

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE
SPECIAL SESSION
November 21, 2017

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 8:00 a.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Trzaska (arrives Item #11), Committeeman Graham, Madrid (leaves during Item #12) and Conforti
Deputy Mayor Smith was absent

Also present were:

TOWNSHIP ATTORNEY - Kevin Van Hise, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. Committeewoman 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. Committeewoman Graham led the Salute to the Flag.

4. **PUBLIC COMMENT**

Committeewoman Graham opened the public comment portion of the meeting. There being no public comment, Committeewoman Graham closed this portion of the meeting.

5. **CONSENT AGENDA** - All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any Township Committeeperson may request that an item be removed for separate consideration.

- A. **RESOLUTION #17-11-252 - REFUND OVERPAID 2017 TAXES**

BE IT RESOLVED That a refund in the amount of \$11,573.97 be given to Wells Fargo Real Estate Tax Services, 1 Home Campus, MAC F2302-04D, Des Moines, IA 50328 for the overpayment of 2017 taxes on Block 28001, Lot 5.12.

BE IT FURTHER RESOLVED That a refund in the amount of \$1,000.00 be given to Somerset Savings Bank, 220 West Union Ave, Bound Brook, NJ 08805 for the overpayment of 2017 taxes on Block 30002, Lot 96.

- B. **RESOLUTION #17-11-253 - REDEMPTION OF TAX SALE CERTIFICATE #2016-06**

BE IT RESOLVED That a refund in the amount of \$62,799.33 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2016-06 on Block 5024, Lot 19.04, CONDO.

- C. **RESOLUTION #17-11-254 - AUTHORIZATION TO SIGN IRS FORM FOR GIFT OF INTERESTS IN PROPERTY** - David McAlpin (Block 19001, Lots 4 & 11)

WHEREAS, The Township Committee of the Township of Montgomery in Somerset County accepted a gift of interest in property on a portion of block 19001, lots 4 & 11 (Montgomery Township Tax Assessment Maps, rev. 2016) as an easement for agricultural, open space and conservation purposes pursuant to Township Committee Ordinance 16-1532.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that the Township Administrator, Chief Financial Officer and/or Open Space Coordinator are authorized to sign IRS Form 8283.

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

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

6. ORDINANCE #17-1562 - BOND-Open Space Acquisition - Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LAND FOR OPEN SPACE, RECREATION, CONSERVATION AND OTHER MUNICIPAL PURPOSES AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$10,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$9,500,000 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing December 7, 2017 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

7. APPROVAL OF MINUTES

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

8. 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.

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

9. CONVATEC PROPERTY

Administrator Nieman reported that the County and the Township will be meeting with the architects on the Convatec property the week of November 27, 2017.

10. COMMITTEE AND SUB-COMMITTEE REPORTS

10-1. MUNICIPAL ALLIANCE

Committeewoman Madrid stated that the Municipal Alliance was focusing on the vaping ordinance that is currently before the Board of Health which permits the Township to assess a licensing fee for vaping shops pursuant to State law.

10-2. MONTGOMERY VETERANS MEMORIAL COMMITTEE

Committeewoman Graham reported that she attended the Veterans Memorial Committee ceremony on November 11. It was extremely well attended and received. She stated that there were historical re-enactors in attendance.

11. Mayor Trzaska arrives on the dais.

12. 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:
 - Advice of counsel with respect to pending affordable housing litigation.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

12-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried unanimously.

13. Meeting reconvenes in Open Session and ADJOURNMENT was at 8:38 a.m. on a motion by Committeewoman Graham. The motion was seconded by Committeeman Conforti and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk