

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
September 21, 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

DEPUTY TOWNSHIP CLERK - Margaret Crawford

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. **POLICE REPORT**

Police Captain Wain reported on the following activities of the Police Department for the month of August, 2017:

-- 58 motor vehicle accidents;  
-- 31 arrests;  
-- 1 theft;  
-- 3 burglary;  
-- 4 criminal mischief;  
-- 4 domestic violence.

Mayor Trzaska asked if the Police Department was planning on starting the DARE Program again. Captain Wain stated that he taught the DARE program from 1996 to 2002. He loved the program and the Police Department would like to reintroduce it in the community. He stated that was also the school resource officer for a few years and that is another program he would like to bring back.

5. **GIRL SCOUT GOLD AWARD PROJECT PRESENTATION - Kyra Coleman**

Kyra Coleman explained her project to create a short trail on the Styles property at the end of Hollow Road. In addition she would create two informational signs and tree labels. One would describe the local history and the other would be for native species of plants and animals that can be found in the area. She would also label a few species of trees with little markers, similar to the ones found at Montgomery Park. She explained that she would also like to place a mailbox at the trailhead and store a log book in it where people can log in when they were there and what kinds of species they saw. She described what funds she would need to complete this project:

- Informational signs (2) - \$200.00
- Tree labels (5) - \$120.00
- Mailbox and post - \$40.00
- Additional costs (cement to put up mailbox, sign posts, etc.) - \$90.00

- 5-1. Committeeman Conforti moved to approve access onto the Township property, the funds necessary to complete the project and the project itself. The motion was seconded by Committeewoman Madrid and carried on the following:

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

6. **EAGLE SCOUT PROJECT PRESENTATION - Mihir Doshi**

Mihir Doshi explained his project to enhance the School Link Trail by fabricating and installing three informational signs and two trail markers. The signs would be a welcome sign; a native trees and herbaceous plants sign; and a non-native and invasive species sign. The two trail markers would be placed at the intersection of the trail and Burnt Hill Road; and at the intersection of the trail and the Lower Middle School driveway. He explained that this project would need the approval of the Township's Open Space Committee, the Township Committee and the Board of Education. He has already received approval from the Open Space Committee and if he received the Township Committee's approval, his next step would be to go to the Board of Education. He described what funds he would need to complete this project:

8 foot U-Channel break way posts (3) - \$105.00  
Fabrication cost for 3 signs - \$225.00  
80 lb. bucket of concrete - \$5.00  
8 foot trail marker posts (2) - \$18.00  
Trail markers (2) - \$4.00

- 6-1. Committeewoman Graham moved to approve the funds necessary to complete the project and the project itself. The motion was seconded by Committeewoman Madrid and carried on the following:

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

7. **2017 MONTGOMERY MAVERICKS - USSSA NATIONAL CHAMPIONS**

WHEREAS, The Title of 2017 USSSA East 12U C National Champions has been earned by

**THE 2017 MONTGOMERY MAVERICKS**

WHEREAS, The 2017 Montgomery Mavericks is the travel organization associated with Montgomery Girls Softball League and has provided the girls of Montgomery, Rocky Hill, and surrounding communities the opportunity to play competitive Fast-pitch softball since 1999; and

WHEREAS, This group of 12 girls began a season that will be difficult to match by any community centered travel organization and is a testament to their hard work and dedication to their sport; and

WHEREAS, The season highlights consisted of:

- Total season record of 49 wins - 19 losses - 4 ties
- 5 tournament wins, including South Brunswick's Halloween Havoc, PA east USSSA Spring Slammer, and the Warren-Hunterdon ASA No Fear
- 2<sup>nd</sup> place finish in the Warren-Hunterdon ASA Spring Fever Challenge
- USSSA NJ State Championship
- USSSA National Championship

WHEREAS, Through the depth of the team and the skill of its coaches, each member of the 2017 Montgomery Mavericks Softball Team contributed to earning the title of USSSA National Champion:

Allison Bijas	Jane Buelte	Katie Buelte	Sarah Davenport
Erin Howard	Lexi Katramados	Jordan Ludwig	Kylee Ludwig
Claire Marcinek	Josie Marcinek	Cailin Parise	Carey Smith

WHEREAS, The Montgomery Township Committee wishes to congratulate and recognize the coaches and the players for their outstanding achievement.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee congratulates the Montgomery Mavericks 12U Green Team on its remarkable Championship season and extends to all players and coaches best wishes for continued success.

- 7-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.
- 7-2. Coaches Michael Parise and Dan Davenport spoke about the team, how hard these girls have worked and their dedication not only to the sport but to each other. Coach Parise stated that the girls have exceeded the coaches' expectations by miles. He thanked the Governing Body for this recognition and for the support they provide to all sports.

8. **PUBLIC COMMENT**

Brett Borowski, York Drive, asked about Item J on the Consent Agenda. He was interested in knowing if there were problems at that intersection. Administrator Nieman explained that it would be an improvement such that pedestrians who are crossing Route 206 can do it more safely. Mr. Borowski asked if there was anything planned for the other traffic signals, because there is quite the bottle neck in that area. Administrator Nieman responded that there would be no other improvements to the signals at this time. Mr. Borowski asked when pedestrian overpasses would come into play. Administrator Nieman stated that there has been no talk about that, one reason being that it is very expensive. Mayor Trzaska stated that the pedestrian overpass issue was a State funding issue.

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 #17-9-212 - REDEMPTION OF TAX SALE CERTIFICATES #2017-08, #2017-10, #2017-24 AND #2017-27**

BE IT RESOLVED That a refund in the amount of \$1,900.53 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2017-08 on Block 7003, Lot 14.

BE IT FURTHER RESOLVED That a refund in the amount of \$1,222.53 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2017-10 on Block 7026, Lot 6.

BE IT FURTHER RESOLVED That a refund in the amount of \$43,733.83 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2017-24 on Block 37002, Lot 1.047.

BE IT FURTHER RESOLVED That a refund in the amount of \$4,487.64 be given to Natu Patel, 505 Hoagland Court, Hillsborough, NJ 08844 for the redemption of Tax Sale Certificate #2017-27 on Block 37003, Lot 1.114.

(CONSENT AGENDA Cont.)

**B. RESOLUTION #17-9-213 - REFUND OVERPAID 2017 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2017 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
6001	2	Singer & Fedun, LLC	\$5,619.56
16001	9.21	Core Logic	\$5,179.51

**C. RESOLUTION #17-9-214 - CANCEL 2017 TAXES**

BE IT RESOLVED That 2017 taxes on the following properties be cancelled as a result of being deeded to the Township of Montgomery on May 2, 2017:

<u>BLOCK</u>	<u>LOT</u>	<u>QUARTER</u>	<u>AMOUNT</u>
4002	2	2017/3	\$ 69.96
4002	2	2017/4	\$ 69.95
4002	13	2017/3	\$1,492.92
4002	13	2017/4	\$1,492.91
4002	18	2017/3	\$3,917.07
4002	18	2017/4	\$3,917.06
4003	1	2017/3	\$ 53.81
4003	1	2017/4	\$ 53.81
4003	6	2017/3	\$ 32.29
4003	6	2017/4	\$ 32.29
4003	9	2017/3	\$ 9.99
4003	9	2017/4	\$ 9.99
4003	13	2017/3	\$ 16.92
4003	13	2017/4	\$ 16.91
4003	15	2017/3	\$ 26.14
4003	15	2017/4	\$ 26.13
4003	17	2017/3	\$ 135.30
4003	17	2017/4	\$ 135.30
4004	1	2017/3	\$1,640.51
4004	1	2017/4	\$1,640.51
4005	1	2017/3	\$1,584.39
4005	1	2017/4	\$1,584.39
4006	1	2017/3	\$ 875.61
4006	1	2017/4	\$ 875.60
4007	1	2017/3	\$1,508.29
4007	1	2017/4	\$1,508.29

**D. RESOLUTION #17-9-215 - 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:

Ernest Renda Contracting Co., Inc.  
 51 Tannery Road  
 Somerville, NJ 08876  
 \$170.00

**E. RESOLUTION #17-9-216 - 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 a portion of Bayberry Lane to accommodate a neighborhood block party scheduled for September 23, 2017 from approximately 2:00 p.m. - 7:00 p.m. (raindate - Saturday September 24, 2017). The Montgomery Township Police have no objection to the road closing provided that:

The roadway must be made accessible to emergency vehicles and all 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 #17-9-217 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Princeton HealthCare System Community Education and Outreach - 5K Race and 1 Mile Fun Walk**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Princeton HealthCare System Community Education and Outreach has requested approval of the Township Committee to conduct a 5K Race and 1 Mile Fun Walk at Skillman Park on October 8, 2017.
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.

(CONSENT AGENDA Item F Cont.)

3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
4. The organizers will obtain the required fire permit from Township Fire Marshall, Roy Mondì.
5. The organizers have obtained the required health certificates from the Township Health Department.

G. **RESOLUTION #17-9-218 - DECLARING CERTAIN GENERAL EQUIPMENT AS SALVAGE FOR DISPOSAL**

WHEREAS, The Montgomery Township Public Works Department desires to declare certain property as salvage for disposal.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby authorize the disposal of 8 bleachers that are non-compliant and unsafe.

H. **RESOLUTION #17-9-219 - APPROVAL OF FIRE HYDRANT - Township Line Road Tie-In**

BE IT RESOLVED By the Township Committee of the Township of Montgomery that authorization be given to New Jersey American Water Company to install fire hydrants at the following location: Township Line Road Tie-In.

Hydrant #1 - To be located on Township Line Road, 600 feet from hydrant at Corner of Symes Drive

All locations are in accordance with the recommendations of the Montgomery Township Fire Marshal. All locations are shown on plans.

I. **RESOLUTION #17-9-220 - APPROVAL OF FIRE HYDRANT - Pike Run Road Tie-In**

BE IT RESOLVED By the Township Committee of the Township of Montgomery that authorization be given to New Jersey American Water Company to install fire hydrants at the following location: Pike Run Road Tie-In

Hydrant #1 - To be installed on Pike Run Road, approximately 550 feet from Hydrant #523

All locations are in accordance with the recommendation of the Montgomery Township Fire Marshal. All locations are shown on plans.

J. **RESOLUTION #17-9-221 - AUTHORIZING APPROVAL OF A TRAFFIC SIGNAL AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION - Route 206 and Montgomery Shopping Center Drive**

WHEREAS, A traffic condition exists along Route 206 and Montgomery Shopping Center, in the Township of Montgomery, in the County of Somerset, which requires revision to the existing semi-actuated traffic control signal in order to minimize the possibility of accidents; and

WHEREAS, It is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, The State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, The State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal.

NOW, THEREFORE, BE IT RESOLVED That the Mayor and Clerk of said Township of Montgomery be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through it Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof.

K. **RESOLUTION #17-9-222 - RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

WHEREAS, The New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, The Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, The bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, The legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

(CONSENT AGENDA Item K Cont.)

WHEREAS, Under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, The bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, Some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED That a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

L. TOWNSHIP COMMITTEE APPOINTMENTS - Zoning Board of Adjustment

BE IT RESOLVED That Dave Campeas is hereby appointed Zoning Board of Adjustment Regular Member, replacing Stephen Thompson, 4 year unexpired term expiring December 31, 2020.

BE IT FURTHER RESOLVED That Ron Tuosto is hereby appointed Zoning Board of Adjustment Alternate I, replacing Dave Campeas, 2 year unexpired term expiring December 31, 2017.

BE IT FURTHER RESOLVED That Xiaoyi Wu is hereby appointed Zoning Board of Adjustment Alternate II, replacing Ron Tuosto, 2 year unexpired term expiring December 31, 2018.

BE IT FURTHER RESOLVED That Tony Lopez Lopez is hereby appointed Zoning Board of Adjustment Alternate III, replacing Xiaoyi Wu, 2 year unexpired term expiring December 31, 2017.

9-1. 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, Graham, Trzaska  
Nays - None  
Absent - Smith

10. **RESOLUTION #17-9-223 - AMENDING RESOLUTION #17-6-148 DESIGNATING SPECIFIC TRACTS OF MUNICIPALLY-OWNED PARKS AND OPEN SPACES TO BE INCLUDED IN MONTGOMERY TOWNSHIP'S DEER MANAGEMENT PROGRAM PURSUANT TO CHAPTER IX, SECTION 9 OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) FOR THE HUNTING SEASON BEGINNING IN SEPTEMBER 2017 AND ENDING IN FEBRUARY 2018**

WHEREAS, As part of a comprehensive deer management plan and for the purpose of reducing the Township's white-tailed deer population, the Township Committee of the Township of Montgomery amended Chapter IX, "Parks and Recreation" of the Code of the Township of Montgomery (1984) ("Code") to allow limited hunting on the Township's parks and open spaces for the purpose of culling white-tailed deer only; and

WHEREAS, Section 9-9 of the Code authorizes the Township Committee to designate annually by resolution which parks and open spaces will be made available for hunting through the Township's municipal deer management program and during which dates; and

WHEREAS, On June 15, 2017, the Township Committee adopted Resolution #17-6-148 designating specific tracts of municipally-owned parks and open spaces to be included in the Township's deer management program for the hunting season beginning September 9, 2017 and ending on February 17, 2018; and

WHEREAS, said Resolution sets forth limitations and restrictions applicable to each specified tract in the program; and

WHEREAS, certain tracts are subject to hunting interruptions due to planned demolition projects; and

WHEREAS, the Township Committee wishes to permit limited hunting in said tracts in accordance with additional limitations and restrictions;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY as follows:

(Item #10 Cont.)

1. Section 1.B. of Resolution #17-6-148 is amended as follows (additions are *italicized* and deletions are ~~struck~~ through in the text):

Opatut and Adjacent Land

Designation: Block 34001, Lots 35, 35.01, 35.06, 38.02, 43.02, 43.03, and an 18± - acre portion of Block 34023, Lot 72

Location: 165± acres located off of County Route 518 and Pine Brae Drive

Seasons: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2017-2018, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 9 - October 27, 2017
<u>Permit bow:</u>	October 29 - December 24, 2017
	December 26 - December 31, 2017
<u>Winter bow:</u>	January 1 - February 17, 2018
<u>Permit shotgun:</u>	November 29 - December 1, 2017
	December 4 - December 9, 2017
	December 13 - December 15, 2017
	January 6 - February 10, 2018
<u>Permit muzzle-loader:</u>	November 27 - December 1, 2017
	December 4 - December 9, 2017
	December 11 - December 12, 2017
	December 16 - December 24, 2017
	December 26 - December 31, 2017
	January 2 - February 11, 2018
<u>Six-day firearm:</u>	December 4 - December 9, 2017

Permits: No more than eighteen (18) municipal deer management permits, and no more than two (2) Youth Hunting permits, shall be issued for this property.

Other restrictions: Anyone with a permit for this property may also hunt on Lot 72, provided that only bow hunting shall be permitted.

There shall be a "no firearm hunting" zone located on the easterly side of the northern portion of Lot 35 near the solar panel array located on the adjacent lot (Lot 38.03) as shown on the Deer Management Program Map. The boundaries of said "no firearm hunting" zone shall be clearly marked on the property. Only bow hunting shall be permitted in said zone and no loaded firearms shall be carried therein.

A portion of this property is subject to a farming lease agreement between the Township and a private farmer. Hunters shall not disrupt the farmer's operations, or damage, destroy or harm the farmer's crops, livestock or farming equipment.

Properly licensed persons hunting deer during the six-day firearm, muzzleloader rifle permit or shotgun permit deer seasons may kill coyote or fox if the coyote or fox is encountered before said person has taken the season bag limit of deer. Properly licensed persons are also authorized to take coyotes or foxes during the fall bow, permit bow, and winter bow seasons if the coyote or fox is encountered before said person has taken the season bag limit of deer. However, after the person has taken a daily bag limit of deer he or she must cease hunting immediately.

Properly licensed persons hunting deer who have a valid turkey season permit from the New Jersey Division of Fish and Wildlife are authorized to take turkeys of either sex during the one week of the permit bow season that coincides with the fall turkey season if the turkey is encountered before said permittee has taken the season bag limit of deer. However, after the person has taken a daily bag limit of deer he or she must cease hunting immediately.

Hunting on Sundays shall be strictly prohibited.

Permittees using elevated tree stands on Township property shall use a full-body safety harness.

(Item #10 Cont.)

There are periods when hunting may be interrupted on this property in connection with a demolition project. *During planned demolition activities, hunting shall be permitted in accordance with the limitations and restrictions set forth above and in accordance with the limitations and restrictions set forth in Exhibit A.* ~~Hunters are hereby notified that hunting will not be permitted while demolition activities are occurring in declared areas.~~ Notice of the interruption and its expected duration will be posted prior to the interruption of hunting activities.

- a. Section 1.E. of Resolution #17-6-148 is amended as follows (additions are *italicized* and deletions are ~~struck~~ through in the text):

Runyon Farm-Fox Brook-Tomenchok

Designation: Block 15001, Lots 31, 29, and 34

Location: 141± acres located on State Highway Route 206 and Sunset Road

Seasons: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2017-2018, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 9 - October 27, 2017
<u>Permit bow:</u>	October 29 - December 24, 2017 December 26 - December 31, 2017
<u>Winter bow:</u>	January 1 - February 17, 2018
<u>Permit shotgun:</u>	November 29 - December 1, 2017 December 4 - December 9, 2017 December 13 - December 15, 2017 January 6 - February 10, 2018
<u>Permit muzzle-loader:</u>	November 27 - December 1, 2017 December 4 - December 9, 2017 December 11 - December 12, 2017 December 16 - December 24, 2017 December 26 - December 31, 2017 January 2 - February 11, 2018
<u>Six-day firearm:</u>	December 4 - December 9, 2017

Permits: No more than fourteen (14) municipal deer management permits, and no more than two (2) Youth Hunting permits, shall be issued for this property.

Other restrictions: This property is subject to a farming lease agreement between the Township and a private farmer. Hunters shall not disrupt the farmer's operations, or damage, destroy or harm the farmer's crops, livestock or farming equipment.

Properly licensed persons hunting deer during the six-day firearm, muzzleloader rifle permit or shotgun permit deer seasons may kill coyote or fox if the coyote or fox is encountered before said person has taken the season bag limit of deer. Properly licensed persons are also authorized to take coyotes or foxes during the fall bow, permit bow, and winter bow seasons if the coyote or fox is encountered before said person has taken the season bag limit of deer. However, after the person has taken a daily bag limit of deer he or she must cease hunting immediately.

Properly licensed persons hunting deer who have a valid turkey season permit from the New Jersey Division of Fish and Wildlife are authorized to take turkeys of either sex during the one week of the permit bow season that coincides with the fall turkey season if the turkey is encountered before said permittee has taken the season bag limit of deer. However, after the person has taken a daily bag limit of deer he or she must cease hunting immediately.

Hunting on Sundays shall be strictly prohibited.

Permittees using elevated tree stands on Township property shall use a full-body safety harness.

(Item #10 Cont.)

There are periods when hunting may be interrupted on this property in connection with a demolition project. During planned demolition activities, hunting shall be permitted in accordance with the limitations and restrictions set forth above and in accordance with the limitations and restrictions set forth in Exhibit B. ~~Hunters are hereby notified that hunting will not be permitted while demolition activities are occurring in declared areas.~~ Notice of the interruption and its expected duration will be posted prior to the interruption of hunting activities.

10-1. 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

11. **ORDINANCE #17-1556 - LDO-To Establish Standards for Support Group Facility - Introduction**

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 SECTION 16-4.10a. REGARDING PERMITTED USES IN THE "PPE" PUBLIC PARKS AND EDUCATION DISTRICT AND SUBSECTION 16-6.1 REGARDING CONDITIONAL USES TO ESTABLISH STANDARDS FOR SUPPORT GROUP FACILITY.

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 October 5, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

11-1. Committeewoman Graham 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

12. **ORDINANCE #17-1557 - LDO-To Establish an Optional Development Alternative for a "Planned Mixed Use Development" - Introduction**

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 SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16-3.2 & 16-6.5 REGARDING OPTIONAL DEVELOPMENT ALTERNATIVES, ALL TO ESTABLISH AN OPTIONAL DEVELOPMENT ALTERNATIVE FOR A "PLANNED MIXED USE DEVELOPMENT".

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 October 5, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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, Graham, Trzaska  
Nays - None  
Absent - Smith

13. **ORDINANCE #17-1558 - LDO-Development of an Optional Planned Shopping Complex Within Designated Portions of the "HC", "REO-3" & "R-2" Districts - Introduction**

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 October 5, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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 #17-1559 - Adopting a Redevelopment Plan for Property Located at 980, 966 & 958 State Road (Route 206), also known as Block 34001, Lots 60, 61 & 62 - Introduction**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY ADOPTING, PURSUANT TO N.J.S.A. 40A:12A-7, A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 980, 966 & 958 STATE ROAD (ROUTE 206), ALSO BEING KNOWN AS BLOCK 34001, LOTS 60, 61 & 62 ON THE MONTGOMERY TOWNSHIP TAX ASSESSMENT MAPS (SOMETIMES REFERRED TO AS THE "MONTGOMERY FIVE" SITE).

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 October 5, 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. **APPROVAL OF MINUTES**

The Regular Session minutes of September 7, 2017 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. Committeewoman Graham 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

17. **PURPLE HEART DEDICATION CEREMONY**

Mayor Trzaska stated that the Purple Heart Dedication ceremony had taken place on September 19 at 6:00 p.m. This was a beautiful ceremony that recognized two (2) Township residents who were killed in action. Steven Warner was killed in the Vietnam War and Ashley Henderson Huff in Iraq.

18. COMMITTEE AND SUB-COMMITTEE REPORTS

18-1. ENVIRONMENTAL COMMISSION

Committeeman Conforti reported that the Environmental Commission met to talk about the "bamboo" ordinance. He stated that Attorney Hadinger would be drafting an ordinance for Township Committee introduction.

18-2. ZONING BOARD OF ADJUSTMENT

Committeeman Conforti reported that the Zoning Board of Adjustment met to discuss a couple of small items.

18-3. MUNICIPAL ALLIANCE

Committeewoman Madrid reported that the Municipal Alliance met to get started on projects now that the school year has begun. She will attend a meeting at Somerset County to receive a grant presented to the Municipal Alliance.

18-4. OPEN SPACE COMMITTEE

Committeewoman Graham reported that the Open Space Committee met to hear the Eagle Scout presentation.

18-5. TRANSPORTATION ADVISORY COMMITTEE

Mayor Trzaska reported that the Transportation Advisory Committee met to discuss the award of bid for the second portion of Green Avenue. They are pretty close to getting the bid package together for the reconstruction and repaving of DeHart Drive, Cairns Drive, Mill Road area. They also talked about another idea for the 2018 budget, looking at Blue Spring Road.

19. 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 subject to be discussed in this session is as follows:
  - Potential acquisition of property (Block 17004, Lots 1, 2 & 3 {Don Matthews} with public funds for agricultural, open space, conservation, municipal purposes;
  - Negotiations regarding Sharbell/PIHRL affordable housing agreement, PILOT and matters relating thereto falling within the attorney-client privilege.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Acquisition of property shall only be authorized by the Township Committee in a public session. No agreement shall be authorized except by action of the Township Committee in open session.

19-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.

20. Meeting reconvened in Open Session and ADJOURNMENT was at 8:21 p.m. on a motion by Committeeman Conforti. The motion was seconded by Committeewoman Madrid and carried unanimously.

Date of Approval:

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