

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
June 7, 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: Deputy Mayor Madrid, Committeemembers Trzaska, Graham and Jaffer  
Mayor Conforti 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. Deputy Mayor Madrid 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. Deputy Mayor Madrid led the Salute to the Flag.
4. **GIRL SCOUT GOLD AWARDS** - Tarah Sipos, Kelsey McAlister, Julia Garaffa, Elizabeth Song, Nanki Verma, Emma Waxman, Tanaya Deshpande

WHEREAS, The prestigious Girl Scout Gold Award has been earned by

Tarah Sipos	Kelsey McAlister	Julia Garaffa
Elizabeth Song	Nanki Verma	Emma Waxman
Tanaya Deshpande		

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

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

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

WHEREAS, Tarah, Kelsey, Julia, Elizabeth, Nanki, Emma and Tanaya accepted the challenge and worked diligently to achieve this goal, exhibiting excellence in leadership qualities reflecting the highest personal standards and civic values.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee takes great pride in congratulating Tarah Sipos, Kelsey McAlister, Julia Garaffa, Elizabeth Song, Nanki Verma, Emma Waxman and Tanaya Deshpande on their accomplishments and contributions to the public good, and wishes them continued success in the future.

- 4-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.
- 4-2. Nanki Verma's Gold Award project was called "Mission Red, White and Blue". She created collection boxes to collect donation items at the Municipal Building, the Otto Kaufman Community Center and the Mary Jacobs Memorial Library. She prepared care packages to send to soldiers overseas. She also collected letters with the help of the Montgomery Interact Club. They wrote letters to the soldiers overseas to send in time of the holidays. She also worked with the Acorn Glen Senior Citizens to put a very nice letter together for them also. Overall, her Girl Scout Gold Award project helped her to appreciate the dedication of the soldiers overseas.
- 4-3. Julia Garaffa's Gold Award project was called "Videos for Volunteering". She created a video series, in partnership with the Montgomery Environmental Commission and Sustainable Montgomery. The videos highlighted volunteer boards and committees in Montgomery Township and the opportunities they had for leadership positions among community members. The project's goal was to increase diversity under the boards and to get more community members to have a say in their local government.
- 4-4. Kelsey McAlister's Gold Award project was called "Introduction to Girls Ice Hockey; Define the Status Quo". She conducted a series of five (5) free hockey clinics at the Otto Kaufman Community Center for approximately 10 middle-school aged girls from the Township, so that they could be introduced to the sport at a cost efficient and fund environment. She also created a brochure which explained her project and distributed them to surrounding municipalities so they could lead similar clinics.
- 4-5. Elizabeth Song's Gold Award project was called "Eden Art". It was named after the Eden Autism School where she worked with student aged 5 years to 21 years to different art projects. She designed an art curriculum with different art activities from clay to drawing. She worked with the students for one school year and then in an after school program. They then integrated the curriculum into the school year.
- 4-6. Emma Waxman's Gold Award project was called "Dance for All". It was a dance program for at risk children in Princeton who would not normally be introduced to the arts. At the end of the three (3) week program, the children performed for their parents in donated costumes. The children were also given an instructional video showing all the dance steps, so they could continue practicing.

(Item #4 Cont.)

4-7. Tanaya Deshpande's Gold Award project was called "Bringing Books to the Children of Home Front". She organized a children's library at Home Front, a homeless shelter in Ewing. She collected over 2,000 books for this project and organized them by age and genre. She then put them in a room that was allocated for books. She also organized a book fair and summer reading program for the children.

4-8. Tarah Sipos was not in attendance.

5. **PUBLIC COMMENT**

5-1. Frank Drift, Sunset Road, spoke about dead trees overhanging the road and the danger they can cause. He recalled having to call the County regarding a dead spruce that fell and landed on wires. PSE&G was called in to cut the wires at that time.

Mr. Drift stated that this would be the last year for the rodeo. He spoke about the possibility of a Wild West show for next year.

5-2. Jeff Scott, Red Oak Way, expressed his concerns about volunteers planting trees between the curb and the sidewalk. Deputy Mayor Madrid stated that the Shade Tree Committee will be attending an upcoming meeting to address the tree planting and sidewalk issues.

Mr. Scott spoke about the Capital Improvement Plan and debt service and suggested the Governing Body work with the Board of Education regarding shared services as a way of keeping costs down.

Mr. Scott stated that he was recently made aware that the Township has purchased the Convatec site for a new Municipal Building. He didn't see anything about public input on the purchase. Committeeman Trzaska stated that the Convatec property was purchased for other reasons, it wasn't primarily because of the Municipal Building. He noted that starting in 2014 there were at least 8 to 10 public meetings where it was discussed.

5-3. Frank Drift, Sunset Road, spoke about how developers plant trees in West Windsor and Hamilton ten feet from the sidewalk on the homeowner's property. Committeewoman Jaffer remarked on a program in another town that offers a partnership with the homeowners to plant trees on their property. Attorney Hadinger explained that some municipalities have a tree planting/tree maintenance easement from the sidewalk back onto the property.

6. **CLASSIFICATION OF PERMANENT POLICE OFFICERS - Troy Gonzalez, Christopher Parlow, Connor Chapkowski and Adam Verducci**

BE IT RESOLVED That Troy Gonzalez has completed his probationary period and is now classified as a permanent police officer effective June 8, 2018.

BE IT FURTHER RESOLVED That Christopher Parlow has completed his probationary period and is now classified as a permanent police officer effective June 8, 2018.

BE IT FURTHER RESOLVED That Connor Chapkowski has completed his probationary period and is now classified as a permanent police officer effective June 8, 2018.

BE IT FURTHER RESOLVED That Adam Verducci has completed his probationary period and is now classified as a permanent police officer effective June 8, 2018.

6-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

7. **WILDLIFE MANAGEMENT COMMITTEE - 2018/2019 Resolution Update**

Open Space Coordinator Lauren Wasilauski and Jaime McQuaid, Chair of the Wildlife Management Committee, updated the Governing Body on the following items:

- The Township has closed on over 100 acres of Open Space in 2017.
- New properties that the Wildlife Management Committee would like to see added to the program for the 2018-2019 season.
- 174 deer were culled during the 2017-2018 season.

Deputy Mayor Madrid inquired if there was a way to boost the number of deer culled. Ms. Wasilauski stated that the Wildlife Management Committee made the following suggestions:

- Increase the number of deer the hunters were required to kill in order to be "grandfathered" onto their existing property.
- Possibly waiving the next year's application fee if a hunter kills a pre-determined amount of deer, perhaps five (5).
- The need to make sure the hunters take advantage of the freezer the Township provides as a way to encourage them to take more deer.
- Lowering the youth hunting age from 15 to 12 to attract younger hunters to the program who have expressed an interest but are younger than the Township's 15-year-old limit. The state allows hunting as early as age 10 and encourages more youth hunting, as the current hunting population is aging out.

(Item #7 Cont.)

Deputy Mayor Madrid explained that the Governing Body had discussed the youth hunting in the past and were reluctant to decrease the age below 15 years because of safety concerns. Mr. McQuaid explained that all youth hunters are supervised by a legal guardian or older person and the State requires them to attend an internet program, a classroom program and a field trial before a license is issued. Deputy Mayor Madrid asked if there were any safety related statistics regarding youth hunting. Ms. Wasilauski and Mr. McQuaid will inquire into what other municipalities allow with regard to age and any safety related statistics from the State. Attorney Hadinger explained that the 2018-2019 program resolution was slated to be on the June 21 Township Committee agenda for approval.

Barbara Preston, Montgomery News, asked if the hunting program addressed the idea of limiting bucks to one and encouraged the shooting of doe. Mr. McQuaid responded that the Township does permit the same sex ratio as the State, basically unlimited doe harvesting and up to six (6) bucks.

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 #18-6-121 - REFUND OVERPAID 2018 TAXES**

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

Block	Lot	Name	Amount
4001	33	Country Club Meadows	\$120,880.00
4001	33.01	Country Club Meadows	\$ 229.68
4068	13	Core Logic	\$ 5,869.48
8001	19 QFARM	David Kowalski & Lonna Buinis	\$ 15.11
12001	31	Core Logic	\$ 6,092.35
15009	15	Puneet Asthana	\$ 6,031.16
16008	18	Core Logic	\$ 4,655.48
18001	17.03	Douglas & Mary Harless	\$ 8,608.16
21012	14	Arun & Rashmi Tirumali	\$ 4,474.83
25001	28.27	Kenneth D. & Kelly A. Durfee	\$ 7,094.39
28006	39 QFARM	Daniel Rizzo & Antonette Castornina Rizzo	\$ 124.03
30004	12	Stephen K. Shueh & Joyce Chen	\$ 6,544.80
34021	15	Dovenmuehle Mortgage, Inc.	\$ 3,086.26
37002	24	River Edge Title Agency, LLC	\$ 2,575.79

B. **RESOLUTION #18-6-122 - REFUND OVERPAID 2018 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$260.30 be given to Pushpa Lata Garlapati, 1225 Rhoads Drive, Belle Mead, NJ 08502 for the overpayment of 2018 Sewer charges on Block 5019, Lot 12.25 CONDO.

C. **RESOLUTION #18-6-123 - REDEMPTION OF TAX SALE CERTIFICATES #2014-38 AND #2017-15**

BE IT RESOLVED That a refund in the amount of \$12,914.86 be given to U.S. Bank for BV001 Trust, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #2014-38 on Block 37003, Lot 1.135.

BE IT FURTHER RESOLVED That a refund in the amount of \$76,632.56 be given to Leed Capital, 946 Main Street, Hackensack, NJ 07601 for the redemption of Tax Sale Certificate #2017-15 on Block 29002, Lot 50.

D. **RESOLUTION #18-6-124 - TO CANCEL CHECKS FROM THE TOWNSHIP'S VARIOUS CHECKING ACCOUNTS**

WHEREAS, There exists outstanding unpaid checks on the books for various Township Checking Accounts; and

WHEREAS, The checks are all over one-year-old and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee that the following checks be cancelled:

(CONSENT AGENDA Item D Cont.)

CHECK #	AMOUNT	ACCOUNT
001043	\$ 262.50	Planning Review Escrow
001159	192.51	Planning Review Escrow
001312	6.12	Planning Review Escrow
001328	134.12	Planning Review Escrow
001534	189.00	Planning Review Escrow
002437	8.47	Planning Review Escrow
002446	217.32	Planning Review Escrow
002511	2,588.88	Planning Review Escrow
000682	7,554.95	Maintenance & Performance Escrow
67071	190.00	Current
67114	49.57	Current
67371	350.00	Current
67440	30.16	Current
67471	1,341.95	Current
67562	121.60	Current
68189	25.00	Current
68443	80.00	Current
68489	78.33	Current
68604	100.00	Current
69083	4,496.24	Current
69831	3,094.07	Current
69991	699.52	Current
70099	14.85	Current
70171	100.00	Current
70366	17.09	Current
70571	89.98	Current
7152	387.00	General Capital
3100	94.69	Animal Trust
16611	1,498.00	Sewer

- E. **RESOLUTION #18-6-125 - AUTHORIZING SEWER PARTICIPATION AGREEMENT -**  
 Estate of Leiv Hunsbedt, deceased, c/o Roy L. Hunsbedt, Administrator -  
 Block 7006, Lot 7

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute a Sewer Participation Agreement with the Estate of Leiv Hunsbedt, deceased, c/o Roy L. Hunsbedt, Administrator related to sewer capacity in the Pike Brook Sewage Treatment Plant for Block 7006, Lot 7.

- F. **RESOLUTION #18-6-126 - RELEASE OF ESCROW FEE -** George Youreneff  
 (Block 7001, Lot 24) - Street Opening Permit #17-R-40

WHEREAS, George Remboske, Assistant to the Township Engineer, has recommended the release of a cash escrow fee to George Youreneff because all work has been satisfactorily completed with respect to the following street opening permit at Block 7001, Lot 24 (124 Staats Farm Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$1,500.00 be released to George Youreneff, 124 Staats Farm Road, Belle Mead, NJ 08502.

- 8-1. Committeewoman Graham moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Jaffer and carried on the following:

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

9. **RESOLUTION #18-6-127 - RESOLUTION ACCEPTING DONATION OF SERVICES -** Lawn Fertilization

WHEREAS, Fairway Green Inc., a local lawn care business, has offered to provide lawn fertilization services at no cost to the Township at the Montgomery Municipal Building; and

WHEREAS, The lawn fertilization services would consist of six applications throughout the year designed to provide fertilization as well as insect and weed control; and

WHEREAS, The Township may accept said donation of services pursuant to the provisions of N.J.S.A. 40A:5-29.

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

- The Township Committee hereby accepts the donation of lawn fertilization services by Fairway Green Inc. as described more fully in the foregoing "Whereas" clauses.
- Fairway Green Inc. shall coordinate the provision of the donated services with the Township Administrator.

- 9-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

10. **RESOLUTION #18-6-128 - AUTHORIZING THE EXTENSION OF THE CONTRACT FOR SUBMERSIBLE PUMP REPAIR SERVICES - Municipal Maintenance Company**

WHEREAS, Resolution #16-8-205 adopted on August 4, 2016 awarded a submersible pump repair services contract for two (2) years with 2 (two) one year extension options to Municipal Maintenance Company; and

WHEREAS, N.J.S.A. 40A:11-15 provides that a contract may include provisions for no more than one two-year or two one-year extensions subject to the following: the contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; no such contract shall be extended so that it runs for more than a total of five consecutive years; any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same; and

WHEREAS, The contract will not exceed \$200,000.00 for the extended year effective July 1, 2018 through June 30, 2019; and

WHEREAS, There exists accounts 07-201-55-542-293, 07-201-55-543-293, 07-201-55-544-293, 07-201-55-546-293, 07-201-55-547-293 and 08-215-55-901-1575C which will fund this service; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby approves the second of two (2) one year extensions pursuant to the above-described terms.

10-1. Committeewoman Jaffer 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  
Nays - None  
Absent - Conforti

11. **RESOLUTION #18-6-129 - AUTHORIZING PURCHASE OF A 2018 FORD F150 4x4 EXTENDED CAB PLUS EMERGENCY EQUIPMENT PACKAGE MONTGOMERY FIRE PREVENTION DEPARTMENT THROUGH NJ STATE CONTRACT**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A. 40A:11-12; and

WHEREAS, The Township of Montgomery has determined that the following State Contract identifier NJSC #T-2099 has provided the Township with the most competitive price for these items/services; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase as follows; in Account #04-215-55-901-1576D for \$25,000.00 and Account #04-215-55-901-1542D for \$19,902.00.

NOW THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a 2018 Ford F150 4x4 Extended Cab plus Emergency Equipment Package at a not to exceed amount of \$44,902.00 be authorized through the utilization of the New Jersey State Contract to:

Winner Ford  
250 Haddonfield-Berlin Road  
Cherry Hill, N. J. 08034

11-1. 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  
Nays - None  
Absent - Conforti

12. **RESOLUTION #18-6-130 - RESOLUTION SUPPORTING BUS STOP LOCATIONS ALONG ROUTE 206 IN THE TOWNSHIP OF MONTGOMERY**

WHEREAS, in 2001, in cooperation with the Township of Montgomery ("Township"), the New Jersey Department of Transportation ("DOT") approved a Traffic Regulation Order establishing nine (9) bus stops along Route 206 in the Township; and

WHEREAS, the DOT has requested that the Township issue a Resolution in support of the updated descriptions of the existing nine (9) bus stop locations.

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

(Item #12 Cont.)

1. The Township supports the continued designation of the following in the Township as bus stop locations:

Bus Stops:

Along Route US 206, northbound, on the easterly side at:

- A. Between Princeton Avenue and Applegate Road - (mid-block)  
(NJ Transit ID # 28290)  
Beginning at a point 85 feet north of the northerly curb line of Princeton Avenue and extending 135 feet northerly therefrom.
- B. Wall Street - (near side) (NJ Transit ID# 28291)  
Beginning at the southerly curb line of Wall Street and extending 150 feet southerly therefrom.
- C. Benjamin Boulevard - (far side) (NJ Transit ID# 28292)  
Beginning at the northerly curb line of Benjamin Boulevard and extending 100 feet northerly therefrom.
- D. Between County Road (CR 518) and Tamarack Circle - (mid-block)  
(NJ Transit ID# 28293)  
Beginning at a point 715 feet north of the northerly curb line of County Road and extending 135 feet northerly therefrom.
- E. Montgomery Road - (near side) (NJ Transit ID# 28294)  
Beginning at the southerly curb line of Montgomery Road and extending 165 feet southerly therefrom.

Along Route US 206, southbound, on the westerly side at:

- A. Orchard Road - (far side) (NJ Transit ID# 28295)  
Beginning at the southerly curb line of Orchard Road and extending 150 feet southerly therefrom.
  - B. Shopping Plaza - (far side) (NJ Transit ID# 28296)  
Beginning at the southerly curb line of Shopping Plaza traffic signal (MP 58.22) and extending 185 feet southerly therefrom.
  - C. Airpark Road - (near side) (NJ Transit ID# 28297)  
Beginning at the northerly curb line of Airpark Road and extending 105 feet northerly therefrom.
  - D. Between Applegate Road and Cherry Valley Road - (mid-block)  
(NJ Transit ID# 28298)  
Beginning at a point 1035 feet south of the southerly curb line of Applegate Road and extending 135 feet southerly therefrom.
2. The Township of Montgomery concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.
  3. A certified copy of this Resolution shall be submitted to the New Jersey Department of Transportation.

- 12-1. 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  
Nays - None  
Absent - Conforti

13. **RESOLUTION #18-6-131 - RESOLUTION DETERMINING THAT THE REAL PROPERTY DESCRIBED AS BLOCK 28004, LOT 7 AND BLOCK 28005, LOT 66 (TAX ASSESSMENT MAPS REV. 2017) GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF STATE ROUTE 206 AND COUNTY ROUTE 518, KNOWN AS THE KEPNER-TREGOE STUDY AREA, SHALL BE A NON-CONDEMNATION REDEVELOPMENT AREA**

WHEREAS, By Resolution #18-4-88 adopted April 5, 2018, the Township Committee of the Township of Montgomery directed the Montgomery Township Planning Board to conduct an investigation into whether the real property designated as Block 28004, Lot 7 and Block 28005, Lot 66 (Tax Assessment Maps Rev. 2017) and generally located northwest of the intersection of State Route 206 and County Route 518 (hereinafter the "Property" or the "Kepner-Tregoe Study Area) constitutes and shall be established as a non-condemnation redevelopment area under the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (hereinafter the "Statute"), as that term is defined by the Statute;

WHEREAS, The Planning Board completed its investigation of the Property to determine whether it should be designated as a non-condemnation redevelopment area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, As part of its preliminary investigation, the Board received and reviewed the report of its experts Michael F. Sullivan, ASLA, AICP and Emily Goldman, PP, AICP titled "Preliminary Investigation of an Area in Need of Redevelopment (Non-Condensation): Kepner-Tregoe Study Area" (hereinafter the "Report"); and

(Item #13 Cont.)

WHEREAS, In addition to the foregoing, Mr. Sullivan and Ms. Goldman prepared a map showing the boundaries of the proposed redevelopment area and locations of parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, A public hearing was conducted by the Planning Board on May 21, 2018, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, At the public hearing, the Planning Board reviewed the Report, the map and associated documents and heard testimony from Emily Goldman, PP/AICP; and

WHEREAS, At the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Property as a non-condemnation redevelopment area; and

WHEREAS, After completing its investigation and public hearings on this matter, the Planning Board concluded that there was sufficient evidence to support findings and satisfy the criteria set forth in the Statute for designating the Property as a non-condemnation redevelopment area and that said designation is necessary for the effective redevelopment of the Property; and

WHEREAS, In accordance with the Statute, the Planning Board acted to recommend that the Property be declared a non-condemnation redevelopment area pursuant to the Statute, said action being memorialized by resolution of May 21, 2018;

WHEREAS, The Township Committee has also reviewed the Report and the Planning Board's resolution at its regularly scheduled meeting on June 7, 2018 and concurs with the Planning Board's findings; and

WHEREAS, The Township Committee further finds that due to the Property's close proximity to other commercial and residential development and Routes 206 & 518, as well as its access to public water and sewer, the Property is situated in an area in which redevelopment is to be encouraged.

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

1. The preamble to this Resolution is incorporated and made a part hereof as if set forth at length herein.
2. Pursuant to the Statute, and consistent with the recommendation of the Planning Board and the Report, the Property, also known as the Kepner-Tregoe Study Area, is hereby determined to be a non-condemnation redevelopment area per the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
3. The designation of the Kepner-Tregoe Study Area as a non-condemnation redevelopment area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Kepner-Tregoe Study Area.
4. The Clerk shall forthwith transmit a copy of this Resolution and the Report to Lieutenant Governor Sheila Y. Oliver, Commissioner, Department of Community Affairs, State of New Jersey by commercial overnight courier, courier fees prepaid.
5. The Planning Board is directed to prepare a redevelopment plan for the Property, and the Clerk shall forward a copy of this Resolution to the Planning Board.
6. Within ten (10) days of the Township Committee's adoption of the within Resolution, the Clerk of the Township of Montgomery shall serve notice of the Township Committee's determination and the within Resolution upon all record owners of property within the non-condemnation redevelopment area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent.

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

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

14. **ORDINANCE #18-1577 - Use of Third Party Electronic Payroll Services - Public Hearing**

A. Deputy Mayor Madrid read the title of the ordinance as follows:

AN ORDINANCE AUTHORIZING AND RATIFYING THE USE OF  
THIRD PARTY ELECTRONIC PAYROLL SERVICES.

B. Deputy Mayor Madrid opened the hearing to the public. There being no comment, 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 7<sup>th</sup> day of June, 2018 and that notice thereof be published in an official newspaper as required by law.

(Item #14 Cont.)

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

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

15. **ORDINANCE #18-1578** - Transfer of Sharbell/Hillside Pump Station Block 28003, Lot 210 - Public Hearing

A. Deputy Mayor Madrid read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY NEW JERSEY ACCEPTING PROPERTY KNOWN AS BLOCK 28003, LOT 210 (HILLSIDE SEWAGE PUMP STATION FACILITIES AND EQUIPMENT) FOR GENERAL MUNICIPAL PURPOSES, INCLUDING SANITARY SEWERAGE.

B. Deputy Mayor Madrid opened the hearing to the public. There being no comment, 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 7<sup>th</sup> day of June, 2018 and that notice thereof be published in an official newspaper as required by law.

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

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

15. **ORDINANCE #18-1579** - Grant of Easement to Delaware and Raritan Canal Commission of the State of New Jersey; Pedestrian Path and Bridge over Crusier Brook - Introduction

A. Title: AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A CONSERVATION EASEMENT TO THE DELAWARE AND RARITAN CANAL COMMISSION OF THE STATE OF NEW JERSEY OVER A PORTION OF LOT 12, IN BLOCK 6001, BY THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY IN CONJUNCTION WITH THE COMPLETION OF A PEDESTRIAN PATHWAY AND BRIDGE OVER CRUSER BROOK.

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 June 21, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

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

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 Committeewoman Graham and carried on the following:

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

17. **NOT IN OUR TOWN**

Committeewoman Jaffer stated that at the recent "Not In Our Town" meeting, a person asked who they should call if they encounter any sort of a bias crime incident. Police Captain Tom Wain explained that if there is any sort of immediacy or danger, they should call 911. Otherwise the Police non-emergency number would be called.

Committeewoman Jaffer asked if there were statistics on bias crimes that could be provided to the Governing Body. Captain Wain stated that he would provide a report for the past ten years to include both Montgomery Township and Somerset County.

18. **HIGH SCHOOL TENNIS COURTS**

Committeeman Trzaska stated that he had attended the ribbon cutting at the High School tennis courts.

19. **NATIONAL TRAILS DAY**

Administrator Nieman stated that he attended the National Trails Day event in the Township. Unfortunately, due to the weather, it was not as well attended as it could have been. He extended his appreciation to all of the staff who participated in making this a successful event.

20. **ONE MONTGOMERY**

Administrator Nieman stated that the first meeting of "One Montgomery" would be Monday, June 11 at 8:30 a.m.

21. **CONVATEC PROPERTY**

Administrator Nieman stated that Lieutenant Gill and he attended the bid opening for the demolition of the Convatec property. The lowest qualified bidder was Wildheart Industries from Hillsborough. The bid was awarded on Tuesday, June 5.

22. **COMMITTEE AND SUB-COMMITTEE REPORTS**

22-1. **ENVIRONMENTAL COMMISSION**

Committeewoman Jaffer reported that the Environmental Commission had a meeting about the Environmental Resource Inventory.

22-2. **VETERANS MEMORIAL COMMITTEE**

Committeewoman Graham stated that she had attended the Memorial Day ceremony organized by the Veterans Memorial Committee. It was a short ceremony and it was well attended.

22-3. **BOARD OF HEALTH**

Committeewoman Graham spoke about the Board of Health's letter regarding the complaint raised by Wawa with respect to their ordinance on vaping. This ordinance restricts the age of sale of the vaping product to over 21. Wawa has objected to this age restriction.

22-4. **SITE PLAN/SUBDIVISION COMMITTEE**

Committeeman Trzaska stated that there was one small application presented at the Site Plan/Subdivision Committee meeting.

22-5. **PLANNING BOARD**

Committeeman Trzaska stated that the Planning Board meetings he attended were mainly about the Route 206 and Route 518 section of the Township regarding the Sharbell property and the PIRHL development.

23. **RESOLUTION TO CLOSE MEETING TO THE PUBLIC**

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
  - Potential acquisition of property (Block 10001, Lot 7.01 {Driftbuilt, LLC & Picone}) with public funds for agricultural, open space, conservation, and other municipal purposes.
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.

23-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Jaffer and carried unanimously.

24. Meeting reconvened in Open Session and **ADJOURNMENT** was at 9:00 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

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