

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
July 19, 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

TOWNSHIP CLERK - Donna Kukla

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. **GIRL SCOUT SILVER AWARD PROJECT PRESENTATION**

Skyler Fong explained that her Girl Scout Silver Award project was to build two footbridges in Mill Pond Park or Montgomery Veterans Park to improve public access to walking trails. All of the materials will be donated. Her target completion date for this project is September 5, 2018.

Clem Fiori, Open Space Coordinator, commented that this was a much needed project and the Open Space Committee approved of it.

- 4-1. **Motion #18-7-1** - Committeewoman Graham moved the approval of the Girl Scout Silver Award project of Skyler Fong. The motion was seconded by Committeeman Trzaska and carried unanimously.

5. **PUBLIC COMMENT**

- 5-1. Brett Borowski, York Drive, spoke about the radar sign integrated into the speed limit sign westbound on Cherry Valley Road. He stated he would love to try to come up with something similar for stop signs.

Mr. Borowski spoke about the resolution on the agenda that would amend the different legislative bills particularly S-477, regarding changes to the statute of limitations for sexual molestation against public entities. He suggested that the Township Committee postpone taking action at this time.

- 5-2. Bill Forbes, Griggstown Road, spoke about the state and local tax deduction fee cap of \$10,000.00 and asked if Montgomery Township has taken any action towards developing a possible "not for profit" arrangement where people can continue to pay their taxes and still take a deduction. Chief Financial Officer Pitts stated that the issue would be discussed further at a future time.

- 5-3. Barbara Preston, Montgomery News, questioned the process regarding the Route 206 bridge project in front of the Municipal Building and asked about the proposed two (2) week closure of Route 206 by the contractor and who would make that decision. Administrator Nieman commented that this was reviewed in-house and what seems to have been ignored by the contractor was that a simple breakdown of a freight train or a heavy rain storm would result in total paralysis in this community.

- 5-4. Chris Molfetas, Partridge Run, thanked the Governing Body for listening to the people who attended the last Township Committee meeting where they discussed lowering the age of youth hunting from 15 years old to 12 years old.

6. **RESOLUTION #18-7-166 - PROFESSIONAL SERVICES RESOLUTION** - Legal Counsel - Mason, Griffin and Pierson

WHEREAS, There exists a need to acquire professional Legal Counsel services for the remainder of 2018 without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law"; and

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

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

WHEREAS, There exists account number 01-201-20-155-248 which will fund this agreement; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available for this purposes.

(Item #6 Cont.)

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

- (1) The Mayor and Clerk are hereby authorized and directed to execute proper agreements with Mason, Griffin and Pierson.
- (2) This contract is awarded for the remainder of 2018, for the amount set forth in the contract, and without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.
- (3) The contractor has completed and filed with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying it has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.

6-1. Deputy Mayor Madrid 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, Conforti
Nays - None

7. **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 #18-7-167 - 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>
7005	5	Xun Zhang & Ming Sun	\$ 6,776.84
21009	16	Nanda & Kavitha Kanuri c/o Leena R. Patel, Esakoff, Jaggi & Patel, LLC	\$ 599.11
31001	123	Srivatsan Rajagopalan	\$11,269.64
37003	6.24	Janice Little, Escrow Tax Representative, Dovenmuehle Mortgage, Inc.	\$ 2,385.22
37004	6.58	Aijie Wang c/o Jenny J. Hou, Esq.	\$ 1,919.57

B. **RESOLUTION #18-7-168 - REDEMPTION OF TAX SALE CERTIFICATE #2017-05**

BE IT RESOLVED That a refund in the amount of \$85,413.42 be given to Christiana T C/F Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate #2017-05 on Block 6001, Lot 26.03.

C. **RESOLUTION #18-7-169 - TO CANCEL A CHECK FROM THE TOWNSHIP'S PLANNING REVIEW ESCROW FUND CHECKING ACCOUNT**

WHEREAS, There exists an outstanding unpaid check on the books for the Township's Planning Review Escrow Fund Checking Account; and

WHEREAS, The check is over one-year-old and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee and The Chief Financial Officer that the following check be cancelled from the Township's Planning Review Escrow Fund Checking Account:

<u>CHECK #</u>	<u>AMOUNT</u>
002831	\$ 929.99

D. **RESOLUTION #18-7-170 - TO CANCEL A CHECK FROM THE TOWNSHIP'S SEWER CHECKING ACCOUNT**

WHEREAS, There exists an outstanding unpaid check on the books for the Township's Sewer Checking Account; and

WHEREAS, The check is over one-year-old and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee and The Chief Financial Officer that the following check be cancelled from the Sewer Checking Account:

<u>CHECK #</u>	<u>AMOUNT</u>
16611	\$1,498.38

(CONSENT AGENDA Cont.)

E. **RESOLUTION #18-7-171 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)**
NJ Urban & Community Forestry CSIP

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 form the NJDEP:

NJ Urban & Community Forestry CSIP	\$20,000.00
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

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

F. **RESOLUTION #18-7-172 - AUTHORIZING APPROVAL OF A CONTRACT BETWEEN MONTGOMERY TOWNSHIP, DRIFTBUILT, LLC AND THOMAS PICONE**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to sign a contract between Montgomery Township, Driftbuilt, LLC and Thomas Picone regarding Block 10001, Lot 7.01.

G. **RESOLUTION #18-7-173 - REAFFIRMING THE COMMITMENT AND OBJECTIVE OF SUSTAINABLE MONTGOMERY (MONTGOMERY'S "GREEN TEAM")**

WHEREAS, The Township Committee adopted resolution 09-5-180 establishing the Green Team at a regular meeting conducted on May 21, 2009; and

WHEREAS, The Township Committee resolved in that resolution that it wished to pursue local initiatives and actions that would lead to Sustainable Jersey municipal certification; and

WHEREAS, The Township Committee further resolved in that resolution to create the Montgomery Township Green Team to serve as Montgomery Township's agents for the Sustainable Jersey municipal certification process; and

WHEREAS, The Township Committee adopted resolution 11-1-25 designating the Environmental Commission as the Green Team, also known as Sustainable Montgomery at a regular meeting conducted on January 3, 2011; and

WHEREAS, Sustainable Montgomery (the Green Team) is composed of individuals who are interested in advancing the efforts of Montgomery Township in the Sustainable Jersey municipal certification program, and that have been actively working as a Green Team since January 2011; and

WHEREAS, Montgomery Township has been certified in the Sustainable Jersey certification program three times, in 2009, 2012 and 2015, and is pursuing certification in 2018.

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

1. Sustainable Montgomery is active in the community and advancing sustainable practices and actions included in the Sustainable Jersey municipal certification program.
2. Sustainable Montgomery has been and shall continue to be composed of individuals who have demonstrated interest in advancing the efforts of Montgomery Township to pursue certification through the Sustainable Jersey municipal certification program.
3. The role of Sustainable Montgomery has been and shall continue to be to lead and coordinate the sustainability activities of the community.

(CONSENT AGENDA Cont.)

H. **RESOLUTION #18-7-174 - DECLARING CERTAIN GENERAL EQUIPMENT AS SALVAGE FOR DISPOSAL**

WHEREAS, The Township MIS Coordinator desires to declare certain property as salvage to be disposed of.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee does hereby authorize the disposal of the following items:

- 1 APC UPS 750
- 1 HP Officejet 100 Mobile Printer
- 1 HP Officejet Pro x451 Printer
- 1 Dell 1704 FPV Monitor
- 17 Dell Optiplex 620 PCs
- 2 Dell Optiplex 755 PCs
- 1 Dell Powervault 775 Server
- 2 WatchGuard XTM 3 Firewalls
- 1 Dell Optiplex 270 PC
- 1 Cymphonix EX350 Network Extender
- 1 Dell Optiplex 780 PC
- 1 Dell Latitude D620 Laptop
- 1 Dell Latitude E6500 laptop
- 1 Dell Latitude D810 Laptop
- 1 Toshiba 4300 laptop
- 2 Dell Inspiron 2680 laptops
- 1 Dell Latitude C640 laptop
- 1 Dell Inspiron 1150 laptop
- 2 Dell Inspiron 5100 laptops
- 1 Poweredge 400SC Server
- 2 Optiplex 320 PCs
- 1 Optiplex 780 PC
- 1 Optiplex 280 PC

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

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

8. **RESOLUTION #18-7-175 - A RESOLUTION EXPRESSING THE TOWNSHIP OF MONTGOMERY'S INTENT TO PROVIDE THE FUNDS NECESSARY TO SATISFY THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, By Order entered on February 20, 2018, the Superior Court of New Jersey approved the Settlement Agreement between the Township of Montgomery and Fair Share Housing Center ("FSHC"), which included the Township's preliminary compliance measures; and

WHEREAS, On June 4, 2018, the Montgomery Township Planning Board adopted a Housing Element and Fair Share Plan that fully addresses the Township's Rehabilitation Need, Prior Round and Third Round "fair share" obligations; and

WHEREAS, On June 7, 2018, the Township Committee adopted a resolution endorsing the 2018 Housing Element and Fair Share Plan adopted by the Planning Board on June 4, 2018; and

WHEREAS, The Township's 2018 Housing Element and Fair Share Plan includes a number of compliance mechanisms, such as inclusionary developments, supportive and special needs housing, and a 100% affordable housing development; and

WHEREAS, Pursuant to the State's affordable housing regulations and policies, and the conditions of the Court-approved Settlement Agreement, in order to assure the creditworthiness of the various compliance techniques included in its Housing Element and Fair Share Plan, the Township must demonstrate adequate and stable funding sources; and

WHEREAS, Since the Township is committed to securing judicial approval of its Affordable Housing Plan, in order to provide an adequate and stable funding source for the components of the Township's Housing Element and Fair Share Plan, the Township shall rely on the funds in its Affordable Housing Trust Fund, established by its Development Fee Ordinance; and

WHEREAS, The Township also anticipates that funding will come from other sources to satisfy its municipally-sponsored construction obligations, including, but not limited to, development fees; in-lieu contributions; and governmental sources such as the Federal Low Income Housing Tax Credits, New Jersey Balanced Housing Funds, HUD funding, Federal Home Loan Bank Board financing, HMFA bond financing, etc.; and

WHEREAS, In the event that the above funding sources prove inadequate to meet the Township's funding obligation, the Township shall provide sufficient funding to address any shortfalls.

NOW THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, in the County of Somerset, that the governing body does hereby agree to fund any shortfalls in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED That said shortfall shall be funded by bonding if there are no other resources.

8-1. 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

9. ORDINANCE #18-1583 - Driftbuilt, LLC & Picone Acquisition - Public Hearing

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LOT 7.01, BLOCK 10001 "DRIFTBUILT, LLC - PICONE PROPERTY," IN THE TOWNSHIP OF MONTGOMERY.

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 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 19th day of July, 2018 and that notice thereof be published in an official newspaper as required by law.

9-1. 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

10. ORDINANCE #18-1584 - LDO-Site Specific Inclusionary Zones for COAH Qualified Affordable Housing (Site Specific Inclusionary Zone 2) - Public Hearing

A. Mayor Conforti 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 16-4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 2.

B. The Clerk read the following report from Planning Board:

"On July 16, 2018, the Planning Board reviewed the above-referenced ordinance and recommended adoption."

C. 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.

D. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 19th day of July, 2018 and that notice thereof be published in an official newspaper as required by law.

10-1. 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

11. ORDINANCE #18-1585 - LDO-Site Specific Inclusionary Zones for COAH Qualified Affordable Housing (Site Specific Inclusionary Zone 3) - Public Hearing

A. Mayor Conforti 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 16-4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 3.

B. The Clerk read the following report from Planning Board:

"On July 16, 2018, the Planning Board reviewed the above-referenced ordinance and recommended adoption."

C. Mayor Conforti opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Committeewoman Jaffer and carried unanimously.

D. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 19th day of July, 2018 and that notice thereof be published in an official newspaper as required by law.

11-1. 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, Conforti
Nays - None

12. **ORDINANCE #18-1586 - LDO-Site Specific Inclusionary Zones for COAH Qualified Affordable Housing (Site Specific Inclusionary Zone 4) - Public Hearing**

A. Mayor Conforti 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 16-4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 4.

B. The Clerk read the following report from Planning Board:

"On July 16, 2018, the Planning Board reviewed the above-referenced ordinance and recommended adoption."

C. 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 Committeewoman Graham and carried unanimously.

D. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 19th day of July, 2018 and that notice thereof be published in an official newspaper as required by law.

12-1. Committeeman Trzaska 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

13. **ORDINANCE #18-1587 - Repealing and Replacing Chapter XV "Affordable Housing" To Address the Requirement of the Fair Housing Act and the Uniform Housing Affordability Controls - Public Hearing**

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

AN ORDINANCE REPEALING AND REPLACING CHAPTER XV "AFFORDABLE HOUSING" OF THE TOWNSHIP OF MONTGOMERY TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

B. Mayor Conforti opened the hearing to the public. There being no comment, Committeewoman Jaffer 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 19th day of July, 2018 and that notice thereof be published in an official newspaper as required by law.

13-1. 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

14. **ORDINANCE #18-1588 - Cable Television Refranchise - Introduction**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF CENTRAL NEW JERSEY II TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM.

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 August 2, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

14-1. 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

15. **APPROVAL OF MINUTES**

The Regular Session minutes of July 5, 2018 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. 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. **COMMUNITY CANOPY PROGRAM**

Committeewoman Jaffer reported that she had recently attended a webinar on "Community Canopy" program which is done through the Arbor Day Foundation regarding the planting of trees on private property.

18. **PLAYGROUNDS**

Committeeman Trzaska reported that the new playground at the Betsy Grover Park was completed.

Open Space Committee Chair Clem Fiori reported that the playground renovation at Hobler Park was also complete.

19. **TAX BILLS**

Chief Financial Officer Pitts stated that the tax bills will be out August 1, 2018 with a due date at the end of August.

20. **COMMITTEE AND SUB-COMMITTEE REPORTS**

20-1. **BOARD OF HEALTH**

Committeewoman Graham stated that the Health Department is deeply in the process of National Accreditation. There will be a site visit from the Accreditation team on July 25 and July 26.

20-2. **ONE MONTGOMERY**

Committeewoman Jaffer stated she attended the One Montgomery meeting.

Deputy Mayor Madrid reported that the One Montgomery Committee was still in the process of figuring out where they want to go.

20-3. **NOT IN OUR TOWN**

Committeewoman Jaffer stated that the next Not In Our Town meeting would be held at the Blawenburg Reformed Church at 7:30 p.m.

20-4. **PLANNING BOARD**

Committeeman Trzaska stated that the Planning Board discussed the ordinances which were just adopted by the Governing Body. There was also discussion about the Rock Brook with some land preservation in the greenway.

21. **RESOLUTION HONORING RETIRING TOWNSHIP ATTORNEY KRISTINA P. HADINGER, ESQ.**

WHEREAS, After thirty-four years of dedicated service to Montgomery Township Kristina P. Hadinger is retiring from her position as Township Attorney; and

WHEREAS, Kris was appointed Montgomery Township Attorney in 1984 and is the longest serving Township Attorney for Montgomery, having served in the following capacities:

- TOWNSHIP/PROSECUTING ATTORNEY - 1984-1991
- TOWNSHIP ATTORNEY - 1992-2018
- BOARD OF HEALTH ATTORNEY - 1984-1994, 2009-2018
- CABLE TELEVISION COMMITTEE - 1986
- SEWER COMMITTEE - 1992-2018
- OPEN SPACE ACQUISITION TEAM - 2000, 2001
- SEWER SERVICE FEE REVIEW COMMITTEE - 2001-2003
- NPDC WORKING GROUP - 2002, 2003
- STORMWATER POLLUTION PREVENTION TEAM - 2005-2018

(Item #21 Cont.)

WHEREAS, Throughout her years of service, Kristina P. Hadinger has embraced and skillfully performed the duties and obligations thrust upon her - often above and beyond the call of duty - and has given her utmost to the people of Montgomery, who in turn have benefited from her experience, knowledge, and love for this community; and

WHEREAS, Kris is a mother, wife, baker extraordinaire, Girl Scout leader, Red Sox fan, and friend to many, always setting a standard for excellence with civility, humility, determination, professionalism, patience and good humor; and

WHEREAS, During her distinguished career Kris has served as Past President of the New Jersey Institute of Local Government Attorneys; Municipal Law Review Associate Editor; Deputy General Counsel to the New Jersey State League of Municipalities; and Past President of the Montgomery/Rocky Hill Rotary Club; and

WHEREAS, Kris is the recipient of numerous awards such as the 2012 Fred G. Stickel Award for Excellence in Municipal Law and Service to the Legal Profession; 2008 Michael A. Pane Award for Ethics in Municipal Government; 1999 Outstanding Woman in the Field of Law, Somerset County Commission on the Status of Women; 1993 Paul Harris Fellow - Rotary International; 1992 Woman of the Year - Princeton Elks #2129; and 1986 TWIN (Tribute to Women in Business and Industry) Award - Princeton YWCA.

NOW, THEREFORE, BE IT RESOLVED That we the members of the Montgomery Township Committee, on behalf of the people of Montgomery, bestow its heartfelt appreciation and gratitude to Kristina P. Hadinger for her years of untiring service and extends its sincere wishes for a healthful, happy, well-deserved retirement on this 19th day of July, 2018.

21-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried unanimously.

21-2. Attorney Hadinger read the following into the record:

"Fortunately I still have a few friends, a few little birds, who gave me a hint that something was happening. So, I jotted down some notes. If I'm not seeing too well, it's the tears and I apologize in advance.

I am filled with immeasurable gratitude, not just tonight for this undeserved and certainly touching outpouring of support, but each and every moment even the supremely challenging ones that my firm and I have had serving Montgomery Township; me and our current crew for 34 years, and my predecessors, the late Judge Herbie Moore and Tom Reynolds, for the prior 22 or so years. I was but 29 years old when Cathy Frank-White and Don Matthews, Dan Huttar and the late Bob Kress and Ray Hunt took what I consider a huge gamble appointing me. At the time of my appointment, September 1, 1984, I can say that I was all but clueless.

I had 3 chief role models: my dad, who served on the Princeton School Board for 14 years and then on the Princeton Township Committee for 6 years, including stints as Mayor; my father-in-law Al who served as the Mayor of Ridgewood for 6 years; and my partner Ed Schmierer, who before consolidation represented both Princeton Township and Princeton Borough, and now for countless years has represented equally countless other bodies. For years Dad, Al and Ed, all military veterans, helped to center me about the importance of local government and "why it matters". My dad and father-in-law were humble men who had no higher political aspirations, they issued politics and simply wanted to do what was best for their communities. Somehow, in spite of a while being completely clueless, I did have enough sense to know that what I would do in this role would matter and that I'd better darn well figure out a way to do it right. Sometimes I succeeded but there are plenty of times I wished for a "do-over".

The tricky thing about being a Township Attorney is that one's real allegiance, one's pledge, one's oath of office is to the Municipality, which is all of you. When one takes the oath it's to serve the town, it's not to personally serve the elected officials. It is to serve the community as a whole, which is directed by those elected officials and the law, whatever it might be, even when one completely and wholly disagrees with it, as I often have. Fortunately, my firm and I have served in a town where, in large part, no matter the political affiliation the elected officials are associated with, the job is to serve the law despite how frustrating it might be on certain issues. These people have respected the fact that we are a nation and therefore a community of law and not of men. Not all communities or towns are so fortunate. There are a lot of communities and towns in our State that don't really operate that way. Each of these people's unique talents and interests are a gift to Montgomery Township. Mark Conforti's pencil-sharp financial background constantly drives him towards strong fiscal responsibility; Christine Madrid has this interesting background in human resources and knowledge of administrative management. All the extra time she put into the Police promotion process has resulted in long lasting, strong command leadership in the Police Department; Ed Trzaska, I know that there is not a park or a road in Montgomery Township that you can't improve and bring it in under budget and have committed each date and deadline, each contractor and each line item. I don't know how you keep it straight. Your knowledge and command of those details is phenomenal; Pat Graham always asks the difficult, probing questions. It must be the lawyer in her, but she makes everyone think harder. She always sees a different side to things and as a result she develops a stronger and better consensus for the community; Sadaf Jaffer is bringing and gaining her voice here as a strong advocate for inclusion and understanding among all. All of these men and women bring so, so much more than what I've just touched upon and we're all much better for it.

(Item #21 Cont.)

Then there are these folks who, long after their Township Committee terms have ended, m continue to give back. Peter Treichler is back on the Recreation Committee; Mark Caliguire is still active as a County Freeholder; Don Matthews is back on the Planning Board and the Veterans Memorial Committee; and Kacey Dyer is with the Princeton Elks; and it goes on and on. All these folks who sit up here year after year, night after night just keeping serving. It is remarkable that we have that and I thank you.

Of course, when one lives in a town and works with elected officials of this caliber it means one lives in a town with a staff that is comprised of professionals who for whatever crazy reason, and it's definitely not the greater glory or higher pay, are dedicated to public service for the sake of public service. In some towns staffing is a revolving door. In my nearly 34 years, I've worked with but 2 Township Administrators. Professionals with degrees in Public Administration, not political hacks. Donato Nieman and Peter Rayner. Men of completely, perhaps radically, different work styles. Professionals whose worth ethic and desire to do right are really the same. You have Township Clerk Donna Kukla; Chief Financial Officer Michael Pitts; Township Engineer Gail Smith; Planning Director Lori Savron; Health Officer Stephanie Carey; Open Space Coordinator Lauren Wasilauski; Recreation Director Karen Zimmerman; Public Works Director Art Villano; Construction Official Roy Mondy; Kid Connection Director Andrea McKenna; and the Police Command, Captain Wain, Lieutenants Gill, Frascella and Rock; who view their jobs as problem solvers and are continuously looking for ways to improve the way the Township does public business. That is, of course, what the public deserves but in many towns it's not what the public gets. They are smart, balanced, wickedly funny sometimes people and always collaborative. Working with them and those who preceded them, like Captain Palmer, Mike Beltranena, Guy Fillebrown, Jim Curry, Randy Bahr and Joe Novak has been just a joy.

The Township is equally as fortunate to have an army of volunteers whose commitment to their volunteer work is remarkable. I've been lucky to work with and learn so, so much from the dedicated members of EMS, like Bill Forbes; and Fire Companies #1 and #2. Mike Fedun always represented Fire Company #1 and has done a very good job. As well as the Planning Board, Board of Health, Zoning Board, Open Space Committee, Veterans Memorial Committee, Recreation Committee, Environmental Commission, Wildlife Management Committee, Shade Tree Committee, Economic Development Commission, Landmarks Commission, and all the Alliance members, among others. I've been lucky to witness firsthand the dedication of these people to the Township. Clem Fiori was the early driving force for land preservation in the township and his on-going commitment to that cause has resulted in the preservation of thousands of acres as evidenced by the Governing Body's adoption of yet one more open space ordinance tonight. We have an elegant and fitting memorial to the Township's Veterans thanks to the vision and perseverance of people like Hugh Dyer, Jerry Cianfrocca and Tom Lee. Because of people like John McKnight, John Vasilik and Bob Keither we have a first rate Little League complex. What fun it was for me to play a small part in putting together these great projects.

I'm grateful we live in a County that's eager to partner with the Township on not only those headline, huge issues like Open Space and Farmland preservation projects, Skillman Village, Sourland Mountain preserve, but also on much more routine, capital acquisition projects like police vehicles which really help the Township's bottom line and fiscal position. If you want to take a measure of how really well served we are by Somerset County, just take a drive along one of the County roads after a snow storm and when you get to the neighboring County's border, compare the plowing on our side and that on the other side.

Then there is my family: my husband Al; my son Alf and his wife Julianne; my daughters Julia and Katie. Over the years they have put up with a lot. The late nights, last minute changes in family plans caused by some perceived Township emergency, and so much more. As a kid, when you live in a town where your mom is the Township Attorney and your dad is a Vice-Principal, things like having an officer see you roll out of a stop sign are experiences that are even more distasteful knowing that mom and dad are going to hear about it pretty quickly. Given my kids now grownup work schedules, it is difficult to get them all under one roof at the same time and I want to thank you for coming back tonight for this. You are the best family I could have and your support means the world to me.

My firm and I hope we've done right by you. We have never taken this responsibility for granted. We've done our best to give back. A large number of our professional and support staff people live here or come from Montgomery. We do make a conscientious effort to hire Montgomery people. And whether it's the annual Fireworks celebration, Little League, Basketball, Cheerleading, Pop Warner, Scouting, Rotary, the Education Foundation, PBA's fundraisers, Earth Day, and more, collectively we are enmeshed as a firm in all that is Montgomery.

It is somewhat disquieting to be moving on from something that so obviously has been much more than a job for me. Yes, I'm hanging up the 24/7 day to day pace of a full time law practice, but I'm not really going anywhere. I still live here. I will remain a member of my firm and involved with my firm. I will stay in touch. As I told the Township Committee a few months ago, for sure I will remain on call and always available.

Finally, there is so much more I want to say to you as individuals and on a more personal basis. All those remember when moments, with old timers like Cheryl Chrusz and Marge Crawford. So, in the days that come, I look forward to catching up with all of you over a cup of coffee, lunch or a beer or two.

Thank you everyone."

(Item #21 Cont.)

- 21-3. Mayor Conforti stated that he has not been looking forward to this evening. Regardless of what seat, regardless of what board, he knows he can't get in trouble. Attorney Hadinger would not allow it. Kris has managed to touch every part of Montgomery for a very long time.
- 21-4. Deputy Mayor Madrid stated that this has been so much more than a job for Attorney Hadinger and it has been a true honor to work with her. She remembered when she first became a member of the Governing Body and all of the time spent with Kris and Township Administrator Nieman to catch her up on what was happening. She thanked Kris for being so dedicated and such a good friend to the Township and to her.
- 21-5. Committeeman Trzaska thanked Attorney Hadinger for all her hard work and dedication. She has been a remarkable partner to the Governing Body. She made him a better Township official and more importantly a better resident of Montgomery.
- 21-6. Committeewoman Graham stated that she has also not been looking forward to his night. A lawyer has to serve not only as an advocate but really as a confidante and a counselor. She felt the Township has been so lucky to benefit from Attorney Hadinger's wise counsel. She thanked Kris for her good judgement and sound advice and counsel.
- 21-7. Committeewoman Jaffer stated she would miss Attorney Hadinger's ideas and wise advice. She thanked Kris for always being available and for everything that she has done for the Township.
- 21-8. Township Clerk Kukla read the following message from former Mayor Louise Wilson:
- "In the 10 years I worked with Kris, through some high adventures and sometime stormy seas, she was rock steady. Someone I could always consult with, knowing I would hear common sense, wisdom and impeccable legal advice, seasoned with compassion and wry humor. You need a gut check, you call Kris. Her moral compass is true. She is, without question, the finest municipal attorney in the State of New Jersey. The only thing she ever did that hurt my feelings was that awful, giant cookie with "Who's Your Daddy" written on it in nasty red icing around the Red Sox logo. That's when I learned she has a mean streak too.
- I am so sorry that several people I know and knew, who greatly admired Kris also could not be there tonight. John Warms, Bob Kress and Joe Baicker are not doubt there in spirit. Cecilia Birge, who thinks the world of Kris, is in China for most of the summer. Kris Hadinger made us all better public servants. She is one of a kind."
- 21-9. Township Administrator Nieman stated that he came to work in Montgomery because of many of the things that were said here tonight. It is truly a great town to work for and Attorney Hadinger is a wonderful municipal attorney. She's a mentor, she's a colleague and she's a friend. We have always conspired together to do the right thing.
- 21-10. Clem Fiori, Open Space Committee Chair, stated that he made the two gifts that the Governing Body was presenting to Attorney Hadinger tonight. One was a photo album of Skillman Park from 1996 to present. The other was a bowl which he made numerous years ago when he was going through a period of wood carvings of mammalian sea creatures.

ADJOURNMENT was at 8:14 p.m. on a motion by Deputy Mayor Madrid. The motion was seconded by Committeewoman Jaffer and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk