

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
June 2, 2016

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 Graham (after Item #5), Deputy Mayor Trzaska, Committeemembers Smith, Madrid and Conforti

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

ASSISTANT CHIEF FINANCIAL OFFICER - Michael Pitts

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**

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

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 #16-6-127 - DECLARING CERTAIN GENERAL EQUIPMENT AS SALVAGE FOR SALE AND/OR DISPOSAL**

WHEREAS, The Township Administrator desires to declare certain property as salvage to be sold and/or disposed of.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee does hereby authorize the sale or disposal of the following items:

Brother ML 300 Display Electric Typewriter  
Panasonic KX-E 4000 Spellscan Electric Typewriter

B. **RESOLUTION #16-6-128 - AMENDING RESOLUTION #16-4-100 - APPROVAL OF OUTDOOR ASSEMBLY Montgomery Rodeo (Increase in number of Private Duty Police Officers)**

WHEREAS, On April 21, 2016 the Montgomery Township Committee approved Resolution #16-4-100, Approval of Outdoor Assembly for the Montgomery Rodeo to be held at Daube Farm on Sunset Road, Skillman; and

WHEREAS, The number of Private Duty Police Officers stated in the resolution was one (1) at each event. The Police Director has requested that the number of officers be increased to not more than four (4) officers if necessary during periods of the serving of alcohol.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby approves additional Private Duty officers if needed for the Montgomery Rodeo, subject to the same conditions as stated in Resolution #16-4-100.

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

**ROLL CALL** - Ayes - Conforti, Madrid, Smith, Trzaska  
Nays - None  
Abstain - Graham

6. Mayor Graham arrived at the meeting.

7. **RESOLUTION #16-6-129 - APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1813-33-002-016 - FROM ALAN I. GOULD RECEIVER FOR TUSK, LLC TO AJA MONTGOMERY, LLC**

WHEREAS, An application has been filed for a Person-to-Person transfer of Plenary Retail Consumption License Number 1813-33-002-016, heretofore issued to Alan I. Gould Receiver for Tusk, LLC for the premises located at 1736 Route 206, Skillman, New Jersey 08558; and

WHEREAS, The submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, The applicant is qualified to be licensed according to all standards established pursuant to the New Jersey Alcoholic Beverage Control Act, N.J.S.A. 33:1-1.1 et seq., regulations promulgated thereunder, Township ordinances and other applicable law; and

(Item #7 Cont.)

WHEREAS, The applicant has disclosed to the Township of Montgomery ("Township") and the Township has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, The transferee has executed a valid consent to transfer the license.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that it does hereby approve the transfer of Plenary Retail Consumption License Number 1813-33-002-016 to AJA Montgomery, LLC as follows: "This license, subject to all of its terms and conditions, is hereby transferred to AJA Montgomery, LLC, effective June 2, 2016."

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

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

8. **RESOLUTION #16-6-130 - RESOLUTION AMENDING PROFESSIONAL SERVICES AGREEMENT** - Engineering Services - Menlo Engineering - Viburnum Drive, Spiked Rush Court, Sassafras Court Improvement Project
- 

WHEREAS, By Resolution No. 15-8-207 adopted on August 6, 2015, the Township Committee awarded an agreement for professional services to the firm of Menlo Engineering Associates, Inc. ("Menlo") for the provision of engineering, permit administration, surveying and geotechnical services in connection with the Viburnum Drive, Spiked Rush Court, Sassafras Court Improvement Project, including roadway and drainage improvements ("Project"), for the sum of \$27,200.00 ("Agreement for Professional Services" or "agreement"); and

WHEREAS, The Township Engineering Department has requested that the Township Committee authorize Menlo to complete additional engineering services in connection with this Project, and in particular, to extend the scope of Menlo's services to include attendance at a public information meeting and engineering services in connection with the removal of pavement on Sedge Drive, which were not included in the original scope of services for said Project; and

WHEREAS, Menlo submitted a written proposal dated May 12, 2016 to complete these additional services for the sum of \$5,000.00 ("Proposal"), which Proposal shall be incorporated herein by reference; and

WHEREAS, The work set forth in the Proposal extends beyond the original scope of services with Menlo and therefore, the parties seek to memorialize the Proposal's scope of work and estimated cost by amending the existing agreement; and

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

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

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

1. The existing Agreement for Professional Services entered into between the Township and Menlo Engineering Associates, Inc. ("Menlo") is hereby amended to extend the scope of Menlo's services to include attendance at a public information meeting and engineering services in connection with the removal of pavement on Sedge Drive, which were not included in the original scope of services for this Project, as detailed in Menlo's May 12, 2016 proposal, incorporated herein by reference, resulting in an increase in the contract amount by \$5,000.00, bringing the contract total, as amended, to \$32,200.00.
2. The Mayor and Clerk are hereby authorized and directed to execute an Amendment to Professional Services Agreement which shall be executed by the parties to confirm the additional scope of services and anticipated cost; the form of the Amendment to Agreement for Professional Services shall be subject to the approval of the Township Attorney.
3. A copy of this Resolution and Amendment to Agreement for Professional Services shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

- 8-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

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

9. **RESOLUTION #16-6-131 - AUTHORIZING A CONTRACT WITH THE COUNTY OF SOMERSET TO PROVIDE PARTICIPATION IN A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES**

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made available to certain urban counties for use therein; and

WHEREAS, The Community Development Block Grant Program and the HOME Investment Partnership Programs have benefited the County as a whole and has provided a unique opportunity for intermunicipal cooperation; and

WHEREAS, The program has provided substantial benefits to persons of low and moderate income including the elderly and disabled, and that these benefits would be lost without a renewal of the County cooperation agreement; and

WHEREAS, Montgomery Township desires to preserve benefits of the Community Development Block Grant Program and the HOME Investment Partnership Program for the County by renewing its participation in the Somerset County Community Development Consortium; and

WHEREAS, The Shared Services and Consolidation Act (NJSA 40A:65-1) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, (NJSA 40A:65-1) provides that authorization for participation in such a cooperative program must be by resolution.

NOW, THEREFORE, BE IT RESOLVED, By the Township Committee of the Township of Montgomery, County of Somerset, New Jersey, that:

1. It does hereby authorize continued participation in the Somerset County Community Development Consortium or Urban County.
2. It does hereby authorize, ratify and confirm a certain agreement (hereinafter referred to as "Contract") between the Township of Montgomery and Somerset County entitled "Agreement Between the County of Somerset and Certain Municipalities Located Therein For the Establishment of Cooperative Means of Conducting Certain Community Development Activities" and is further authorized to amend language that is contained in the existing agreement to comply with new requirements from the Department of Housing and Urban Development. This agreement shall automatically renew in every successive qualification period unless notice that it wishes to withdraw is provided to HUD and Somerset County.
3. It hereby authorizes full participation by the Township of Montgomery in all aspects of the activities provided for within said Contract pursuant to the terms and conditions as more fully set forth in said Contract.
4. It hereby incorporates said Agreement into this Resolution by reference, as if fully set forth herein.
5. The Mayor and Municipal Clerk are hereby authorized to execute the Contract with the County and copy of said Contract will remain filed in the Office of the Municipal Clerk for public inspection.

9-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Trzaska and carried on the following:

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

10. **RESOLUTION #16-6-132 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, The 2016 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2016 Budget being adopted, in order to maintain operations until such time as the Township Budget is in place; and

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

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

<u>CURRENT</u>	<u>AMOUNT</u>
Pre School (Outside Cap)	
S&W	\$25,000.00

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

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

11. **2016 MUNICIPAL BUDGET**

A. **RESOLUTION #16-6-133 - REGARDING PUBLIC HEARING OF THE 2016 LOCAL MUNICIPAL BUDGET OF THE TOWNSHIP OF MONTGOMERY, STATEMENTS OF REVENUES AND APPROPRIATIONS**

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

WHEREAS, The 2016 Budget has been made available to each and every person requesting the same for at least one week.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee (not less than a majority of the full membership concurring) of the Township of Montgomery in Somerset County, that the Township Committee hereby determines that the 2016 Municipal Budget, Statements of Revenues and Appropriations shall be read by title, and that the conditions of N.J.S.A. 40A:4-8, Sections 1A and 1B, have been satisfied.

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

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

B. **REPORT FROM THE ASSISTANT CHIEF FINANCIAL OFFICER**

Assistant Chief Financial Officer Michael Pitts explained that every two years all municipalities' budgets are reviewed by the State. It was a fairly quick process this year, as it was a clean budget. There were some recommendations from the State and the Township needs to amend the budget that was introduced to comply with their standards. It is important to note that the bottom line has not changed. He explained the amendments the State required.

B-1. **MOTION #16-6-1 - TO AMEND THE 2016 MUNICIPAL BUDGET PER THE RECOMMENDATION OF THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY AFFAIRS**

Committeeman Smith moved to amend the 2016 Municipal Budget per the recommendation of the Director of the Department of Community Affairs. The motion was seconded by Committeewoman Madrid and carried on the following:

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

C. **2016 MUNICIPAL BUDGET AS AMENDED - Public Hearing**

Mayor Graham moved the open the public hearing. There being no comment, Deputy Mayor Trzasaka moved to close the public hearing. The motion was seconded by Committeeman Conforti and carried unanimously.

(Item #11 Cont.)

D. **RESOLUTION #16-6-134 - ADOPTION OF THE 2016 MUNICIPAL BUDGET AS AMENDED**

BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of \$27,646,059.81 for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(1)	GENERAL REVENUES	
	Surplus Anticipated	\$ 4,750,000.00
	Miscellaneous Revenue Anticipated	8,209,185.11
	Receipts from Delinquent Taxes	670,900.00
(2)	AMOUNT TO BE RAISED BY TAXATION FOR	
	MUNICIPAL PURPOSES	<u>14,015,974.70</u>
	TOTAL REVENUES	\$27,646,059.81
(3)	GENERAL APPROPRIATIONS	
	Within "CAPS"	
	Operations Including Contingent	\$18,099,136.00
	Deferred Charges and Statutory	
	Expenditures - Municipal	2,243,300.00
	Excluded from "CAPS"	
	Operations - Total Operations	
	Excluded from "CAPS"	1,507,310.62
	Capital Improvements	269,337.50
	Municipal Debt Service	4,591,650.00
	Total Deferred Charges	.00
	Reserve for Uncollected Taxes	<u>935,325.69</u>
	TOTAL APPROPRIATIONS	\$27,646,059.81

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

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

12. **ORDINANCE #16-1517 - Acquisition of Interests in Real Property (Block 3001, Lots 1 & 2) Public Hearing**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF INTERESTS IN REAL PROPERTY, SPECIFICALLY BLOCK 3001, LOTS 1 & 2 IN CONJUNCTION WITH THE COUNTY OF SOMERSET, AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE TOWNSHIP OF MONTGOMERY OPEN SPACE TRUST FUND.

B. Mayor Graham 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 Madrid and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 2<sup>nd</sup> day of June, 2016 and that notice thereof be published in an official newspaper as required by law.

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

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

13. ORDINANCE #16-1518 - Deer Management - Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY CONCERNING ELIGIBILITY FOR DEER HUNTING PERMITS AMENDING SUBSECTIONS 9-9c.2 - 9-9h OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984).

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 June 16, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

13-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Trzaska and carried on the following:

ROLL CALL - Ayes - Conforti, Madrid, Smith, Trzaska, Graham  
Nays - None

14. ORDINANCE #16-1519 - Acquisition of Equipment-Sewer Capital 2016 - Introduction

A. Mayor Graham 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 \$3,600.00 THEREFOR FROM THE "SEWER CAPITAL IMPROVEMENT FUND" OF SAID TOWNSHIP.

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 June 16, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Conforti, Madrid, Smith, Trzaska, Graham  
Nays - None

15. ORDINANCE #16-1520 - Acquisition of Equipment-Capital Improvement Fund 2016 - Introduction

A. Mayor Graham 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 \$49,100.00 THEREFOR FROM THE "CAPITAL IMPROVEMENT FUND" OF SAID TOWNSHIP.

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 June 16, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Conforti, Madrid, Smith, Trzaska, Graham  
Nays - None

16. ORDINANCE #16-1521 - BOND - Providing for Various Capital Improvements - Introduction

A. Mayor Graham 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 \$4,404,750 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$4,184,513 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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 June 16, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Conforti, Madrid, Smith, Trzaska, Graham  
Nays - None

17. **ORDINANCE #16-1522 - BOND - Providing for Various Sewer Utility Improvements - Introduction**

A. Mayor Graham 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 \$2,273,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,273,500 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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 June 16, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

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

18. **APPROVAL OF MINUTES**

The Regular Session minutes of April 21, 2016, May 5, 2016 and May 19, 2016 were approved as printed.

19. **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.

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

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

20. **VETERANS MEMORIAL COMMITTEE APPOINTMENT**

Attorney Hadinger stated that the Veterans Memorial Committee would like to have Freeholder Mark Caliguire serve as an advisor. The Governing Body thought it was an excellent idea and agreed.

21. **SNOW PLOWING CONTRACTS**

Administrator Nieman reported that the Township will soon be going out to bid for the snow plowing contract for the 2016-2018 winters.

22. **EMPLOYEE INCENTIVE**

Committeeman Smith asked what happened to the Employee Incentive program. Administrator Nieman stated that the program was still in existence, but that there have not been any suggestions recently.

23. **COMMITTEE AND SUB-COMMITTEE REPORTS**

23-1. **ZONING BOARD OF ADJUSTMENT**

Committeeman Conforti reported on the Zoning Board of Adjustment meeting on the cell tower process.

Administrator Nieman stated that there were some questions as to whether or not testimony from a prior application was allowable. He stated that the current application will be moving forward.

23-2. **LANDMARKS COMMISSION**

Committeewoman Madrid reported on the Landmarks Commission meeting. There was some discussion about the cell tower and some concerns about it.

(Item #23 Cont.)

23-3. FIREWORKS COMMITTEE

Deputy Mayor Trzaska reported that the Fireworks Committee is ready for the event. The fireworks display is scheduled for Thursday, June 30, 2016 at the Montgomery High School.

24. 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:
  - Affordable housing litigation and advice of counsel with respect to Affordable Housing Plan;
  - Acquisition of lands with public funds and possible contract terms and conditions therefor.
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. Acquisition of lands shall only be authorized by the Township Committee in a public session.

24-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried unanimously.

25. The meeting reconvened in Open Session and ADJOURNMENT was at 7:57 p.m. on a motion by Committeewoman Madrid. The motion was seconded by Committeeman Smith and carried unanimously.

Date of Approval:

\_\_\_\_\_  
Donna Kukla, Township Clerk