

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
September 3, 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: Deputy Mayor Trzaska, Committeemembers Graham and Sugden
Mayor Madrid and Committeeman Smith were absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

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

4. **PUBLIC COMMENT**

- 4-1. Candy Willis, Landmarks Commission Chair, spoke about the 1860 House. She recently saw the sign advertising the auction of the 1860 House and when she checked online she noticed that the auctioneer was advertising it as the former Ballantine Estate, which it is not, and that it had been used as a school, which it was not. She gave a brief history of why this confusion might have taken place. The house was built by the great grandson of the owner of the Ballantine Brewery. When his mother passed away they took the Ballantine paneling not from the Ballantine mansion in Newark but from another house in Newark, and that is the Ballantine paneling that is at the 1860 House. She spoke about the present condition of the 1860 House. She stated that there is neglect and she suggested that the Township clean it up and take care of the issues. She stated that in 2010 the Landmarks Commission asked that this site be declared a local historic site. The Master Plan draft was drawn up but nothing ever happened. She asked that the Township Committee direct the correct people to take care of the issues and to help to get it declared a local historic site.

Deputy Mayor Trzaska explained why the Township decided to auction the property off. The Township does not have the resources to restore it and maintain it. There will definitely be some historic restrictions placed on the house when it is auctioned. He stated that the auction was postponed, and would not be taking place on September 29.

Ms. Willis stated that the advertisement on the internet states that this building can be used as a school as it has classrooms, workshops and ample parking. Attorney Hadinger stated that the Township will specify that this would be residential use only and would follow up on any misinformation pertaining to the building and property.

- 4-2. Eric Weitze, Viburnum Drive, reported on a dead tree hanging over the road on Route 601 right before Route 206. He stated that the County came and removed one of the trees on the road. He asked that any Township employees driving around should make a note of any dead trees that need to be removed and report them to the Department of Public Works so there would not be any dangerous situations. He stated that there were two trees hanging over the Orchard Hill Elementary School entrance that needed to be addressed.

Mr. Weitze commented on Viburnum Drive and Spiked Rush Court roadways. He asked that the Township fix the roadways by the drains and the intersection of Viburnum Drive and Spike Rush Court. He spoke about the condition of Dutchtown Zion Road and asked the Township to continue to pursue paving the road. He stated that every time it rains all of the stone that is placed on the road washes away and washes into the Rock Brook and further down into the former Sylvan Lake.

- 4-3. Rikki Massand, River Road, stated that the video camera in the Court Room was at a bad angle and inquired if there was anything that could be done to correct that such as moving the podium. He stated that when he watches at home, he cannot see who is speaking and that is distracting to him.

5. **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 #15-9-214 - REFUND OVERPAID 2015 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$220.50 be given to Curry, Raymond G. & Kathleen M., 160 Matthews Farm Road, Belle Mead, NJ 08502 for the overpayment of 2015 sewer charges on Block 17007, Lot 4.

- B. **RESOLUTION #15-9-215 - REDEMPTION OF TAX SALE CERTIFICATE**

BE IT RESOLVED That a refund in the amount of \$5,143.69 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 #2014-44 on Block 37002, Lot 5.37.

(CONSENT AGENDA Cont.)

C. **RESOLUTION #15-9-216 - REFUND UNUSED PORTION OF SPECIAL DUTY SERVICE 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;

American Ultrarunning Assoc.
 4 Strawberry Lane
 Morristown, NJ 07960
 \$85.00

D. **RESOLUTION #15-9-217 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Trinity Counseling Services Gala**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Trinity Counseling Service has requested approval of the Township Committee to conduct a Gala event at Princeton Airport on September 19, 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 have obtained the required fire permit from Township Fire Marshall, Roy Mondì.
5. The organizers will obtain the required health certificates from the Township Health Department.

E. **RESOLUTION #15-9-218 - TEMPORARY ROAD CLOSING - Block Party - Bayberry Lane**

BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of Bayberry Lane to accommodate a neighborhood block party scheduled for September 26, 2015 from approximately 1:00 p.m. to 8:00 p.m.

The Montgomery Township Police have no objection to the road closing provided that:

- The roadway must be made accessible to emergency vehicles.
- The roadway must be made accessible to traffic originating and terminating on the closed section.
- Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.

F. **RESOLUTION #15-9-219 - RESOLUTION DECLARING CERTAIN GENERAL EQUIPMENT AS SALVAGE FOR RECYCLING**

WHEREAS, The Montgomery Township Administrator desires to declare certain property as salvage for recycling.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby authorize that the following items be sent to the Somerset County Recycling Center:

		<u>Township</u>
<u>Quantity</u>	<u>Description</u>	
1	HP Laserjet 4240 Printer	
1	HP Laserjet 5000 Printer	
2	Dell 3000 Printer	
1	HP Laserjet 1215 Printer	
1	HP Laserjet 4250 Printer	
1	HP Designjet 815 Plotter	
6	Dell Optiplex 280 PC	
2	Dell Optiplex 270 PC	
1	Dell Optiplex 260 PC	
15	Dell CRT Monitors	
3	APC UPS	
1	Dell Power Vault Backup System	
1	Dell 12 Port Switch	
1	Cisco 48 Port Switch	
1	Intel 16 Port Switch	
2	Cisco 24 Port Switch	
1	Dell Power Edge 2650 Server	
1	Dell Power Edge 2800 Server	
1	Dell Power Edge 4400 Server	
		<u>Police</u>
<u>Quantity</u>	<u>Description</u>	
16	L3 In Car Microphones	
16	L3 Flashback DVR	
5	Verizon Aircard Modems	
1	HP 24 port Switch	
1	HP16 Port Switch	
1	Defender E-Mail Archiver	

(CONSENT AGENDA Cont.)

G. **RESOLUTION #15-9-220 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Chronic Disease Self-Management Program

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 items is now available as a revenue from the New Jersey Division of Health Services

Chronic Disease Self-Management Program	\$12,000.00
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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.

H. **RESOLUTION #15-9-221 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Somerset County - Youth Services 2015 Grant

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 items is now available as a revenue from the County of Somerset - Department of Human Services - Office of Youth Services;

Somerset County - Youth Services 2015 Grant	\$5,000.00
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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.

I. **RESOLUTION #15-9-222 - AUTHORIZING SEWER PARTICIPATION AGREEMENT** - Su Pan -
Block 35002, Lot 21

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute a Sewer Participation Agreement with Su Pan related to sewer capacity in the Stage II Sewage Treatment Plant for Block 35002, Lot 21.

5-1. Committeeman Sugden moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Graham and carried on the following:

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

6. **RESOLUTION #15-9-223 - AWARDING BANKING SERVICES TO INVESTOR'S BANK**

WHEREAS, The Township of Montgomery requested proposals for banking services to be implemented on or after September 18, 2015, for a period of at least four (4) years; and

WHEREAS, On April 21, 2015, in furtherance of said banking services, the Township of Montgomery, consistent with the Local Public Contracts Law (N.J.S.A 40A:11-1 et.seq.), advertised a request for proposals (hereinafter referred to as the "RFP") for such municipal banking services; and

WHEREAS, In response to the RFP the Township received eight (8) proposals for banking services on May 28, 2015.

(Item #6 Cont.)

NOW, THEREFORE, BE IT RESOLVED That the Governing Body of the Township of Montgomery awards the contract to INVESTORS BANK, 1500 Finnegan's Lane, North Brunswick, NJ 08902, to provide the highest level of banking services and the most economic and efficient standards that will be in the best interests of the Township and its taxpayers; and

BE IT FURTHER RESOLVED That the Mayor, Chief Financial Officer, and Township Clerk are hereby authorized to execute any and all documents in connection with the submitted proposal and the designation of INVESTORS BANK as an official depository of the Township of Montgomery, County of Somerset, State of New Jersey.

- 6-1. 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
Nays - None
Absent - Smith, Madrid

7. **RESOLUTION #15-9-224 - AWARD OF BID - Hillcrest Road, Duncan Lane, Dogwood Lane and Platz Drive Roadway Overlay Project**

WHEREAS, The following bids for the Hillcrest Road, Duncan Lane, Dogwood Lane and Platz Drive Roadway Overlay Project were received and publicly opened on September 1, 2015:

<u>BIDDERS</u>	<u>AMOUNT</u>
Black Rock Enterprises, LLC	\$662,373.00
Top Line Construction	\$583,751.75

WHEREAS, It is the recommendation of the Purchasing Agent and the Township Engineer that Top Line Construction be awarded the bid; they being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk; and

WHEREAS, There exists an account number 04-216-55-901-1443B which will fund this project.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the contract for the Hillcrest Road, Duncan Lane, Dogwood Lane and Platz Drive Roadway Overlay Project is hereby awarded to Top Line Construction, 22 Fifth Street, Somerville, NJ 08876 in the amount of \$583,751.75; and

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

- 7-1. 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
Nays - None
Absent - Smith, Madrid

8. **RESOLUTION #15-9-225 - AWARD OF BID - South Wiggins Lane, Williamsburg Court, Norfolk Way, Charleston Drive and Richmond Drive Roadway Overlay Project**

WHEREAS, The following bids for the South Wiggins Lane, Williamsburg Court, Norfolk Way, Charleston Drive and Richmond Drive Roadway Overlay Project were received and publicly opened on September 1, 2015:

<u>BIDDERS</u>	<u>AMOUNT</u>
Black Rock Enterprises, LLC	\$665,270.75
Top Line Construction	\$485,473.01

WHEREAS, It is the recommendation of the Purchasing Agent and the Township Engineer that Top Line Construction be awarded the bid; they being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk; and

WHEREAS, There exists account numbers 04-215-55-901-1153, 04-216-55-901-1184E, 04-215-55-901-1205, 04-215-55-901-1227E, 04-21655-901-1361A, and 04-216-55-901-1443B which will fund this project.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the contract for the Hillcrest Road, Duncan Lane, Dogwood Lane and Platz Drive Roadway Overlay Project is hereby awarded to Top Line Construction, 22 Fifth Street, Somerville, NJ 08876 in the amount of \$485,473.01; and

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

- 8-1. 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
Nays - None
Absent - Smith, Madrid

9. **RESOLUTION #15-9-226 - A RESOLUTION AUTHORIZING THE TOWNSHIP OF MONTGOMERY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT - National Joint Powers Alliance (NJPA)**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, Pursuant to N.J.S.A. 52:34-6.2, any contracting unit authorized to purchase goods, or to contract for services, may make purchases and contract for services through the use of a national-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit with the State of New Jersey, or within any other state, when available; and

WHEREAS, On September 3, 2015 the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE BE IT RESOLVED That this resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Montgomery; and

BE IT FURTHER RESOLVED That pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Township Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency; and

BE IT FURTHER RESOLVED That the Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

- 9-1. 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
Nays - None
Absent - Smith, Madrid

10. **RESOLUTION #15-9-227 - AUTHORIZING SEVEN (7) ROAD OVERLAY PROJECTS THROUGH THE MORRIS COUNTY CO-OP**

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 that the 2015 Morris County Co-op Anticipated Pricing - District #1 has provided the Township with the most competitive price for the following road overlay projects:

Hollow Road
Opossum Road
Burnt Hill Road (Part 1) - Route 518 to Daisy Farm Road
Cherry Valley Road - Limit to Limit (Cherry Brook Drive)
Mountain View Road - Cherry Valley (New Payment) to Limit
Harlingen Road - Devon Road to Limit
Burnt Hill Road (Part 2) - Sunset Road to Limit

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for these projects in account number 04-215-55-901-1494B.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the seven (7) road overlay projects, at a not to exceed amount of \$615,000.00, be authorized through the utilization of Morris County Co-op Contract #6MOCCP to:

Tilcon New York Inc.
625 Mt. Hope Road
Wharton, N.J. 07885

- 10-1. 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
Nays - None
Absent - Smith, Madrid

11. **RESOLUTION #15-9-228 - AUTHORIZING THE PURCHASE OF A 2015 OR 2016 JEEP PATRIOT THROUGH THE NEW JERSEY STATE CONTRACT - HEALTH DEPARTMENT**

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 #83011 (T-2007) 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 04-215-55-901-1494C.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 2015 or 2016 Jeep Patriot for the Health Department at a not to exceed amount of \$20,000.00 be authorized through the utilization of New Jersey State Contract to:

Hertrich Fleet Service
1427 Bay Road
Milford, DE 19963

11-1. 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
Nays - None
Absent - Smith, Madrid

12. **RESOLUTION #15-9-229 - AUTHORIZING PURCHASE OF A 2016 JEEP PATRIOT 4WD 4 DOOR SPORT THROUGH THE NEW JERSEY STATE CONTRACT - CODE DEPARTMENT**

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 #83011 (T-2007) 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 04-215-55-901-1494D.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a 2016 Jeep Patriot for the Code Department at a not to exceed amount of \$20,000.00 be authorized through the utilization of New Jersey State Contract to:

Hertrich Fleet Service
1427 Bay Road
Milford, DE 19963

12-1. 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
Nays - None
Absent - Smith, Madrid

13. **RESOLUTION #15-9-230 - AUTHORIZING THE PURCHASE OF THREE (3) REPLACEMENT VEHICLES FOR THE MONTGOMERY TOWNSHIP POLICE DEPARTMENT THROUGH THE NEW JERSEY STATE CONTRACT WITH SOMERSET COUNTY IMPROVEMENT AUTHORITY FUNDING**

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 #83011 (T-2007), 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 01-201-25-240-246; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of three (3) 2016 Ford Interceptor Utility All Wheel Drive Base Police Vehicles at a not to exceed amount of \$86,489.80 be authorized through the utilization of the New Jersey State Contract to:

Chas S. Winner, Inc.
Dba Winner Ford
250 Berlin Road
Cherry Hill, NJ 08034

13-1. 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
Nays - None
Absent - Smith, Madrid

14. **RESOLUTION #15-9-231 - AUTHORIZING THE EQUIPPING OF THREE (3) REPLACEMENT VEHICLES FOR THE MONTGOMERY TOWNSHIP POLICE DEPARTMENT THROUGH THE NEW JERSEY STATE CONTRACT WITH SOMERSET COUNTY IMPROVEMENT AUTHORITY FUNDING**

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, Contracts #81344, #81336, and #81327 (T-2007), have 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 01-201-25-240-246; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of fixed equipment and installation costs for three (3) 2016 Ford Interceptor Utility All Wheel Drive Base Police Vehicles at a not to exceed amount of \$23,530.86 be authorized through the utilization of the New Jersey State Contract to:

Emergency Accessories & Installation, Inc.
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

14-1. 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
Nays - None
Absent - Smith, Madrid

15. **RESOLUTION #15-9-232 - AUTHORIZING THE APPLICATION OF MONTGOMERY TOWNSHIP GRAPHICS ONTO THREE (3) REPLACEMENT VEHICLES FOR THE MONTGOMERY TOWNSHIP POLICE DEPARTMENT WITH SOMERSET COUNTY IMPROVEMENT AUTHORITY FUNDING**

WHEREAS, There exists a need to apply Montgomery Township graphics onto three (3) replacement vehicles for the Police Department of the Township of Montgomery; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 01-201-25-240-246; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Purchasing Agent is hereby authorized and directed to allow the application of the graphics of Montgomery Township on three (3) 2016 Ford Interceptor Utility All Wheel Drive Base Police Vehicles by Lew Pinella Sign Co., at a not to exceed amount of \$1,875.00.

15-1. 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
Nays - None
Absent - Smith, Madrid

16. **RESOLUTION #15-9-233 - AUTHORIZING THE EQUIPPING OF THREE (3) REPLACEMENT VEHICLES FOR THE MONTGOMERY TOWNSHIP POLICE DEPARTMENT THROUGH THE NATIONAL JOINT POWERS ALLIANCE WITH SOMERSET COUNTY IMPROVEMENT AUTHORITY FUNDING**

WHEREAS, The Township of Montgomery intends to participate in the National Joint Powers Alliance (NJPA) contract to equip the replacement three vehicles for the Police Department of the Township of Montgomery; and

WHEREAS, Said equipment for the replacement vehicles is available through NJPA contract #090512-HVI with Havis, Inc. awarded for the period of July 27, 2015 through October 16, 2016; 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-safety-vehicles-fire-trucks-equipment/090512-hvi/>; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this project in account number 01-201-25-240-246.

WHEREAS, Said funds are available through the Somerset County Improvement Authority.

(Item #16 Cont.)

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

Island Tech Services
509 Main Street
Unit B
Toms River, NJ 08753

for the equipping of three (3) 2016 Ford Interceptor Utility All Wheel Drive Base Police Vehicles through the distributor Havis, Inc. at a not to exceed amount of \$4,032.00.

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 a "Notice of Intent to Award".

- 16-1. 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
Nays - None
Absent - Smith, Madrid

17. **RESOLUTION #15-9-234 - ABC LICENSE #1813-44-001-009 - Steele Built LLC**
(Steele's Wine Cellar)

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-44-001-009 for Steele's Wine Cellar:

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

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-44-001-009 is hereby granted for the year 2015-2016.

- 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
Nays - None
Absent - Smith, Madrid

18. **RESOLUTION #15-9-235 - ABC LICENSE #1813-33-011-001 - MTC Restaurant II, LLC**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-011-001 for MTC Restaurant II, LLC:

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

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-011-001 is hereby granted for the year 2015-2016.

- 18-1. 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
Nays - None
Absent - Smith, Madrid

19. **RESOLUTION #15-9-236 - ABC LICENSE #1813-33-012-001 - MTC Restaurant III, LLC**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-012-001 for MTC Restaurant III, LLC:

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

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-012-001 is hereby granted for the year 2015-2016.

19-1. 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
Nays - None
Absent - Smith, Madrid

20. **RESOLUTION #15-9-237 - ABC LICENSE #1813-33-002-016 - Alan I. Gould, Receiver for Tusk, LLC**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-002-016 for Alan I. Gould, Receiver for Tusk, LLC:

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

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-002-016 is hereby granted for the year 2015-2016.

20-1. 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
Nays - None
Absent - Smith, Madrid

21. **APPROVAL OF MINUTES - August 6, 2015**

The minutes of August 6, 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.
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made.
3. That the proper Township Officials are authorized to sign the checks.

22-1. 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
Nays - None
Absent - Smith, Madrid

23. **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 is as follows:
 - Advice of Counsel with respect to negotiation of settlement of Country Club Meadows 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.

23-1. Committeeman Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.

24. Meeting reconvened in Open Session and **ADJOURNMENT** was at 8:02 p.m. on a motion by Committeeman Sugden. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk