

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
May 3, 2018

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 Conforti, Deputy Mayor Madrid, Committeemembers Trzaska, Graham and Jaffer

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 Conforti 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 Conforti led the Salute to the Flag.

4. **PROCLAMATION - BUILDING SAFETY MONTH - May, 2018**

WHEREAS, Montgomery Township, Somerset County, New Jersey is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster; and

WHEREAS, Our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, These guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship, play; and

WHEREAS, Our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to keep America great; and

WHEREAS, "Building Codes Save Lives" the theme for Building Safety Month 2018, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2018 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

WHEREAS, Each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, The Township Committee of the Township of Montgomery, Somerset County, New Jersey does hereby proclaim the month of May 2018 as Building Safety Month. Accordingly, we encourage our citizens to join with their communities in participation in Building Safety Month activities.

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

5. **PUBLIC COMMENT**

- 5-1. Nancy Teringer, East Ridge Road, discussed limiting the use of leaf blowers and asked that they be prohibited from May to October.

Deputy Mayor Madrid responded that Montgomery has not considered the idea and Mayor Conforti stated that the Township will not regulate them.

(Item #5 Cont.)

- 5-2. Brett Borowski, York Drive, asked about the status of Cherry Valley Road. Committeeman Trzaska explained the process and the tentative scheduling of the project for later this year depending on contractor scheduling and/or weather.

Mr. Borowski inquired about the quiet zones. Mayor Conforti stated that the Township approved the Hollow Road work months ago and is now waiting for CSX to do the engineering work and to actually start the project. CSX will maintain the gates.

- 5-3. Dariusz Kobajlo, manager of La Meche Hairstylists, asked how the proposed Village Walk and Montgomery Promenade projects will affect traffic on Routes 206 and 518. Mayor Conforti stated that there were four loop roads planned to accommodate traffic. There were two loops roads proposed associated with Montgomery Promenade and two loop roads proposed for Village Shopper. Mayor Conforti stated that the New Jersey Department of Transportation traffic report showed these loop roads and Mr. Kobajlo could request a copy of the report from the Planning Board.

6. **CLASSIFICATION OF PERMANENT POLICE OFFICER**

BE IT RESOLVED That Troy Sudeck has completed his probationary period and is now classified as a permanent police officer effective April 21, 2018.

- 6-1. Committeewoman Jaffer moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Madrid and carried unanimously.

7. **TOWNSHIP COMMITTEE APPOINTMENT - Tax Assessor (Term of Appointment Correction)**

WHEREAS, On March 15, 2018, the Montgomery Township Committee appointed Glenn Stives as Tax Assessor; and

WHEREAS, The term of appointment was incorrectly stated as filling the unexpired term of the previous Assessor, expiring June 30, 2018 and retroactive to March 5, 2018.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that Glenn Stives is hereby appointed Tax Assessor, term of appointment from March 5, 2018 to June 30, 2018 **and then** July 1, 2018 to June 30, 2022.

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

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

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 #18-5-97 - REFUND OVERPAID 2018 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2018 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
3006	4	Core Logic	\$2,275.57
5006	2	Core Logic	\$4,585.13
7013	10	Core Logic	\$4,279.16
15001	40	Core Logic	\$9,616.01
17007	19	Xiaohang Su & Yafei Huang	\$4,428.76
25001	28.16	Core Logic	\$6,617.95
29002	14	Core Logic	\$3,223.90
34006	3	Core Logic	\$4,116.27
34019	6	Core Logic	\$3,567.24
34019	7	Sun Trust Mortgage, Inc.	\$3,456.07
37002	1.136	Core Logic	\$2,097.08

B. **RESOLUTION #18-5-98 - REDEMPTION OF TAX SALE CERTIFICATES #2015-01 AND #2017-12**

BE IT RESOLVED That a refund in the amount of \$116,295.04 be given to U.S. Bank Cust For PC 4 & Crdtrs, U.S. Bank Global Corp Tr Sv, TLSG 50 S 16th St Su 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #2015-01 on Block 3005, Lot 20.

BE IT FURTHER RESOLVED That a refund in the amount of \$23,326.56 be given to Leed Capital, 946 Main Street, Hackensack, NJ 07601 for the redemption of Tax Sale Certificate #2017-12 on Block 18001, Lot 2.

(CONSENT AGENDA Cont.)

C. **RESOLUTION #18-5-99 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Montgomery UNICEF Color Run**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Montgomery UNICEF has requested approval of the Township Committee to conduct a Color Run at Van Horne Park on May 20, 2018.
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.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety.
4. The organizers will obtain the required health certificates from the Township Health Department.
5. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

D. **RESOLUTION #18-5-100 - AMENDING RESOLUTION #18-4-78 - APPROVAL OF OUTDOOR ASSEMBLY PERMITS - Princeton Show Jumping**

BE IT RESOLVED That Resolution #18-4-78 approving Outdoor Assembly permits for Princeton Show Jumping be amended to reflect a typographical error in the number of show events from twelve (12) to nine (9).

- 2(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)~~ nine (9) show events per year.

E. **RESOLUTION #18-5-101 - AUTHORIZING FIREWORKS PERMIT**

BE IT RESOLVED That authorization is granted for the Recreation Department to conduct a fireworks display on June 28, 2018 (raindate - June 29, 2018) at Montgomery High School. Approvals of the Police Department and Fire Protection Inspector Roy Mondy have been received.

F. **RESOLUTION #18-5-102 - WAIVER FROM FIRE INSPECTION FEES - Fireworks Display**

BE IT RESOLVED That fire inspection fees, totaling \$469.00 in connection with the fireworks display to be conducted June 28, 2018 (raindate - June 29, 2018) are hereby waived.

G. **RESOLUTION #18-5-103 - AUTHORIZING CLOSING OF SKILLMAN ROAD - Fireworks**

BE IT RESOLVED That Skillman Road between County Route 601 and Campmeeting Avenue, be closed to all vehicle traffic between the hours of 6:00 p.m. and 10:00 p.m. on June 28, 2018 (raindate - June 29, 2018) for the fireworks event.

H. **RESOLUTION #18-5-104 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) 2018 Nurses Grant**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2018, in the amounts listed below, which item is now available as a revenue from the Kansas Health Institute:

2018 Nurses Grant	\$10,000.00
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BE IT FURTHER RESOLVED That a like sum be, and the same hereby is, appropriated under the above appropriation title.

BE IT FURTHER RESOLVED That the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

(CONSENT AGENDA Cont.)

I. **RESOLUTION #18-5-105 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)**
2018 Wellness Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2018, in the amounts listed below, which item is now available as a revenue from the Central Jersey Health Insurance Fund:

2018 Wellness Grant	\$11,230.00
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BE IT FURTHER RESOLVED That a like sum be, and the same hereby is, appropriated under the above appropriation title.

BE IT FURTHER RESOLVED That the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

J. **RESOLUTION #18-5-106 - RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF AFFORDABLE RENTAL HOUSING RESTRICTION FOR THE MONTGOMERY GROVE**

BE IT RESOLVED By the Township Committee of the Township of Montgomery, in Somerset County, New Jersey that an affordable housing deed restriction establishing restrictions upon the resale and refinancing of property known as the Montgomery Grove, 21 Belle Mead-Griggstown Road (Block 6001, p/o Lot 1) is approved, and, further, that the Mayor and other appropriate Township officials are authorized to execute the same.

K. **RESOLUTION #18-5-107 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE -**
Jacob Perlmutter & Johanna Rooda (Block 28003, Lot 208)

WHEREAS, On July 22, 2004 there was an agreement made between Montgomery Township and Jacob Perlmutter and Johanna Rooda to make certain repairs to the farm house located at 1434 Van Horne Road (Route 206), Block 28003, Lot 208; and

WHEREAS, A cash bond was posted as part of that agreement to insure the specified repairs be completed to the reasonable satisfaction of the Landmarks Commission Chairperson; and

WHEREAS, The Engineering Department has confirmed with the Landmarks Commission it is acceptable to return the Cash Bond posted in 2004 by Perlmutter/Rooda for the repairs of the farmhouse located at the above address.

NOW, THEREFORE, BE IT RESOLVED That Gail Smith, Township Engineer has recommended that that Township Committee consider the release of the posted Cash Performance Guarantee in the amount of \$10,000.00; and

BE IT FURTHER RESOLVED That a Maintenance Bond is not required.

L. **RESOLUTION #18-5-108 - CORRECTIVE AGREEMENT, RESERVATION OF "REMAINING CAPACITY" IN THE STAGE II SEWAGE TREATMENT PLANT - E1004A, LLC (Jaguar Land Rover Princeton)**
(Block 34001, Lots 60, 61 and 62)

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute a corrective agreement with E1004A, LLC (Jaguar Land Rover Princeton) for reservation of remaining sewer capacity in the Stage II Sewage Treatment Plant for Block 34001, Lots 60, 61 and 62 subject to review and approval by the Township Engineer and Township Attorney as to form and content.

BE IT FURTHER RESOLVED That this corrective agreement supersedes the original sewer capacity agreement dated March 30, 2018.

(CONSENT AGENDA Cont.)

M. TOWNSHIP COMMITTEE APPOINTMENTS - Zoning Board of Adjustment

BE IT RESOLVED That Xiaoyi Wu be hereby appointed Zoning Board of Adjustment Regular Member, replacing Mark Lubitz, 4 year unexpired term expiring December 31, 2019.

BE IT FURTHER RESOLVED That Tony Lopez Lopez be hereby appointed Zoning Board of Adjustment Alternate I, replacing Xiaoyi Wu, 2 year unexpired term expiring December 31, 2019.

BE IT FURTHER RESOLVED That John Sudol be hereby appointed Zoning Board of Adjustment Alternate II, replacing Tony Lopez Lopez, 2 year unexpired term expiring December 31, 2018.

BE IT FURTHER RESOLVED That Hitesh Patel be hereby appointed Zoning Board of Adjustment Alternate III, replacing John Sudol, 2 year unexpired term expiring December 31, 2019.

BE IT FURTHER RESOLVED That Kamran Quraishi be hereby appointed Zoning Board of Adjustment Alternate IV, replacing Hitesh Patel, 2 year unexpired term expiring December 31, 2018.

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

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

9. RESOLUTION #18-5-109 - RESOLUTION OF MUNICIPAL SUPPORT FOR PIRHL TAX CREDIT AFFORDABLE HOUSING

BE IT RESOLVED, That the Mayor is authorized to sign a letter of municipal support to the Director of the Division of Tax Credit Services in the New Jersey Housing and Mortgage Finance Agency expressing the Township's support of the 86-unit affordable housing apartment project proposed by PIRHL on Block 28004, Lot 7.

9-1. Deputy Mayor Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Jaffer and carried on the following:

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

10. RESOLUTION #18-5-110 - RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE TO MTC RESTAURANT IV, LLC TO BE ISSUED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY

WHEREAS, By Resolution #17-8-187 adopted on August 3, 2017, the Township Committee of the Township of Montgomery in the County of Somerset, State of New Jersey ("Township"), authorized the sale of a Plenary Retail Distribution License pursuant to the New Jersey Alcoholic Beverage Control Act, *N.J.S.A. 33:1-1.1 et seq.*; and

WHEREAS, MTC Restaurant IV, LLC satisfied all conditions for pre-qualification as set forth in Resolution #17-8-187 and submitted a bid in the amount of \$426,500.00; and

WHEREAS, By Resolution #17-10-239 adopted on October 19, 2017, the Township accepted the bid of MTC Restaurant IV, LLC upon the conditions set forth in said Resolution #17-8-187; and

WHEREAS, MTC Restaurant IV, LLC satisfied the conditions set forth in Resolution #17-8-187; and

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

WHEREAS, MTC Restaurant IV, LLC application is complete; and

WHEREAS, MTC Restaurant IV, LLC has disclosed to the Township and the Township has reviewed the source of funds used in the purchase of the license and the licensed business and additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that it hereby authorizes the issuance of a Plenary Retail Distribution License to MTC Restaurant IV, LLC; and

BE IT FURTHER RESOLVED that a copy of this resolution, certified by the Township Clerk to be a true copy, shall be forwarded to MTC Restaurant IV, LLC.

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

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

12. **RESOLUTION #18-5-111 - RESOLUTION AUTHORIZING FUNDING AGREEMENT WITH COMMUNITY OPTIONS, INC. FOR THE PROVISION OF AFFORDABLE HOUSING**

WHEREAS, Community Options, Inc. ("COI") is a national non-profit agency with a mission of developing housing and employment support for persons with disabilities; and

WHEREAS, COI seeks to promote the inclusion of persons with disabilities in communities; and

WHEREAS, Pursuant to the Fair Housing Act, (P.L. 1985, c. 222), municipalities in the State of New Jersey, including the Township of Montgomery, are required to provide their fair share of housing that is affordable to low (including very-low) and moderate income persons; and

WHEREAS, COI acquires properties for the purpose of renovating, creating and operating group homes for very-low income-qualified persons with developmental disabilities ("Group Home Projects"); and

WHEREAS, A component of the Township's settlement agreement arising out of In the Matter of the Application of the Township of Montgomery in Somerset County, Docket No. SOM-L-924-15, in which the Township sought a judicial declaration that the Township's housing plan is presumptively valid because it presents a realistic opportunity for providing the Township's fair share of the regional need for low- and moderate- income housing, is the creation of Group Home Projects; and

WHEREAS, As part of its affordable housing program, the Township administers an Affordable Housing Trust Fund; and

WHEREAS, The Township wishes to contract with COI for the provision of three (3) deed-restricted affordable housing Group Home Projects in the Township and, subject to the adoption of an ordinance authorizing the expenditure, commit \$600,000.00 from its Affordable Housing Fund to the creation of three Group Home Projects by COI that will provide the Township twelve (12) affordable housing credits.

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

1. A Funding Agreement with COI providing for the expenditure of \$600,000.00 from the Township's Affordable Housing Trust Fund, contingent upon the adoption of an ordinance authorizing the expenditure is hereby approved.
2. The Mayor and Clerk are authorized to execute said Funding Agreement.

12-1. Committeewoman Jaffer moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Madrid and carried on the following:

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

13. **RESOLUTION #18-5-112 - OPPOSING THE CONSTRUCTION AND OPERATION OF A COMPRESSOR STATION TO CONNECT TO WILLIAMS-TRANSCO'S PIPELINE IN FRANKLIN TOWNSHIP, SOMERSET COUNTY, NJ**

WHEREAS, Residents of Montgomery Township live in close proximity to the proposed Williams-Transco Compressor Station 206 adjacent to the Trap Rock Quarry in Franklin Township, Somerset County, New Jersey; and

WHEREAS, Williams-Transco plans to install a greenfield natural gas fired 32,000hp Compressor Station 206 at said site in Franklin Township; and

WHEREAS, The Trap Rock Quarry, adjacent to proposed Compressor Station 206, has been identified as a future reservoir site; and

WHEREAS, The Federal Energy Regulatory Commission (FERC) issued a Draft Environmental Impact Statement (DEIS) on March 23, 2018 for proposed Compressor Station 206; and

WHEREAS, FERC acknowledges receiving comments requesting FERC to perform a Health Impact Assessment for proposed Compressor Station 206 in the Executive Summary (pages ES-5 to 7), Environmental Analysis (page 4-292) and in the Conclusions and Recommendations (page 5-20) of the DEIS; and

WHEREAS, The FERC online database does not reflect FERC as having performed a single Health Impact Assessment in the past twelve (12) years; and

WHEREAS, Estimated emissions from proposed Compressor Station 206 have not been validated by FERC; and

WHEREAS, FERC has not indicated that it reviewed recent developments and studies correlating natural gas fired compressor emissions with direct health hazards and, further, has conducted no current health impact assessments on such emissions; and

WHEREAS, The ambient air sampling that was completed for the Williams-Transco Northeast Enhancement Supply Project used stations that are not proximate to the proposed site for Compressor Station 206 in Elizabeth, North Brunswick, and East Brunswick New Jersey and in Philadelphia PA, and each only measured specific components; and

WHEREAS, There was no local assessment of air quality emissions that included the airborne pollutants from the mining operations of Trap Rock Quarry in combination with the anticipated emissions from proposed Compressor Station 206; and

(Item #13 Cont.)

WHEREAS, The DEIS does not detail the environmental or health impact of proposed Compressor Station 206's emissions; and

WHEREAS, FERC is soliciting input from the public and stakeholders; and

WHEREAS, The Township Committee of the Township of Montgomery urges FERC to require a comprehensive Health Impact Assessment to identify and analyze immediate and long-term health impacts and contamination potential from proposed Compressor Station 206's emissions; and

WHEREAS, The DEIS does not provide clear information to the public regarding exceedance of Hazardous Air Pollutants (HAP) above the State of New Jersey's published levels during blowdown events at proposed Compressor Station 206, nor a health assessment regarding the impact of the HAP upon citizens of the affected local communities; and

WHEREAS, The DEIS fails to provide for appropriate offset mitigation strategy for local emission of NOx, and instead appears to allow Williams -Transco to provide such offset in the location of the New York New Jersey port, which is remote from affected local communities; and

WHEREAS, The State of New Jersey was erroneously excluded as a "Cooperating Agency" during the preparation of the DEIS, a cooperating agency being defined in the DEIS as "another agency participating in the NEPA process that has jurisdiction by law over all or part of a project and/or one that has special expertise with respect to environmental issues associated with a project. Cooperating agencies are intended to have a substantial role in the environmental analysis according to their particular jurisdiction or expertise." (p.1-3); and

WHEREAS, The DEIS fails to include a complete analysis of compliance with the following federal programs: Endangered Species Act, Section 106 of the National Historic Preservation Act, and completion of the General Conformity process, and the failure to include a discussion of the final findings does not allow the public to review and comment on these aspects of the analysis in the DEIS; and

WHEREAS, The DEIS fails to provide meaningful public participation in recognition of the fact that of the nearly 2,300 written submissions filed, approximately 98 percent were regarding Compressor Station 206; and

WHEREAS, The DEIS further fails to meaningfully address commenters' contentions that the radius to identify affected landowners was insufficient, the scoping sessions were limited, and the time allowed for filing comments was too brief and, instead, merely states "In response to these concerns, we note that our environmental mailing list complies with 18 CFR 157.6" (p. 1-8); and

WHEREAS, The DEIS acknowledges, "Construction and operation emissions from the NESE Project would increase the atmospheric concentration of GHGs, in combination with past and future emissions from all other sources, and contribute incrementally to future climate change impacts..." (p.4-366).

NOW, THEREFORE, BE IT RESOLVED On this 3rd day of May 2018, by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, as follows:

1. An Environmental Impact Statement that does not include analysis of health or environmental impacts of chemical emissions from proposed Compressor Station 206 cannot be recognized as a legitimate environmental impact statement.
2. The Montgomery Township Committee opposes the construction and operation of proposed Compressor Station 206 as there has not been an adequate assessment of the potential detrimental health impacts from construction and operations of the proposed Compressor Station 206 on the residents, business and houses of worship situated near the site.
3. The Montgomery Township Committee strenuously urges FERC to conduct a thorough and comprehensive Health Impact Assessment of the proposed Williams-Transco Compressor Station 206 emissions comprehensively addressing health and environmental impact for the immediate areas, as well as long-term contamination potential for the reservoir site on the Trap Rock Quarry.
4. The Montgomery Township Committee requests FERC to require continuous air sampling at the site of the proposed Compressor Station 206 before and during construction, as well as ongoing for the lifetime of the compressor station's operation and publicly available real time updates of air sampling on the internet.
5. The Montgomery Township Committee urges its representatives of the United States Congress, United States Senate and New Jersey Legislature to oppose the Northeast Supply Enhancement Project that includes the proposed Compressor Station 206.
6. The Township Clerk is directed to provide a true copy of this resolution to US Senators Cory Booker and Robert Menendez, Congresswoman Bonnie Watson Coleman, Congressman Leonard Lance, NJ Senators Christopher Bateman and Bob Smith, and NJ Assemblymen Joseph Danielson, Joseph Egan, Andrew Zwicker and Roy Frieman.

13-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Jaffer and carried on the following:

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

14. **ORDINANCE #18-1575 - BOND-Providing for Various Sewer Utility Improvements - Public Hearing**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$642,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$642,500 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

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

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 3rd day of May, 2018 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

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

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

15. **ORDINANCE #18-1576 - BOND-Providing For Various Capital Improvements - Public Hearing**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$2,947,989 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$2,800,590 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

B-1. Mayor Conforti opened the hearing to the public.

B-2. Brett Borowski, York Drive, asked about some of the items listed on the ordinance such as the 2003 truck. Chief Financial Officer Michael Pitts explained that some of the items were replacement vehicles.

B-3. Committeeman Trzaska moved that the public hearing be closed. The motion was seconded by Committeewoman Graham and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 3rd day of May, 2018 and that the ordinance summary and proper 20-day statement be published in an official newspaper as required by law.

15-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Madrid and carried on the following:

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

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

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

17. EARTH DAY FAIR AND RUN WITH ROTARY

Mayor Conforti reported that the Run with Rotary and Earth Day Fair event was a huge success. Plans for the 2019 event were already started. He congratulated and thanked Frank Derby, Mary Reece, Jeff Salton and everyone associated with Run with Rotary for all of their hard work in making this event a success. He also thanked the Officer from the Somerset County Sheriff's Department for not only collecting at least four containers of prescriptions but also issued a few tickets to people who were driving too fast down the street.

18. RIVERSIDE AND OXBRIDGE WASTEWATER TREATMENT PLANT CONSOLIDATION PROJECT - WILLOW ROAD PERIODIC CLOSURE

Administrator Nieman reported that the Riverside and Oxbridge Wastewater Treatment Plant Consolidation project was moving ahead. He stated that there would be periodic closures of Willow Road associated with this project.

19. LEGISLATION REGARDING PROPERTY TAX CREDIT FOR CHARITABLE CONTRIBUTIONS

Attorney Hadinger explained Bill S1893 which will be signed into law on May 4, 2018. This is the legislation that establishes the property tax credit for charitable funds. There are no structures, there are no procedures, there are no processes in place whatsoever across the state. The State has to promulgate rules and regulations. She asked that the Governing Body help get the word out that this law does not take effect until 60 days after it is signed into law. She explained that this legislation is an "opt-in" legislation, so the Township would have to adopt an ordinance to provide for it. She will keep the Governing Body apprised of the situation.

Administrator Nieman stated that Chief Financial Officer Michael Pitts was asked to serve on the committee for the League of Municipalities. Mr. Pitts explained that the League of Municipalities was asked to form a task force regarding S1893. They let the task force review the bill and each member was asked to write a report of their concerns. They were hoping that these concerns would be answered with the updated bill, but many of the concerns have not been addressed. They are waiting for direction and directives from the Division of Local Government Services to see how to proceed with this. This will affect the way budgets are done, because this is anticipated revenue every year. If this is going to be a charitable contribution going into the trust fund, it cannot be anticipated as revenue anymore.

21. INTERNATIONAL CITY AND COUNTY MANAGERS ASSOCIATION

Administrator Nieman stated that he would be attending the International City and County Managers Association conference in Baltimore in late September.

22. VAN HARLINGEN HISTORICAL SOCIETY

Committeeman Trzaska stated that the Van Harlingen Historical Society is planning their "May in Montgomery" event. This event will take place on Saturday, May 12, 2018 at Montgomery Veterans Memorial Park from noon to 3 p.m. There will be a potluck picnic in tribute to deceased member Judy Peters.

23. COMMITTEE AND SUB-COMMITTEE REPORTS

23-1. "NOT IN OUR TOWN" PROGRAM

Committeewoman Jaffer stated that the "Not In Our Town" program will be having the first meeting on May 7, 2018 at 7:00 p.m. at Congregation Kehilat Shalom. She urged the Governing Body to attend.

23-2. WILDLIFE MANAGEMENT COMMITTEE

Committeewoman Jaffer stated that she had attended the Wildlife Management Committee meeting, where they discussed the previous year's data and some suggestions from the hunters. There is more land available for the upcoming season as the Township has acquired some new open space properties. She stated that there were 174 deer culled in the 2017-2018 season.

23-3. ECONOMIC DEVELOPMENT COMMISSION

Committeewoman Graham reported that the Economic Development Commission's Business Directory is at the printer and should be distributed within the next couple of weeks.

23-4. LANDMARKS COMMISSION

Deputy Mayor Madrid reported on the discussion at the Landmarks Commission meeting regarding the historic area of Harlingen and whether or not they can make it a State designated historical area. There will be a memo sent to the residents of the area to see if they are interested in this.

23-5. SITE PLAN/SUBDIVISION COMMITTEE

Mayor Conforti reported that the Site Plan/Subdivision Committee is still working on the Sharbell application.

23-6. ENVIRONMENTAL COMMISSION

Administrator Nieman stated that the Environmental Commission met for a debriefing on the Earth Day Fair and Run with Rotary event. There were some recommendations from Police Lieutenant Frascella as to how things can be improved for next year.

ADJOURNMENT was at 7:48 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Deputy Mayor Madrid and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk