

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
February 16, 2017

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 Trzaska, Committeemembers Graham, Madrid and Conforti  
Deputy Mayor Smith was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. 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. Mayor Trzaska led the Salute to the Flag.

4. **RESOLUTION HONORING FIRE INSPECTOR RICH DZIMINSKI**

WHEREAS, A community possesses no greater treasure than the dedicated and selfless service of its people; and

WHEREAS, On December 28, 2016, Montgomery Township Fire Inspector Rich Dziminski was completing a fire call with Montgomery Volunteer Fire Company #2 Chief Justin Kabis at the Montgomery Cinema; and

WHEREAS, Chief Kabis informed Rich of a situation occurring inside Thomas Sweets, and upon entering the store he observed an elderly male who was unconscious and unresponsive; and

WHEREAS, Rich immediately checked for a pulse but could not find one, and along with a patron of Thomas Sweets, started performing CPR; and

WHEREAS, The gentleman was then hooked up to a defibrillator and CPR was continued until First Responders arrived on the scene.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee expresses its gratitude on behalf of the entire Township and recognizes the quick response and the heroic actions of Rich Dziminski on this 16<sup>th</sup> day of February, 2017.

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

5. **RESOLUTION HONORING POLICE SERGEANT GERARD DIDONATO**

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

WHEREAS, After more than 31 years of dedicated service to the residents of Montgomery Township, Sergeant Gerard DiDonato will be retiring from the Montgomery Township Police Department on February 28, 2017; and

WHEREAS, During his years of faithful service he has earned the admiration and respect of his friends, co-workers and residents for his many contributions to Montgomery Township commencing with his appointment as Police Officer on December 15, 1985, where he worked as a Patrol Officer, Detective, Acting Sergeant, and was promoted to Patrol Sergeant in 2004; and

WHEREAS, In January, 2005, Sergeant Gerry DiDonato and Officers Kurt Rock and Joseph Samec responded to a report that a Stonebridge resident had been missing for 12 hours and soon found the resident lying on the ground pinned beneath her overturned scooter, semiconscious and suffering from exposure. She was administered first aid and transported to the hospital by EMS; and

WHEREAS, Sergeant DiDonato also served on the Somerset County Drug Task Force and was the recipient of numerous awards and commendations acknowledging his outstanding service and professionalism including Meritorious Service, Exceptional Service, Valor Award in 2004, and Sergeant of the year for 2005.

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 Sergeant Gerard DiDonato on this 16<sup>th</sup> day of February, 2017.

- 5-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried unanimously.

- 5-2. Sergeant DiDonato thanked the Township Committee for this honor. He thanked the other Police Officers for their support over the years.

- 5-3. Police Captain/Director Thomas Wain spoke about the tenure of Sergeant DiDonato. One thing that cannot be put in the resolution is the fact that he has made more arrests than anyone ever. Sergeant DiDonato is a very dedicated Police Officer who will be missed tremendously.

6. **RESOLUTION HONORING PERSONNEL COORDINATOR SUSAN SMITH**

WHEREAS, After over 30 years of dedicated service to Montgomery Township, Susan Smith will be retiring on February 28, 2017; and

WHEREAS, Sue began her employment as a Finance Aide in the Finance Department in 1986 and continued to serve the Township as Secretary to the Assistant Township Administrator; Executive Secretary to Township Administrator Peter Rayner; Administrative Assistant to Township Administrator Donato Nieman; and eventually was promoted to the position of Personnel Coordinator; and

WHEREAS, During her tenure Sue has brought the utmost professionalism to her positions while she made the business of the Township operate as efficiently as possible; and

WHEREAS, In today's economy it is rare that someone serves 30 years for one employer and the Township Committee wishes to acknowledge her loyalty and dedicated service.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby recognizes the contributions made by this most valued employee and extends its sincere best wishes for a healthful, happy, and well-deserved retirement.

- 6-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

7. **PRESENTATION OF RECREATION SURVEY FINDINGS**

Stephen Shueh, Recreation Committee Chair, spoke about the 2016 Recreation Survey findings and recommendations. He summarized the top issues:

1. Existing facilities;
2. Suggestions for new facilities;
3. Communications related to parks and recreation.

Mr. Shueh spoke about some of the feedback from residents for existing facilities including:

1. Improve parking lots;
2. Improve tennis courts;
3. Better signage; and
4. Better maintenance.

He gave a status of improvements already made. The Parks Department has added 2 new full time staff in 2016. The entrances and parking lots at Veteran's and Mill Pond Parks have been resurfaced. Signage for all parks has been ordered and will be installed by summer. Improvement to the Middle School Tennis Courts is under discussion with the Board of Education.

Amy Schaefer spoke about some of the responses for new facilities including:

1. Indoor full size gyms/courts;
2. Track;
3. Turf field;
4. Splashpark/Sprayground; and
5. Amphitheater.

She gave the recommendations for new facilities that include exploring the expansion of the Otto Kaufman Community Center and development of the Brown Tract which would begin with a feasibility study to develop a multi-purpose indoor/outdoor facility.

Ms. Schaefer discussed some of the feedback for communications including:

1. Lack of awareness of programs and facilities;
2. Many facilities underutilized as a result; and
3. Many are unaware that Skillman Park is owned by Somerset County.

She gave recommendations for communications which include preparing an information pack or brochure with maps and descriptions of facilities; adding communications responsibilities to existing staff member at the Recreation Department; and engaging a graphic designer/marketing consultant to assist with creating a comprehensive marketing plan and products to increase awareness and participation.

8. **PUBLIC COMMENT - 5 MINUTES PER PERSON**

- 8-1. Kelsey Rubin, Skillman, asked the Township Committee to make an official statement in support of the Township's neighbors and the diversity of the community, in light of what is going on in the federal government regarding immigration issues.

Mayor Trzaska stated that the Governing Body has a long-standing regard for all of the residents of the Township and has made that fact known over and over.

- 8-2. Andrew Davis, Skillman, asked about the ordinance regarding the planned shopping center.

Mayor Trzaska explained that the ordinance was a revision of the approved complex. This was essentially dealing with the Madison Marquette-Montgomery Promenade site. This ordinance will allow some shrinkage of the development from approximately 350,000 square feet to approximately 290,000 to 300,000 square feet. There is a little bit of a different configuration in the buildings. He stated that this was just the start of the approval. There were more steps involved, including Planning Board approval and Site Plan Committee approval.

(Item #8-2 Cont.)

Attorney Hadinger explained that the underlying zoning would remain intact, but because this is an optional development the ordinance has been drawn carefully so that there is not a lot of wiggle room. Some of the things that are changing were not permitted under the existing ordinance.

Mr. Davis inquired if this ordinance would apply to all four corners of the Route 206/518 intersection. He also asked about the abandoned property at that intersection.

Mayor Trzaska responded that the ordinance only applied to the Madison Marquette property and that the Zoning Board had approved the plan for a Dunkin Donuts at the corner of Routes 206/518. They were required to get State approval, and the State has some issues with it.

- 8-3. Bill Sutton, Skillman, asked what the traffic volume would be like once the Montgomery Promenade is built.

Mayor Trzaska stated that this information would be from the old traffic study and would have to be reevaluated as the process moves on. One thing about the property, and this also include the adjacent property of Village Shopper, is that there are two loop roads that will be installed that will help the traffic. These loop roads will allow the State to eliminate all left turns lanes from the Route 206/518 intersection.

9. **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 #17-2-48 - REFUND OVERPAID 2015 AND 2016 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2015 and 2016 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
5008	50	Shepherd Title Agency	\$3,006.63	2016
28003	58	Hsin Chen & Jun Xi	\$3,094.07	2015
31009	90	Mary Jocelyn Burchfield	\$2,926.36	2016
37003	1.086	Karthik Sriram & Lakshmi Narasimhan	\$1,011.90	2016
37006	6	Carmina & Chan Sohn	\$2,528.22	2016

B. **RESOLUTION #17-2-49 - REFUND UNUSED PORTION OF SPECIAL DUTY MONIES**

BE IT RESOLVED That a refund be given to the following business/company for monies owed by the Township of Montgomery for Private Duty Services:

Lambert Cable Splicing  
1475 Park Avenue  
Alpha, NJ 08865  
\$425.00

C. **RESOLUTION #17-2-50 - APPROVAL OF OUTDOOR ASSEMBLY - Recreational Bicycle Ride**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Kermesse Sport requested approval of the Township Committee to conduct an 82 mile recreational bicycle ride on March 25, 2017 (Rain Date - April 1, 2017). The event will start and end at the Princeton Elks Lodge.
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 Township 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 health certificates from the Township Health Department, if applicable.
4. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations and shall employ two (2) Private Duty Police Officer for the event.

D. **RESOLUTION #17-2-51 - APPROVAL OF OUTDOOR ASSEMBLY PERMITS - Princeton Show Jumping**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Princeton Show Jumping has requested approval of the Township Committee to conduct Outdoor Assemblies for Equestrian Events at 246 Burnt Hill Road, Skillman, NJ 08558 on April 19-23, April 26-30, May 10-14, June 14-18, June 21-25, July 5-9, July 12-16, August 23-27, September 20-24, September 27-October 1, October 4-8, and October 11-15 from 8:00 a.m. to 5:00 p.m. daily.
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:

(CONSENT AGENDA Item D Cont.)

- (a) This approval is for the period specified and is not to be considered approval to conduct similar events as they are limited to twelve (12) show events per year.
- (b) These events shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
- (c) Approval of these events is pending clearance by the Police Department, Health Department, Construction Department and Fire Prevention Department as stated below:
  - (1) The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
  - (2) The organizers will obtain the required health certificates from the Township Health Department, if applicable.
  - (3) The organizers will obtain the required open flame and tent permits from the Township Fire Prevention Department.

**E. RESOLUTION #17-2-52 - APPROVAL OF FIREWORKS - Bedens Brook Club**

BE IT RESOLVED That authorization is granted for the Bedens Brook Club to conduct a fireworks display on June 16, 2017 (rain date - June 17, 2017) at the Bedens Brook Club Golf Course. Approvals have been granted by the Police Department and Fire Protection Inspector Roy Mondì.

**F. RESOLUTION #17-2-53 - AUTHORIZING THE EXECUTION OF A CONSTRUCTION SEQUENCE AGREEMENT WITH EMPIRE HOLDINGS LRP, LLC**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a construction sequence agreement with Empire Holdings LRP, LLC, with respect to Block 35001, Lot 13, subject to review and approval by the Township Attorney as to form and content.

**G. RESOLUTION #17-2-54 - AUTHORIZING THE EXECUTION OF A CONSTRUCTION SEQUENCE AGREEMENT WITH NASSAU RACQUET AND TENNIS CLUB, INC.**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a construction sequence agreement with Nassau Racquet and Tennis Club, Inc., with respect to Block 20001, Lot 6, subject to review and approval by the Township Attorney as to form and content.

**H. RESOLUTION #17-2-55 - AUTHORIZING A SECOND REDUCED PERFORMANCE GUARANTEE - Country Classics at Foxbrook**

WHEREAS, Gail Smith, Township Engineer, has certified on February 14, 2017 that a performance guarantee posted for Country Classics at Foxbrook may be reduced again; and

WHEREAS, The remaining and partially completed improvements will be adequately covered by a performance guarantee as specified in the Township Engineer's estimate dated February 6, 2017 and there is adequate engineering escrow posted for inspections.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a reduced performance guarantee amounting to \$730,278.00, reduced from \$2,313,657.00 (original guarantee amount), be posted as follows:

10% cash	\$ 73,028.00
90% cash, Letter of Credit, or Surety Bond	\$657,250.00

**I. RESOLUTION #17-2-56 - AUTHORIZING THE TOWNSHIP OF MONTGOMERY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT - MTA Bridges and Tunnels Authority**

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, The MTA Bridges and Tunnels Authority, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, On February 16, 2017 the Governing Body 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 As follows:

(CONSENT AGENDA Item I Cont.)

1. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Montgomery;
2. 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 Lead Agency.
3. 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.

**J. RESOLUTION #17-2-57 - AUTHORIZING APPLICATION TO 2017 SUSTAINABLE JERSEY SMALL GRANT PROGRAM - Natural Resource Inventory**

WHEREAS, A sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Montgomery Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Montgomery Township has achieved certified status in the Sustainable Jersey Program three times, in 2009, 2012 and most recently in 2015; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Montgomery, Somerset County, State of New Jersey, authorizes the submission of an application to the Sustainable Jersey Small Grant Program for funding to complete a Natural Resource Inventory.

**K. MAYORAL APPOINTMENTS WITH CONSENT OF TOWNSHIP COMMITTEE - Economic Development Commission**

BE IT RESOLVED That Anna Mancilla is hereby appointed Economic Development Commission Regular Member, replacing Joan Kettlekamp, 3 year unexpired term expiring December 31, 2018.

- 9-1. Committeewoman Graham moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Conforti and carried on the following:

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

**10. MAYORAL APPOINTMENT - Environmental Commission and Veterans Memorial Committee**

BE IT RESOLVED That Mary Reece is hereby appointed Environmental Commission Chairperson, 1 year term expiring December 31, 2017.

BE IT FURTHER RESOLVED That Police Officer Christopher Jaeger is hereby appointed Veterans Memorial Committee Advisor/Police Department Liaison, 1 year term expiring December 31, 2017.

**11. RESOLUTION #17-2-58 - PROFESSIONAL SERVICES RESOLUTION - Consulting Engineer - Princeton Hydro**

WHEREAS, There exists a need to acquire professional Consulting Engineer services for 2017 without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, The Montgomery Township Purchasing Agent has determined and certified in writing that the value of the services over the course of the contract is anticipated to exceed \$17,500.00; and

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

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available for the aforesaid service in accordance with the amount set forth in the 2017 Temporary Budget, with performance of said service after March 31, 2017 being subject to the Township's amendment of the 2017 Temporary Budget, and/or adoption of the final 2017 Budget.

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

- (1) The Mayor and Clerk are hereby authorized and directed to execute a proper agreement with Princeton Hydro as Consulting Engineer.
- (2) This contract is awarded for a period of one year, for the amount set forth in the contract, and without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.

(Item #11 Cont.)

- (3) The contractor has completed and filed with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying they have not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavit, and the executed Agreements shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.
- (6) Performance of services under the terms of this contracts, and payment for the services, after March 31, 2017 is subject to the amendment of the 2017 Temporary Budget and/or adoption of the final 2017 Budget, and certification of availability of funds by the Chief Financial Officer

11-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

12. **RESOLUTION #17-2-59 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, The 2017 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2017 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 Finance Officer is authorized to increase the temporary emergency appropriations as follows:

Current Fund  
Liability Insurance  
    Other Expense \$200,000  
Worker Compensation Insurance  
    Other Expense \$185,000  
Police  
    Other Expense \$200,000  
Environmental Commission  
    Other Expense \$2,000

Sewer Fund  
Liability Insurance  
    Other Expense \$100,000  
Worker Compensation Insurance  
    Other Expense \$15,000

12-1. 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, Graham, Trzaska  
Nays - None  
Absent - Smith

13. **RESOLUTION #17-2-60 - RESCINDING AND RENEWING ABC LICENSES FOR MTC I, II AND III**

WHEREAS, On July 7, 2016, the Township Committee approved renewals of the 2016-2017 Liquor Licenses #1813-33-009-002 (MTC I); #1813-33-011-002 (MTC II); and #1813-33-012-002 (MTC III); and

WHEREAS, The Division of Alcoholic Beverage Control reviewed the renewal applications and determined that the licensee needed to apply for Special Rulings to renew the licenses as they were inactive for the 2013 to 2016 terms; and

WHEREAS, The Division determined that the approvals of the 2016-2017 licenses should be rescinded and renewed pending application for relief pursuant to N.J.S.A 33:1-12:39 and approval of a Special Ruling by the Director of the Division; and

WHEREAS, On January 11, 2017, the Director of the Division reviewed the applications for relief and issued a Special Ruling that authorizes the municipal issuing authority to consider the applications for renewal of the subject licenses for the 2016-2017 and 2017-2018 license terms.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby rescinds approval of Liquor Licenses #1813-33-009-002 (MTC I); #1813-33-011-002 (MTC II); and #1813-33-012-002 (MTC III) issued on July 7, 2016 and authorizes the renewal of the 2016-2017 licenses pursuant to N.J.S.A 33:1-12:39.

13-1. 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, Graham, Trzaska  
Nays - None  
Absent - Smith

14. **ORDINANCE #17-1539 - LDO-Amendment to the Planned Shopping Complex Optional Development Alternative - Introduction**

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A. Mayor Trzaska 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 16-6.5 h. FOR THE DEVELOPMENT OF AN OPTIONAL PLANNED SHOPPING COMPLEX WITHIN DESIGNATED PORTIONS OF THE "HC", "REO-3" & "R-2" DISTRICTS.

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 March 16, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

14-1. 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, Graham, Trzaska  
Nays - None  
Absent - Smith

15. **ORDINANCE #17-1540 - LDO-Amending Subsection 16-2.1 Regarding Definition of a Farm - Introduction**

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A. Mayor Trzaska 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 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 March 16, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

15-1. 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, Graham, Trzaska  
Nays - None  
Absent - Smith

16. **APPROVAL OF MINUTES**

The Regular Session minutes of February 2, 2017 were approved as printed.

17. **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.

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

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

18. **FRANKLIN TOWNSHIP'S MEETING - Compressor Station**

Mayor Trzaska stated that there is meeting on the compressor station to be held in Franklin Township on February 27, 2017. Mayor Trzaska and Committeewoman Graham stated that they are planning to attend the meeting.

19. **COMCAST FRANCHISE RENEWAL UPDATE**

Administrator Nieman gave a brief update on the Comcast Franchise renewal. He stated that the public hearing for this would be held at the March 16, 2017 Township Committee meeting. He explained that the only question for the Township Committee would be the length of time for the renewal of 10, 15 or up to 25 years. There is a direct relationship in that the length of the renewal determines the amount of any grant that can be received.

21. **ROUTE 601 SIDEWALKS**

Administrator Nieman explained that the County Engineer had spoken to him to let him know they had met with the State Historic Preservation Council regarding the sidewalks along Route 601. They got approval with conditions. One of the conditions is that the County make a presentation to the Township's Landmarks Commission. This will be on the Landmarks Commission agenda of February 22, 2017.

22. **ROCKY HILL BRIDGE PROJECT**

Administrator Nieman stated that New Jersey Department of Transportation reported that there had been contamination discovered while working on the Route 518 bridge in Rocky Hill. This was found on the Rocky Hill side of the bridge. It will stop the project until they come up with a remedial action work plan. He reported that there would be a press release coming from the State in the next few days.

23. **OFFER OF DONATION OF PROPERTY (Block 4001, Lot 44.01)**

Administrator Nieman stated that the Township had been offered a donation of a small sliver of land next to the railroad in the Country Club Meadows development.

Attorney Hadinger suggested that this be checked out before any decisions are made.

24. **COMMITTEE AND SUB-COMMITTEE REPORTS**

24-1. **EMERGENCY SERVICES COORDINATING COMMITTEE**

Committeeman Conforti reported on the Emergency Services Coordinating Committee meeting. He stated that there would be quarterly meetings in 2017. Their main project is updating their Emergency Operating Procedures manual, which is State mandated, by December, 2017.

24-2. **ENVIRONMENTAL COMMISSION**

Committeeman Conforti reported on the Environmental Commission meeting. The main topic was Earth Day, which will be on April 23, 2017 at the Upper Middle School.

24-3. **VETERANS MEMORIAL COMMITTEE**

Committeewoman Graham spoke about an event that the Veterans Memorial Committee held at a Montgomery High School basketball game. She reported that there was a large turnout and the money collected went to benefit the Veterans Association. They are also continuing to work on their plans for a Memorial Day event which, this year, would also involve a dedication of the 9-11 Memorial at Montgomery Veterans Park.

**ADJOURNMENT** was at 8:35 p.m. on a motion by Committeeman Conforti. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk