly/bicycle race which appears in the Consent Agenda. He explained about the event and thanked the Governing Body in advance for approving the resolution.

9. **REVIEW OF ANNUAL AUDIT REPORT & CORRECTIVE ACTION PLAN**

Chief Financial Officer Walter Sheppard explained the audit report and the corrective action plan. He stated that there was only one recommendation for 2014 and it was being addressed.

10. **RESOLUTION #15-7-167 - REVIEW OF ANNUAL AUDIT REPORT OF 2014**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, The members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, All members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

(Item #10 Cont.)

NOW, THEREFORE, BE IT RESOLVED, That the governing body of the Township of Montgomery, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

BE IT FURTHER RESOLVED That the Montgomery Township Committee has reviewed and approves the Corrective Action Plan as filed.

10-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

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

11. **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 #15-7-168 - REFUND OVERPAID 2014 AND 2015 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2014 and 2015 taxes:

Block	Lot	Name	Amount	Year
16002	9.19	Isaiah S & Vinita Manoraj	\$3,162.41	2015
28003	127	Fabio De Lima & Christiane Paniza	\$1,099.50	2014

B. **RESOLUTION #15-7-169 - REDEMPTION OF TAX SALE CERTIFICATES**

BE IT RESOLVED That a refund in the amount of \$3,748.95 be given to U.S. Bank for BV001 Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #2014-17 on Block 7019 Lot 62; and

BE IT FURTHER RESOLVED That a refund in the amount of \$4,771.96 be given to Randel Parker, 30 Millard Terrace, Ewing, NJ 08638 for the redemption of Tax Sale Certificate #2011-35 on Block 7019 Lot 61.31 QFARM.

C. **RESOLUTION #15-7-170 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Bridge Velo, LLC**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. The Bridge Velo, LLC/Jim Lydovici has requested approval of the Township Committee to conduct a Jersey Devil Bicycle Race event at Johnson & Johnson on August 8, 2015.
2. 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.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
4. The organizers will obtain the required health certificates from the Township Health Department.

D. **RESOLUTION #15-7-171 - AUTHORIZING RENTAL OF PORTABLE TOILETS AND SERVICING THROUGH THE NEW JERSEY STATE CONTRACT - ARF Rental Services, Inc.**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #86580 has provided the Township with the most competitive price for these items/services; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this Project in Account Number 01-201-28-375-295.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery authorizes the utilization of the New Jersey State Contract for the rental of Portable Toilets and Servicing at a not to exceed amount of \$8,000.00 per year, from August 1, 2015 through May 31, 2017 in accordance with the terms of the State Contract with the following vendor:

ARF Rental Services, Inc.
1429 Walnut Street
Philadelphia, PA 19102

(CONSENT AGENDA Cont.)

E. **RESOLUTION #15-7-172 - APPROVAL OF FIRST AMENDMENT TO AN AGREEMENT FOR THE RELOCATION OF ACCESS TO PIKE BROOK SEWAGE TREATMENT PLANT - Estates at Montgomery (formerly Belvedere Homes, LLC)**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute an amendment to an agreement with Fleet Montgomery, LLC with respect to the relocation of access to the Pike Brook Sewage Treatment Plant.

F. **RESOLUTION #15-7-173 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY - 2015 Drive Sober Get Pulled Over Labor Day Statewide Crackdown**

BE IT RESOLVED That the Township Committee of the Township of Montgomery formally approves the grant application for a 2015 Drive Sober Get Pulled Over.

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.

11-1. Committeeman Smith moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Sugden and carried on the following:

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

12. **RESOLUTION #15-7-174 - AMENDING RESOLUTION #15-7-166 - 2015 Salaries for Non-Union Employees**

WHEREAS, Resolution #15-7-166 adopted on July 2, 2015 incorrectly listed the salary of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED That the resolution be amended to reflect the following change:

Township Clerk	Donna Kukla	\$94,803.00	\$97,990.00
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12-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

13. **RESOLUTION #15-7-175 - AWARD OF BID - Electrical Service Contract**

WHEREAS, The following bids for an Electrical Service Contract were received and publicly opened on June 23, 2015:

<u>BIDDER</u>	<u>AMOUNT</u>
AMEC ELECTRIC, LLC	HOURLY RATE
<u>Licensed Electrician:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$ 84.04
Overtime (After 5:00 p.m. & Saturday)	\$ 84.04
Sunday and Holidays	\$168.08
<u>Electricians Assistant/Helper:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$ 0.00
Overtime (After 5:00 p.m. & Saturday)	\$ 0.00
Sunday and Holidays	\$ 0.00
MAGIC TOUCH CONSTRUCTION	HOURLY RATE
<u>Licensed Electrician:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$122.00
Overtime (After 5:00 pm & Saturday)	\$183.00
Sunday and Holidays	\$244.00
<u>Electricians Assistant/Helper:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$ 67.49
Overtime (After 5:00 p.m. & Saturday)	\$101.10
Sunday and Holidays	\$134.80
RAPID PUMP AND METER	HOURLY RATE
<u>Licensed Electrician:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$118.00
Overtime (After 5:00 p.m. - 8 a.m.)	\$118.00
Saturday	\$150.00
Sunday and Holidays	\$150.00
<u>Electricians Assistant/Helper:</u>	
Regular (8:00 a.m. to 5:00 p.m.)	\$110.00
Overtime (After 5:00 p.m. - 8 a.m.)	\$110.00
Saturday	\$140.00
Sunday and Holidays	\$140.00

(Item #13 Cont.)

WHEREAS, The award is to be based on the lowest price of the total regular hours; and

WHEREAS, It is the recommendation of the Purchasing Agent and the Superintendent of Public Works that AMEC Electric, LLC be awarded the bid; it being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and filed in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE Montgomery Township Committee that the contract for Electrical Repair Services is hereby awarded to:

AMEC Electrical, LLC
125 Liberty Street
Metuchen, NJ 08840

BE IT FURTHER RESOLVED That the contract period is July 1, 2015 to May 31, 2017 and may be extended annually for two additional years under the term of "Multi-Year Contracts" if mutually acceptable to the vendor and the Township.

BE IT FURTHER RESOLVED That the Mayor and Township Clerk are hereby authorized to sign said contracts.

13-1. Committeeman Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried on the following:

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

14. **RESOLUTION #15-7-176 - AWARD OF BID - Mechanical Repair Services Contract**

WHEREAS, The following bids for a Mechanical Repair Service Contract were received and publicly opened on May 12, 2015:

<u>BIDDER</u>	<u>AMOUNT</u>		
KRS SERVICES, INC.	ON-SITE RATE	SHOP RATE	DISCOUNT FOR PARTS
Regular (7:00 a.m. to 3:30 p.m.)	\$103.00	\$35.00	plus 15%
Overtime (After 3:30 p.m.)	\$125.00	\$40.00	
Weekends and Holidays	\$125.00	\$40.00	
MECHANICAL MAINTENANCE CO.	ON-SITE RATE	SHOP RATE	DISCOUNT FOR PARTS
Regular (7:00 a.m. to 3:30 p.m.)	\$ 95.00	\$60.00	10%
Overtime (After 3:30 p.m.)	\$142.50	\$90.00	
Weekends and Holidays	\$142.50	\$90.00	
RAPID PUMP & METER SERVICE CO. INC.	ON-SITE RATE	SHOP RATE	DISCOUNT FOR PARTS
Regular (7:00 a.m. to 3:30 p.m.)	\$114.00	\$60.00	20%
Overtime (After 3:30 p.m.)	\$145.00	\$75.00	
Weekends and Holidays	\$150.00	\$75.00	

WHEREAS, The award is to be based on the lowest price of the total regular hours; and

WHEREAS, It is the recommendation of the Purchasing Agent and the Superintendent of Public Works that KRS Services, Inc. be awarded the bid; it being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and filed in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE Montgomery Township Committee that the contract for Mechanical Repair Services is hereby awarded to:

KRS Services, Inc.
1806 Route 206
Southampton, NJ 08088

BE IT FURTHER RESOLVED That the two-year contract period is July 16, 2015 to July 15, 2017.

BE IT FURTHER RESOLVED That the Mayor and Township Clerk are hereby authorized to sign said contracts.

14-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

15. **RESOLUTION #15-7-177 - AUTHORIZING PURCHASE OF A 2015 CHEVY EQUINOX SUV FOR THE MONTGOMERY TOWNSHIP ADMINISTRATIVE & EXECUTIVE DEPARTMENT THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State Co-Op per N.J.S.A.40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier #6MOCCP- Contract #15C Utility Vehicles has provided the Township with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Numbers 04-215-901-1494J (\$20,000.00) and #01-201-20-100-299 (\$2,265.00).

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 2015 Chevy Equinox SUV at a not to exceed amount of \$22,265.00 be authorized through the utilization of Morris County Co-op Contract #15-C 2015 Utility Vehicles to:

Route 46 Chevrolet
412 Route 46
Hackettstown, NJ 07840

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

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

16. **RESOLUTION #15-7-178 - NOTICE OF INTENT TO AWARD A CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT - National Joint Powers Agreement - Snow Plow**

WHEREAS, The Township of Montgomery intends to participate in the National Joint Powers Alliance contract for a snow plow contract #080114-HPI; and

WHEREAS, National Joint Powers Alliance awarded a contract for the period of July 19, 2013 through July 19, 2015; and

WHEREAS, Information regarding the contract may be found at the Township of Montgomery Purchasing Department during regular business hours, as well as on the National Joint Powers Alliance website at: <http://www.njpacoop.org/national-cooperative-contract-solutions/contracts-fleet/roadway-maintenance-asphalt-snow-ice/080114-hpi/>; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED That it is the intent of the Committee for the Township of Montgomery to award a contract to:

Henderson Truck Equipment, Inc.
280 Old Ledgewood Road
Flanders, New Jersey 07836

pursuant to the proposal submitted in response to the National Joint Powers Alliance Request for Proposal not to exceed \$15,000.00; and

BE IT FURTHER RESOLVED That this contract shall take affect should no written comments be received on or before 10 days after the Publication of "Notice of Intent to Award".

16-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

17. **RESOLUTION #15-7-179 - NOTICE OF INTENT TO AWARD A CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT - National Joint Powers Agreement - Aquatech Model B-10 Combo Sewer Jet and Catch Basin Cleaner and Trade-in of a 2000 International 2554 Jet/Vac**

WHEREAS, The Township of Montgomery intends to participate in the National Joint Powers Alliance contract for an Aquatech Model B-10 combo sewer jet and catch basin cleaner contract #022014-HVC; and

WHEREAS, National Joint Powers Alliance awarded a contract for the period of March 18, 2014 through March 18, 2018; and

WHEREAS, Information regarding the contract may be found at the Township of Montgomery Purchasing Department during regular business hours, as well as on the National Joint Powers Alliance website at: <http://www.njpacoop.org/national-cooperative-contract-solutions/contracts-fleet/public-utility-airport-equipment/022014-hvc/>; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 08-215-901-1495A.

(Item #17 Cont.)

NOW, THEREFORE, BE IT RESOLVED That it is the intent of the Committee for the Township of Montgomery to award a contract to:

Timmerman Equipment Co. (an authorized dealer for Hi-Vac Corporation)
PO Box 71
Whitehouse, New Jersey 08888

pursuant to the proposal submitted in response to the National Joint Powers Alliance Request for Proposal not to exceed \$355,000.00 and trade-in of a 2000 International 2554 Jet/Vac (VIN #1HTGBADR6YH691426); and

BE IT FURTHER RESOLVED That this contract shall take affect should no written comments be received on or before 10 days after the Publication of "Notice of Intent to Award"

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

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

18. **RESOLUTION #15-7-180 - NOTICE OF INTENT TO AWARD A CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT** - National Joint Powers Agreement - Stepp Asphalt Recycler Model #SRM-10 x 20

WHEREAS, The Township of Montgomery intends to participate in the National Joint Powers Alliance contract for a Stepp Asphalt Recycler Model #SRM- 10x20 contract #113012-SMC; and

WHEREAS, National Joint Powers Alliance awarded a contract for the period of February 20, 2013 through February 20, 2017; and

WHEREAS, Information regarding the contract may be found at the Township of Montgomery Purchasing Department during regular business hours, as well as on the National Joint Powers Alliance website at: <http://www.njpacoop.org/national-cooperative-contract-solutions/contracts-fleet/roadway-maintenance-asphalt-snow-ice/113012-smc/> ;and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED That it is the intent of the Committee for the Township of Montgomery to award a contract to:

Timmerman Equipment Co. (an authorized dealer for Stepp Manufacturing Company)
PO Box 71
Whitehouse, New Jersey 08888

pursuant to the proposal submitted in response to the National Joint Powers Alliance Request for Proposal not to exceed \$100,000.00; and

BE IT FURTHER RESOLVED That this contract shall take affect should no written comments be received on or before 10 days after the Publication of "Notice of Intent to Award"

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

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

19. **RESOLUTION #15-7-181 - AUTHORIZING PURCHASE OF A JOHN DEERE ZTRAK Z960R THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESSCCPS - MRESC 14/15-04 has provided the Township with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494F.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a John Deere ZTRAK Z960R at a not to exceed amount of \$18,000.00 be authorized through the utilization of the Middlesex Regional Educational Services Commission Cooperative to:

Cammps Hardware
2168 Route 206
Belle Mead, NJ 08502

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

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

20. **RESOLUTION #15-7-182 - AUTHORIZING PURCHASE OF A 524K WHEEL LOADER, CURRENT MODEL YEAR AND TRADE-IN OF A 2003 NEW HOLLAND L170 WHEEL LOADER THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS - MRESC 14/15-75 has provided the Township with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 524K Wheel Loader, current model year and trade-in of a 2003 New Holland L170 Wheel Loader at a not to exceed amount of \$160,000.00 be authorized through the utilization of the Middlesex Regional Educational Services Commission Cooperative to:

Jesco
118 Saint Nicholas Avenue
South Plainfield, New Jersey 07080

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

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

21. **RESOLUTION #15-7-183 - AUTHORIZING PURCHASE OF A 450J DOZER, CURRENT MODEL YEAR THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS - MRESC 14/15-22 has provided the Township with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 450J Dozer, current model year, at a not to exceed amount of \$100,000.00 be authorized through the utilization of the Middlesex Regional Educational Services Commission Cooperative to:

Jesco
118 Saint Nicholas Avenue
South Plainfield, New Jersey 07080

21-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

22. **RESOLUTION #15-7-184 - AUTHORIZING PURCHASE OF SKID STEER ATTACHMENTS THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS - MRESC 14/15-04 has provided the Township with the most competitive price for these items; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of Skid Steer Attachments at a not to exceed amount of \$20,000.00 be authorized through the utilization of the Middlesex Regional Educational Services Commission Cooperative to:

Garden State Bobcat
45 Route 22 East
Green Brook, New Jersey 08812

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

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

23. **RESOLUTION #15-7-185 - AUTHORIZING PURCHASE OF TWO (2) FORD F-250 PICKUP TRUCKS WITH PLOWS THROUGH THE NEW JERSEY STATE CONTRACT**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A88727 has provided the Township with the most competitive price for these items.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Numbers 04-215-901-1494E (\$30,000.00) and 04-215-901-1494F (\$35,000.00).

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of two (2) Ford F-250 pickup trucks with plows, current model year, at a not to exceed amount of \$65,000.00 be authorized through the utilization of New Jersey State Contract to:

Beyer Ford
170 Ridgedale Avenue
Morristown, NJ 07960

23-1. 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, Smith, Graham, Madrid
Nays - None
Absent - Trzaska

24. **RESOLUTION #15-7-186 - AUTHORIZING PURCHASE OF A FORD F-250 PICKUP TRUCKS WITH PLOW THROUGH THE NEW JERSEY STATE CONTRACT - Sewer Utility**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A88727 has provided the Township with the most competitive price for these items.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 08-215-901-1495A.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a Ford F-250 pickup truck with plow, current model year, at a not to exceed amount of \$50,000.00 be authorized through the utilization of New Jersey State Contract to:

Beyer Ford
170 Ridgedale Avenue
Morristown, NJ 07960

24-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

25. **RESOLUTION #15-7-187 - AUTHORIZING PURCHASE OF A FORD F-450 PICKUP TRUCK WITH PLOW THROUGH THE NEW JERSEY STATE CONTRACT**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A88727 has provided the Township with the most competitive price for these items.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a Ford F-450 pickup truck with plow, current model year, at a not to exceed amount of \$90,000.00 be authorized through the utilization of New Jersey State Contract to:

Beyer Ford
170 Ridgedale Avenue
Morristown, NJ 07960

25-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

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

26. **RESOLUTION #15-7-188 - AUTHORIZING PURCHASE OF AN INTERNATIONAL DUMP TRUCK - Model 7400**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A79123 has provided the Township with the most competitive price for these items.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-901-1494E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of an International dump truck, Model 7400, current model year, at a not to exceed amount of \$140,000.00 be authorized through the utilization of New Jersey State Contract to:

Bucks County International
134 Old Oxford Road
Langhorne, PA 19047

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

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

27. **RESOLUTION #15-7-189 - AUTHORIZING PURCHASE OF A 2015 FORD EXPLORER FOR THE MONTGOMERY TOWNSHIP PLANNING, ZONING, AND OPEN SPACE DEPARTMENTS THROUGH THE NEW JERSEY STATE CONTRACT**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A83013 has provided the Township with the most competitive price for these items.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Numbers 22-288-56-000 (\$4,708.00) and 04-215-901-1494D (\$20,000.00).

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 2015 Ford Explorer at a not to exceed amount of \$24,708.00 be authorized through the utilization of New Jersey State Contract to:

Beyer Ford
170 Ridgedale Avenue
Morristown, NJ 07960

27-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

28. **ORDINANCE #15-1498 - Supplementing and Amending Ordinance #15-1497 - 2015 Salary and Wage Public Hearing**

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

AN ORDINANCE SUPPLEMENTING AND AMENDING ORDINANCE
#15-1497, ESTABLISHING A COMPREHENSIVE SALARY AND WAGE
PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND
TO PROVIDE FOR ITS ADMINISTRATION IN 2015.

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 Smith and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 16th day of July, 2015 and that notice thereof be published in an official newspaper as required by law.

28-1. 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, Smith, Graham, Madrid
Nays - None
Absent - Trzaska

29. **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.

29-1. Committeeman Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried on the following:

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

30. **SUMMER SCHEDULE**

It was the consensus of the Township Committee to meet August 6 and cancel the August 20 meeting.

31. **ZONING BOARD OF ADJUSTMENT**

Committeeman Smith reported that the Zoning Board of Adjustment would be meeting on July 21 for a hearing, possibly the final one, on the proposed Dunkin Donuts application. He stated that some of the concerns of the Zoning Board of Adjustment were the left turn onto Route 518 as an exit and sidewalks along Route 206 from Tigers Tale to the corner of Routes 518/206.

32. **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 affordable housing matters and anticipated litigation.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

32-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried unanimously.

33. The meeting reconvened in Open Session and **ADJOURNMENT** was at 9:10 p.m. on a motion by Committeeman Smith. The motion was seconded by Committeeman Sugden and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk