

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
October 20, 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, Deputy Mayor Trzaska, Committeemembers Smith, Madrid and Conforti

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. Mayor Graham 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 Graham led the Salute to the Flag.
4. **HONORING GIRL SCOUT GOLD AWARD RECIPIENTS** - Ava Raccaro, Scarlett Bekus, Rebecca Koblin, Jillian Szczepanski, Trina Sudol

WHEREAS, The prestigious Girl Scout Gold Award has been earned by Ava Raccaro, Scarlett Bekus, Rebecca Koblin, Jillian Szczepanski and Trina Sudol; and

WHEREAS, This award is the highest honor a girl can attain in Girl Scouting; and

WHEREAS, To qualify for the Gold Award, a Girl Scout must complete not only a significant service project, but also complete numerous other leadership, career and service prerequisites, all of which demand efficient organizational, time management and leadership skills; and

WHEREAS, The Gold Award represents the culmination of many years of service and work that benefit the community; and

WHEREAS, Ava, Scarlett, Rebecca, Jillian and Trina accepted the challenge and worked diligently to achieve this goal, exhibiting excellence in leadership qualities reflecting the highest personal standards and civic values.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee takes great pride in congratulating Ava Raccaro, Scarlett Bekus, Rebecca Koblin, Jillian Szczepanski and Trina Sudol on their accomplishments and contributions to the public good, and wishes them continued success in the future.

- 4-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

5. **POLICE REPORT AND UPDATE ON HIRING PROCESS**

Police Lieutenant Gill reported on the following activities of the Police Department for the month of September, 2016:

-- 50 motor vehicle accidents;  
-- 18 arrests;  
-- 1 theft;  
-- 3 burglaries;  
-- 2 criminal mischief;  
-- 6 domestic violence.

Lieutenant Gill updated the Governing Body on the hiring process currently occurring in the Police Department. He stated that they started advertising approximately two (2) weeks ago. Monday, October 17 was the first day they started accepting applications. There are 71 applications already received out of a possible 250. The application acceptance is open until November 4. There will then be one week until the exam. This exam will take place at the Lower Middle School. There will be a written portion in the morning. Once the applicant achieves a score of 75 or higher, they will then move on to the physical in the afternoon. A few weeks later an interview will take place. After that, the top candidates will be picked. He mentioned that a few current Police Officers have applied. If any of them are hired they can go straight into field training without having to go to the Police Academy.

6. **ASH BORER PRESENTATION** - Larry Koplik

Larry Koplik, Shade Tree Committee Chair, stated that the Shade Tree Committee has been discussing a plan to deal with the problem of the Emerald Ash Borer, which will soon be attacking and killing the ash trees. They can reasonably expect that within five (5) years, most of the town's ash trees will be affected. He explained that there were three (3) possible approaches in dealing with this problem:

1. Treat the ash trees every two (2) years with a pesticide that costs approximately \$10.00 per diameter inch;
2. Remove the trees proactively while still alive and replace them with another species;
3. Wait for the trees to be severely compromised or killed by the Emerald Ash Borer, then remove the trees and replace them with another species.

(Item #6 Cont.)

He explained the problems associated with each of the approaches, and stated that with all of these approaches, in addition to removal costs, the Township needs to plan for the cost of replacing the ash trees. He explained that there were 184 street trees plus other ashes in the parks and Arboretum, equaling approximately 200 total. The current cost of buying and planting a street-tree sized tree is approximately \$300.00 each, for an approximate total of \$60,000.00, which can be spread out over several years.

He stated that the Shade Tree Committee discussed these various options and has recommended that the Township follow option #3. They think that in the long run, this would be the most cost effective way to deal with this problem and will ensure that Montgomery will have healthy, viable trees on all of its streets.

7. PUBLIC COMMENT

7-1. Williams-Transco Proposed Gas Compressor Station

Faye Lockman, Montgomery Woods, spoke about the Williams-Transco Company's proposed gas compressor station. This compressor station is proposed in the Franklin, South Brunswick area but will be affecting the Blue Spring Road area of Montgomery Township if it is built. This would be a 32,000 horsepower gas compressor station to aid in the transportation of natural gas from Pennsylvania to New York City and Long Island. The two proposed sites are in close proximity to a Trap Rock active blasting site and surrounded by schools, places of worship and thousands of residential houses. This compressor provides no benefit to this community and is not necessary because there is an existing compressor station eight miles north, which can be adapted or boosted. She asked the Governing Body to take immediate action on the taxpayers' behalf to stop this compressor station from being built.

Mayor Graham stated that this situation has been looked into. This matter is before the Federal Energy Regulatory Commission (FERC). There was a hearing in August, and FERC has ordered an Environmental Impact Statement.

Administrator Nieman explained that Transco was required to perform an Environmental Impact Study taking into account the items Ms. Lockman spoke about. He has been in contact with Franklin Township and South Brunswick Township, who oppose this compressor station.

Shailandra Vaish, Windham Court, spoke about his concerns regarding the proposed Transco compressor station and stated that Transco is only required to send a notification to people who live within a half mile radius of the project. This radius does not include Montgomery Township.

Marty Mandell, 24 Club, spoke about the proposed Transco compressor station and stated that there is a very well organized citizens group called Central Jersey Safe Energy Coalition and he is on their coordinating committee. He asked the Governing Body to draft a resolution opposing this project, so that Central Jersey Safe Energy Coalition can put it on the FERC website, along with resolutions from Franklin Township and South Brunswick Township.

A gentleman from Princeton Walk development in South Brunswick spoke about the proposed Transco compressor station. He stated that he and his neighbors are very much against it, since they are the ones who would be most impacted by the station. The main items of concern are pollution and the possibility of explosion.

The following people also spoke about their concerns with the proposed Transco compressor station:

Mark Curry, Montgomery Woods; Hanan Isaacs, Castleton Road; a resident from Castleton Road; 2 residents from Andover Circle; Birger Joehnk, Windham Court; and David Henry, Brookline Court.

7-2. Lanwin Proposed Development

Attorney Hadinger recused herself from this portion of the meeting.

Mayor Graham explained that some residents had some concerns about the drainage issues from the Lanwin development that is proposed in Princeton and asked Township Engineer Gail Smith to look into the issue and give a report.

Administrator Nieman stated that this was a conceptual plan that would require Princeton to change its zoning on the ridge and that has not been done.

Mayor Graham stated that Administrator Nieman is in contact with the Princeton Engineer. She explained that because the drawings or plans are conceptual, there is no actual application before the Zoning Board of Adjustment.

Gail Smith, Township Engineer, reported there have been discussions with the developer about the possibility of changing the zoning. She has a conceptual plan map from Princeton. She superimposed it on the Township's aerial topography map so that they could see how the conceptual development relates to the properties downhill from this property on the Montgomery side. This is a very steep slope site on Herrontown Road, and the steep slope would affect the Manor Drive and Scarlet Oak Drive area. Under the existing zoning, the site is zoned for either conventional 4-acre lots in which case it would allow 20 houses; or a cluster option in which case it would allow 27 houses. This latest plan that has been presented to Princeton would be 30 houses plus a 3-acre affordable housing lot on Mount Lucas Road on the Montgomery/Princeton boundary. She stated that she would work closely with Princeton, in case the zoning is changed and this becomes a site plan, to ensure that the Stormwater Management Plan is appropriate for the site and there is not going to have a negative impact on the Montgomery properties.

(Item #7-2 Cont.)

Aline Johnson, Castleton Road, asked if they drain any wetland area uphill and divert it would it go into the stream behind Castleton Road. Engineer Smith stated that wetlands are very highly regulated by the State and it looks like there was only a small crossing by Herrontown Road. The Stormwater Management Plan should answer this question and should actually mitigate any problems like this.

Marie Giordello, Montgomery Woods, asked if the Lanwin Development was aware of the Transco proposed gas compressor station.

Hanan Isaacs, Castleton Road, on behalf of the Princeton Village Homeowners Association and Blue Spring Road Association, spoke about the Lanwin Development and how it would detrimentally affect the residents of the southern part of Montgomery Township.

Steve Piccoli, President of the Manors at Montgomery Homeowners Association, spoke about his concerns regarding the proposed development. He wondered how this would affect the Montgomery Township long-term plan of establishing a greenway from River Road to Mount Lucas Road.

Attorney Hadinger returned to the dais.

8. **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 #16-10-247 - REFUND OVERPAID 2016 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2016 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
11001	80	Associated Title Agency	\$4,200.00
31001	61	First American Title Insurance Company	\$4,496.24
31008	1	Mark R. Cleary	\$3,908.39

B. **RESOLUTION #16-10-248 - REFUND OVERPAID 2016 SEWER CHARGES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2016 sewer charges:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
16003	21	Mark Krowiak	\$ 443.81
31009	17	Arvin Bansal & Nish Devgan-Bansal	\$ 409.98
37001	4.36	Shan Tao	\$1,498.38
37002	1.107	Vikas & Vaishali Aggarwal	\$ 450.84

C. **RESOLUTION #16-10-249 - AUTHORIZING THIRD AMENDMENT TO CONSTRUCTION SEQUENCE AGREEMENT - Orchard Residential (aka Montgomery Ridge)**  
(BA-07-09, BA-02-11, PB-09-12)

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a third amendment to the Construction Sequence Agreement for Orchard Residential (aka Montgomery Ridge).

D. **RESOLUTION #16-10-250 - RELEASE OF MAINTENANCE GUARANTEE - JER/Herring Solar Array Site Plan - Borrego Solar Systems**

WHEREAS, Gail Smith, Township Engineer, has certified on October 10, 2016 that all public improvements in a project known as JER/Herring Solar Array Site Plan have been in satisfactory continuous use for a period greater than two years and therefore recommends the release of the posted maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that Maintenance Bond #09045696 in the amount of \$11,024.28 be released to Borrego Solar Systems, 5005 Texas Street, Suite 400, San Diego, CA 92108-3725, conditioned upon the posting of adequate escrow funds.

E. **RESOLUTION #16-10-251 - RESOLUTION TO RENEW MEMBERSHIP IN THE MID JERSEY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, The Township of Montgomery ("Municipality") is a member of the Mid Jersey Municipal Joint Insurance Fund; and

WHEREAS, Said renewal membership terminates as of January 1, 2017 at 12:01 a.m., unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, The Municipality desires to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Montgomery agrees to renew its membership in the Mid Jersey Municipal Joint Insurance Fund for a period of three (3) years beginning January 1, 2017, and ending January 1, 2020 at 12:01 a.m., and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Mid Jersey Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

(CONSENT AGENDA Cont.)

- 8-1. Deputy Mayor Trzaska moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Conforti and carried on the following:

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

9. **RESOLUTION #16-10-252 - AUTHORIZATION TO RATIFY AGREEMENT** - American Federation of State, County, and Municipal Employees (AFSCME) Local 3383

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Township Clerk are hereby authorized and directed to execute a collective bargaining agreement with AFSCME Local 3383 for a three-year period effective January 1, 2016 to December 31, 2018.

- 9-1. Committeeman Conforti 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

10. **ORDINANCE #16-1530 - Use of Somerset County Improvement Authority for the Purchase of Block 20001, Lot 10.05 - Public Hearing Continuation**

- 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 APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY GUARANTEED LEASE REVENUE BONDS (TOWNSHIP OF MONTGOMERY PROJECT) AND ANY NOTES ISSUED IN ANTICIPATION THEREOF BY THE SOMERSET COUNTY IMPROVEMENT AUTHORITY

- 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 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 20<sup>th</sup> day of October, 2016 and that notice thereof be published in an official newspaper as required by law.

- 10-1. 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

11. **ORDINANCE #16-1531 - LDO-Intensive Commercial Piggeries Definition - Adjournment of Public Hearing**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 16-2.1 REGARDING DEFINITION OF A FARM

- B. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the public hearing on the foregoing ordinance be hereby adjourned this 20<sup>th</sup> day of October, 2016 and continued to November 10, 2016.

- 11-1. Committeewoman Madrid 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 #16-1532 - Acquisition by Gift of Interests in Block 19001, Lots 4 and 11 (Van Horne Road {State Route 206} and Opossum Road) - Public Hearing**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY AUTHORIZING, PURSUANT TO N.J.S.A. 40A:12-4, THE ACQUISITION BY GIFT OF INTERESTS IN BLOCK 19001, LOTS 4 AND 11 LOCATED ON VAN HORNE ROAD (STATE ROUTE 206) AND OPOSSUM ROAD, MONTGOMERY TOWNSHIP

- 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.

(Item #12 Cont.)

- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 20<sup>th</sup> day of October, 2016 and that notice thereof be published in an official newspaper as required by law.

12-1. 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

13. **ORDINANCE #16-1533 - Bonaventure Lease - Public Hearing**

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

AN ORDINANCE AUTHORIZING, PURSUANT TO N.J.S.A. 40A:12-1 *ET SEQ.*, THE LEASING OF REAL PROPERTY BY THE TOWNSHIP OF MONTGOMERY FROM BONAVENTURE, LLC (33 Reading Boulevard, Building 4).

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

- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 20<sup>th</sup> day of October, 2016 and that notice thereof be published in an official newspaper as required by law.

13-1. 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

14. **ORDINANCE #16-1534 - LDO-Flood Hazard Update - Introduction**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY AMENDING SUBSECTIONS 16-3.3 AND 16-6.4 OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984), REGARDING CRITICAL AREAS.

- 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 November 3, 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 Committeeman Smith and carried on the following:

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

15. **APPROVAL OF MINUTES**

The Regular Session minutes of October 6, 2016 were approved as printed.

16. **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.

16-1. Committeeman Conforti 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

17. **REPORT ON 1860 HOUSE**

Administrator Nieman stated that he was asked by the Governing Body to get an appraisal on the 1860 House property and Attorney Hadinger was asked to prepare a draft ordinance on the property. In terms of an appraisal on the property, he spoke to appraisers who said they really can't give a value because the property is so unique, and there is a glut of office space in the State of New Jersey. The building itself is basically valueless, adding the fact that the Township would place architectural constraints on the building. It is adjacent to a possible affordable housing location and in close proximity to Stonebridge. The only value would be the lot itself, and that estimated value would be \$200,000.00 to \$250,000.00. At the same time, Attorney Hadinger prepared a pro forma ordinance pertaining to lease terms. He explained that they needed some direction as to what the Governing Body would like in the lease. He stated that there had been some discussion by the Township Committee of accepting what was put forward by the 24 Club. There needs to be some decision made as to whether the Township will go forward with the lease or if the property should be auctioned.

Marty Mandell, 24 Club, proposed that they will invest \$400,000.00 in the property, by virtue of restoring it and maintaining it. Then after a period of 10 years, or as soon as the \$400,000.00 changes hands, the property would be deeded to them for \$1.00 provided that the subdivision necessary, depending on the COAH situation, has taken place. If it is not ready to be subdivided, the 24 Club would then pay the Township \$1,000.00 per year and continue to maintain the property until such time as the property as subdivided can be deeded.

17-1. Committeewoman Madrid left the dais.

Attorney Hadinger stated that when the Township has undertaken projects like this in the past, there has been input from the Landmarks Commission as to preservation and what needed to be addressed. This can be written into any type of agreement.

Committeeman Smith stated that he was not in favor of the lease purchase of the 1860 House by the 24 Club. He explained that this was Township property that is basically being given away. He stated that input and/or suggestions should come from all of the taxpayers of the Township. He felt that it should be put out for bid with a minimum dollar amount and see if the number is reached. If the number is not reached, then this situation can be revisited. He suggested that in the bid documents it states that if someone does successfully acquire the 1860 House, it cannot be demolished and must be restored to the Township's specifications.

Deputy Mayor Trzaska stated that he liked the 24 Club's use of the building and inquired if there was some way for some money to come into the Township through the agreement. Mr. Mandell stated that the way the agreement is structured is that for the first 10 years they will spend \$25,000.00 per year for restoration and if they don't spend \$25,000.00, the rest of the money goes to the Township in the form of rent. He stated that his organization is looking to restore and preserve a Township landmark.

Mayor Graham stated that this would be a lease purchase agreement such as when the Township buys a property and leases it from the County. The Township makes payments which is technically rent and when the Township makes a certain number of payments the property is then the Township's.

Deputy Mayor Trzaska suggested that it be a 20-year lease, with the first 10 years being the renovation and the second 10 years have the 24 Club pay a modest rent.

Attorney Hadinger pointed out that if the property is not used for the specific purposes that have been established by the organization, by virtue of the local Lands and Buildings Law, the property would revert to the Township.

18. **LIQUOR LICENSE UPDATE**

Township Clerk Donna Kukla reported on a survey of Somerset County municipalities regarding the sale of distribution licenses. Franklin Township sold one in 2014, the minimum bid was \$250,00.00 and it sold for \$326,000.00. Bridgewater sold one in 2010, minimum bid was \$300,000.00 and it sold for \$455,570.00. Montgomery sold one in 2008, minimum bid was \$300,000.00 and it sold for \$303,000.00. Bernards sold one in 2004, minimum bid was \$225,000.00, and it sold for \$226,000.00.

It was the consensus of the Governing Body to wait to sell the license until 2017.

19. **COMMITTEE AND SUB-COMMITTEE REPORTS**

19-1. **ENVIRONMENTAL COMMISSION**

Committeeman Conforti reported on the Environmental Commission meeting. They spent quite a bit of time talking about the Ash Borer issue. They confirmed that they will use the Upper Middle School for Earth Day on April 23, 2017.

19-2. **ZONING BOARD OF ADJUSTMENT**

Committeeman Conforti reported on the Zoning Board of Adjustment meeting. The sound expert and the real estate appraiser for Verizon appeared in regard to the cell tower project. The attorney for Verizon believes that the presentations should be completed by November 17.

19-3. VETERANS MEMORIAL COMMITTEE

Deputy Mayor Trzaska reported on the Veterans Memorial Committee meeting. They went over plans for the Veterans Day celebration. They also were thrilled that the Township's Public Works Department constructed a pathway from the 9-11 Memorial to the Veterans Memorial.

19-4. WILDLIFE MANAGEMENT COMMITTEE

Mayor Graham reported on the Wildlife Management Committee meeting. She stated that there had been a dispute between a couple of hunters about the placement of stands on a property and that issue was resolved.

19-5. MASTER PLAN COMMITTEE

Mayor Graham reported on the Master Plan Committee meeting. The topic of the meeting was Madison Marquette. They brought in updated drawing and they are coming back with comments from the Master Plan Committee. One of the issues was the housing that they had on the plan. The Township Planner thinks it could be better planned and wants them to go back and revise the plan.

20. 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:
  - Negotiation of terms and conditions of agreement with the Board of Education regarding tennis courts;
  - Advice of counsel with respect to the abandonment of the Carrier Sewage Treatment Plant and potential challenge thereto.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. No agreements shall be authorized except by action of the Township Committee.

20-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

21. Meeting reconvened in Open Session and ADJOURNMENT was at 10:00 p.m. on a motion by Committeeman Conforti. The motion was seconded by Committeeman Smith and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk