

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
October 4, 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 Madrid, Deputy Mayor Graham, Committeemembers Trzaska and Quraishi
Committeewoman Jaffer was absent

Also present were:

TOWNSHIP ATTORNEY - Kevin Van Hise, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

DEPUTY TOWNSHIP CLERK - Margaret Crawford

2. 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. Mayor Madrid led the Salute to the Flag.

4. **RESOLUTION HONORING JUDITH PETERS**

WHEREAS, Montgomery Township has lost the giver of many gifts to this community in the unexpected death of Judith Alleyne Peters; and

WHEREAS, Judy Peters was for a quarter century the keeper of Montgomery's signature symbol, Opie's Mill at Bridgepoint, which she lovingly repaired, maintained and made her home; and

WHEREAS, Judy Peters greeted all who came to her door with a smile, and welcomed tour groups and strangers alike, sharing with all comers the history of her beloved mill; and

WHEREAS, Judy Peters, ever watchful over the millpond and its stone arch bridge rescued a child at risk of drowning and dogs crossing the road; and

WHEREAS, Judy Peters, a woman of exceptional ability, was always and forever making time to further knowledge and understanding of Montgomery history; and

WHEREAS, Judy Peters served on Montgomery Landmarks Commission and was for three years the chairman; and

WHEREAS, Judy Peters poured her time and talents into Van Harlingen Historical Society, serving as treasurer from 2004 and as president from 2014 until her death February 26, 2018; and

WHEREAS, Judy Peters spearheaded that organization's outreach to the community, working with the late Walter Baker as editor and publisher of two dozen oral histories based on tape-recorded interviews he did with Montgomery senior citizens, and on the expanded second edition of his comprehensive study of Montgomery burying grounds; and

WHEREAS, Judy Peters inventoried, catalogued and made displays of the barn full of farming relics in Van Harlingen's Agricultural Museum, and also digitized and systematized Van Harlingen's extensive collection of historic photographs; and

WHEREAS, Judy Peters was editor of the society's "Van Harlingen Historian" newsletter, and also a popular tour guide and lecturer; and

WHEREAS, Judy Peters also took time from her own historic research and projects to help others with theirs, and was at the time of her death hard at work with Millstone Valley Preservation Coalition on final revisions to a documentary film, "The History of Farming in the Millstone Valley", which is now garnering wide acclaim; and

WHEREAS, Judy Peters, ever mindful of the needs and concerns of family, friends and neighbors, has left this community a better place for her having been among us;

NOW THEREFORE, BE IT RESOLVED that the members of Montgomery Township Committee wish to honor Judy Peter's memory and express to her family and friends their sincere appreciation for her dedicated and tireless service to Montgomery.

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

- 4-2. Donald Matthews, Rutland Road, spoke about Ms. Peters and all she accomplished for the Township and the Van Harlingen Historical Society.

5. **PROCLAMATION - Put the Brakes on Fatalities Day - October 10, 2018**

WHEREAS, Across the nation, traffic crashes caused 37,461 fatalities in 2016, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, In New Jersey, 604 individuals lost their lives in traffic crashes in 2016; and

WHEREAS, Pedestrian related crashes accounted for 27.3 percent of the State's traffic fatalities,

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

(Item #5 Cont.)

WHEREAS, 66 motorcyclists, 18 bicyclists and 165 pedestrians were killed in New Jersey in traffic-related crashes in 2016; and

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee, Somerset County, New Jersey, hereby proclaims October 10, 2018 as 'Put the Brakes on Fatalities Day' and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

5-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Graham and carried unanimously.

6. **PUBLIC COMMENT**

6-1. Judith Gange, Brookside Drive, spoke about the deer overpopulation and asked if the Township could expand hunting or look into other alternatives to control the deer population. Mayor Madrid stated that she understood the problem and that the Township Committee supports the hunting program in town to encourage the taking of deer to control the population. Administrator Nieman stated that the Township had looked into different options a number of years ago but they were cost prohibitive and he will research the options again.

6-2. Shahab Khan, Bridgepoint Road, asked about the possibility of the Township doing a program like the energy aggregation program for broadband access and asked if the Township would put together a task group to look into alternatives to Comcast, which is very expensive. He spoke about a municipal broadband program like they had in Palo Alto, California and Raleigh, North Carolina. He asked if anyone had looked into the Google program of less expensive broadband. Administrator Nieman stated that he would have these options looked into.

6-3. Brett Borowski, York Drive, suggested that there be a Township Committee meeting between the introduction of an ordinance and the public hearing so that the public can be more informed.

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 #18-10-217 - REFUND OVERPAID 2017 AND 2018 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2017 and 2018 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
30001	38	Kristin Van Dask	\$5,517.60	2018
30002	129	David G. & Vera E. Lanning	\$ 551.54	2017
37003	1.132	Frank & Jessica Wu	\$2,085.34	2018

B. **RESOLUTION #18-10-218 - REFUND OVERPAID 2018 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$137.80 be given to Monarch Title Agency, Inc., 427 Whitehorse Avenue, Hamilton, NJ 08610 for the overpayment of 2018 sewer charges on Block 5007, Lot 2.

C. **RESOLUTION #18-10-219 - REFUND UNUSED PORTION OF SPECIAL DUTY MONIES**

BE IT RESOLVED That refunds be given to the following businesses/companies for monies owed by the Township of Montgomery for Private Duty Services:

Montgomery Business Association 1378 Route 206 Suite 6, Box 199 Skillman, NJ 08558 \$297.50	Congregation Kehilat Shalom 253 Belle Mead-Griggstown Road Belle Mead, NJ 08502 \$42.50
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D. **RESOLUTION #18-10-220 - TEMPORARY ROAD CLOSING - Block Party - Van Zandt Road**

BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of a portion of Van Zandt Road to accommodate a neighborhood block party scheduled for October 28, 2018 from approximately 1:00 p.m. - 6:00 p.m. The Montgomery Township Police have no objection to the road closing provided that:

The roadway must be made accessible to emergency vehicles and to traffic originating and terminating on the closed section.

Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.

(CONSENT AGENDA Cont.)

E. **RESOLUTION #18-10-221 - RESOLUTION AUTHORIZING THE PROVISION OF A LOAN PURSUANT TO THE TOWNSHIP OF MONTGOMERY AFFORDABILITY ASSISTANCE PROGRAM FOR THE TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MCKINLEY COURT MONTGOMERY, NEW JERSEY**

WHEREAS, Applicant 2018-1 ("Tenant") will be renting 405 McKinley Court, Montgomery Township ("Property"), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, The Tenant has requested a loan through Montgomery Township's Affordability Assistance Program to pay for a security deposit for the Property; and

WHEREAS, The Township's Affordable Housing Administrative Agent, CGP&H, LLC., has reviewed the Tenant's application and qualified the Tenant for the requested assistance; and

WHEREAS, The amount of the requested loan for a security deposit will be paid directly to the landlord, M&G McKinley Investments, LLC, by the Township; and

WHEREAS, The Township is willing, pursuant to the Affordable Assistance Program, to extend a loan to the Tenant in the amount of nine hundred fifty-nine, 33/100 dollars (\$959.33); and

WHEREAS, The funding for the loan will be from the Montgomery Township Affordable Housing Trust Fund.

NOW THEREFORE BE IT RESOLVED On this 4th day of October, 2018, by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that:

1. The Mayor and Clerk are hereby authorized, pursuant to the Township's Affordability Assistance Program, to enter into an Agreement with Tenant and provide Tenant with a loan to be used to pay a security deposit for the Property.
2. The Mayor, Administrator, Clerk, Township Attorney, CFO, and such other staff and officials as may be appropriate are authorized to take such steps as may be reasonably required to implement this resolution, including issuance of the loan amount.

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

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

8. **RESOLUTION #18-10-222 - AWARD OF BID - Snow Plowing Services**

WHEREAS, The following bids for Snow Plowing Services were received and publicly opened on September 21, 2018:

<u>BIDDER</u>	<u>AMOUNT</u>
Grosso Homes, LLC	\$199.99/hour
Wild Heart Industries, LLC	\$209.99/hour

WHEREAS, It is the recommendation of the Purchasing Agent and the Township Attorney that Grosso be awarded the bid, it being the lowest responsible bidder; 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.

WHEREAS, There exists within the Streets and Roads Department sufficient uncommitted funding for this service from account number 01-201-26-290-267.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a three year contract, effective November 1, 2018, for Snow Plowing Services is hereby awarded to Grosso Homes, LLC, 856 Route 206, Hillsborough, NJ 08844 in the amount of \$199.99 per hour per vehicle.

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign said contracts.

8-1. Deputy Mayor Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Quraishi and carried on the following:

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

9. **RESOLUTION #18-10-223 - AWARD OF BID #B04-2018 - Sewer Crossing Restoration - Whispering Lane**

WHEREAS, The following bids for the Sewer Crossing Restoration-Whispering Lane project were received and publicly opened on Wednesday, September 26, 2018 at 11:00 a.m.:

<u>Bidder</u>	<u>Bid Amount</u>
Enviroscapes Inc.	\$ 52,900.00
The Dawson Corporation	\$ 86,720.00
Montana Construction Corp., Inc.	\$ 169,000.00

WHEREAS, It is the recommendation of the Purchasing Agent and the Township Engineer that Enviroscapes Inc. be awarded the bid; they being the lowest responsible bidder; 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; and

WHEREAS, There exists account number 08-215-55-901-1543A which will fund this project.

NOW, THEREFORE, BE IT RESOLVED That the contract for the Sewer Crossing Restoration-Whispering Lane Project is awarded to Enviroscapes Inc., 215 Deans Lane, Monmouth Junction, NJ 08852 in the amount of \$52,900.00; and

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign said contracts.

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

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

10. **RESOLUTION #18-10-224 - PROFESSIONAL SERVICES RESOLUTION - Engineering Services for Bidding Assistance and Construction Phase Services for the Whispering Lane Sanitary Sewer Crossing Repair Project**

WHEREAS, The Township of Montgomery seeks to retain the services of a professional engineering firm to provide engineering services for bidding assistance and construction phase services for the Whispering Lane Sanitary Sewer Crossing Repair Project ("scope of work"); and

WHEREAS, There exists a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay to Play Law); and

WHEREAS, The firm Kleinfelder, has submitted a written proposal dated September 21, 2018 ("Proposal"), which Proposal shall be incorporated herein by reference, offering to provide the sought-after service to the Township; and

WHEREAS, Kleinfelder has completed and filed with the Township of Montgomery a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying that Kleinfelder has not made any prohibited contributions to a candidate committee or municipal committee representing elected officials of the Township of Montgomery; and

WHEREAS, The New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq authorizes the award of a contract for "professional services' without competitive bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals; and

WHEREAS, The Chief Financial Officer has provided a certification that sufficient funds are available for payment of this contract under Account #08-215-55-901-1543A.

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 an agreement with Kleinfelder for providing provide surveying services described in the Proposal and scope of work. The terms of the agreement shall be subject to the approval of the Township Attorney.
2. Kleinfelder shall be paid a not to exceed fee of \$19,600.00 for its services.
3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.
4. A notice of this action shall be published in the official newspaper as required by law.
5. Performance of services and payment for services are subject to the certification of availability of funds by the Chief Financial Officer.

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

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

11. ORDINANCE #18-1592 - Acquisition By Gift Of Property (Block 3007, Lot 11) - Public Hearing

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY AUTHORIZING THE ACQUISITION BY GIFT OF PROPERTY IDENTIFIED AS BLOCK 3007, LOT 11 LOCATED ON LUDLOW AVENUE IN THE TOWNSHIP OF MONTGOMERY.

B. 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 Deputy Mayor 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 4th day of October, 2018 and that notice thereof be published in an official newspaper as required by law.

11-1. Deputy Mayor Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

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

12. ORDINANCE #18-1593 - Prohibition on Marijuana - Public Hearing

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

AN ORDINANCE PROHIBITING THE GROWING, CULTIVATION, PRODUCTION, MANUFACTURING, DISTRIBUTION AND SALE OF RECREATIONAL MARIJUANA WITHIN THE TOWNSHIP OF MONTGOMERY.

B. Mayor Madrid explained that this ordinance does not include medicinal marijuana. The State has a completely separate process for medicinal marijuana. She stated that there had been some question about why the Township is acting now on this issue. She explained that when someone puts an application before the Zoning Board or Planning Board, it is for the laws that exist at the time of the application. If the legislature were to act, and they show every indication that they will act and soon, and the Township does not and an application comes before one of the boards, there is nothing the Township can do. This may seem premature to some people but the Governing Body is trying to protect the Township.

C. The Deputy Township Clerk read the following report from Planning Board:

"At the October 1, 2018 Planning Board meeting, the Board found the above referenced ordinance is not inconsistent with the Township Master Plan."

D-1. Mayor Madrid opened the hearing to the public.

D-2. Stephanie Carey, Township Health Officer, stated that New Jersey appears to be rushing headlong toward the legalization of recreational marijuana. However, the experiences that have been seen with some of the other states that have gone toward legalizing recreational marijuana show alarming gaps in some of the regulatory factors. This isn't the 1960's pot. Today's cannabis oils are extraordinarily potent. In all of the states that have legalized, there are issues with increased access for minors. The idea of having to control access for under 21 for cannabis products is a real struggle for those who would be charged doing that kind of enforcement. The kinds of products that are coming out in the edible form are alarming. These are of unknown potency. An article in the New England Journal of Medicine states "repeated marijuana use during adolescence may result in long lasting changes in brain function that can jeopardize educational, professional and social achievements. The effects of a drug, legal or illegal, on the individual are based not just on its chronological properties but also its availability and its social acceptability.

Deputy Mayor Graham asked about the rules and regulations for the packaging of edible marijuana products. Health Officer Carey stated that there are no regulations at this point. Attorney Van Hise explained that the last released version of the legislation would set up a bureau along the lines of the Alcoholic Beverage Control that would delve into all the regulations that would go to that: how to license; the licensing requirements; where it could be sold; the requirements for locations and those types of things.

D-3. Devangi Patel, Township Health Educator, spoke about the public health implications of recreational marijuana. Today's marijuana is not the "Woodstock weed" the baby boomers may remember. In the 1960's, 1970's and 1980's the level of THC averaged 2% to 3%. Now the THC levels are an average of 20%, but when you look at concentrates or extracts used commonly in vape pens or edibles, THC levels can be as much as 90%. According to virtually every scientific review including a 2016 World Health Organization report and a 2017 National Academy of Science study, marijuana is addictive and harmful.

(Item #12 Cont.)

Mayor Madrid asked if there was a way to measure marijuana in the bloodstream. Police Captain Wain stated that there was no way to do this roadside. The Township has one Drug Recognition Expert who can come out and do an assessment on the driver. His assessment will only lead the Police to bring that individual to a hospital for a blood analysis. This is an onerous process. He explained that there is a warrant required to draw blood from a person. Deputy Mayor Graham asked if the opinions of the Drug Recognition expert held up in court. Police Captain Wain stated that they have, but it is much more difficult and time consuming on the Police Department than testing someone with alcohol.

Ms. Patel stated that edibles constitute about 50% of Colorado's marijuana market and THC concentrate is mixed into almost any type of food or drink. The potency of these edibles is several times that of an average joint. Their attractiveness to kids has led to serious problems in the states that have legalized recreational marijuana.

Mayor Madrid stated that one of her major concerns with recreational marijuana is that the State is struggling with an opiate addiction issue. She asked what the research said about marijuana being a gateway drug. Ms. Patel stated that prevention, law enforcement and public health professionals will say yes that it is a gateway drug.

- D-4. Police Captain Thomas Wain said he doesn't disagree with anything that Ms. Carey or Ms. Patel said. He does think that the sale and distribution here in Montgomery could definitely, potentially be a burden on the entire Police Department for all of the reasons previously mentioned by the Township's health experts. His opinion is that it is not in the best interest of the Township and the Police Department.
- D-5. Kimberly Trent, Opossum Road, stated that according to a National Survey on Drug Use and Health, cannabis usage among teens has steadily dropped in states with legalization. Alcohol use and prescription drug overdose among teens have also decreased in those states. She felt it was interesting and insulting that the Governing Body chose three people to speak at this hearing none of whom are known to be pro-cannabis. Ms. Trent felt that if the Township wanted to present a balanced perspective, the Governing Body should have reached out to organizations who could help provide that.
- D-6. Lori Huff, Labaw Way, spoke in support of the proposed ordinance on recreational marijuana. She understands and appreciates the reasons for decriminalization or legalization, she thinks this Township is wise to proceed with caution. Her concern is with the youth and the trickle-down effect.
- D-7. Jessica Kia, Red Oak Way, asked that if New Jersey as a state was going to see marijuana be legalized wouldn't the Police Department have to prepare for that regardless of what ordinance the Governing Body adopts. Mayor Madrid responded that they would, but this ordinance would reduce the amount of the burden on the Police Department. Ms. Kia spoke about people driving through Montgomery after buying marijuana in other towns who allow the sale. Mayor Madrid explained that the legislation as written now, would allow smoking lounges attached to the dispensaries. People would be coming to these facilities and smoking while they are there and then presumably leaving those facilities under the influence. Committeeman Trzaska stated that one of biggest concerns he has is the consumption establishment part of the proposed State law.

Ms. Kia inquired about the loss of benefits, such as tax revenue, if the Township opted out of having sales and distribution of recreational marijuana. She stated that she opposed the adoption of this ordinance.

- D-8. Brett Borowski, York Drive, stated that he didn't have a strong position on the subject. He said that he didn't feel that this was a balanced consideration, and a lot of this was driven by emotion. He felt it was important not to trade values for money. He asked if anyone had spoken to the farmers in the Township to see if any of them had any interest. He spoke about the notice of the public hearing of the ordinance. He felt there needed to be better noticing of ordinances and other actions by the Governing Body.
- D-9. Stephanie Andolino, Skillman, stated she previously appeared before the Governing Body to propose the ordinance for the prohibition of marijuana sales and manufacturing in Montgomery and is glad the ordinance was adopted. This week she went around town, knocking on 100 doors, to gain signatures in support of the ordinance. She stated that this ordinance was right for the community and the students are the biggest reason she was speaking, because they are the future. She thanked the Governing Body for the ordinance.

Deputy Mayor Graham asked that the list of signatures be made part of the record. (list is attached)

- D-10. Robert Coghan, Sweetbriar Court, stated that he is in agreement with the prohibition of sales of recreational marijuana. He could be in favor of allowing the outdoor farming or greenhouse growing, but not warehouse growing.
- D-11. Katherine O'Shannon, Montgomery resident, spoke in favor of the adoption of the ordinance.

(Item #12 Cont.)

- D-12. Tom Coogan, Bridgewood Court, asked if there had been any businesses that have approached the Township about dispensing or distributing marijuana. Administrator Nieman responded that the Township had been approached by a grow facility inquiring if any medical marijuana dispensary licenses would be made available. He also stated that the Township had no interest in having these facilities within Montgomery. Attorney Van Hise explained earlier versions of the proposed legislation and why the Township chose to introduce and possibly adopt this ordinance.
- D-13. Ken Kneiser, Oak Ridge Drive, spoke in favor of the adoption of the ordinance. He stated that the United States Civil War determined the primacy of federal law and regulations. He asked what was the likelihood at some point in the reasonably near future that, if New Jersey passes the recreational marijuana law, it will be confronted by federal officials to overturn it. Deputy Mayor Graham stated that she was just thinking of this. If you have a production facility, then you have federal OSHA laws, federal banking laws, and all kinds of federal laws that apply to this facility. Mr. Kneiser felt like what the Governing Body was doing was optimally preserving the Township's options.
- D-14. Jerry Collevchio, Safe Communities Coalition of Hunterdon and Somerset Counties, spoke about the emotional aspect of this subject and also the science of addiction. She mentioned the National Institute of Drug Abuse which is a very reliable source that has done many studies regarding addiction. Any time you deliver a drug to an adolescent brain, it increases the chances of addiction because it is still growing and developing. A good publication for reliable sources is the Colorado HIDTA Report which is the Rocky Mountain High Intensity Drug Trafficking Report. In that report, there is information regarding impaired motor vehicle crashes and fatalities, youth and adult marijuana use, and emergency room admissions. She stated that once the perception of harm goes down, the usage rates go up.
- D-15. Deputy Mayor Graham moved that the public hearing be closed. The motion was seconded by Committeeman Trzaska and carried unanimously.
- E. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 4th day of October, 2018 and that notice thereof be published in an official newspaper as required by law.

12-1. Deputy Mayor Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

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

13. **ORDINANCE #18-1594** - Authorizing the Transfer of Portions of Cairns Place to Contiguous Property Owners - Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, AUTHORIZING THE TRANSFER OF PORTIONS OF CAIRNS PLACE TO CONTIGUOUS PROPERTY OWNERS

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing October 18, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

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

14. **APPROVAL OF MINUTES**

The Regular Session minutes of September 20, 2018 were approved as printed.

15. **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.

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

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

16. **CHERRY VALLEY ROAD**

Administrator Nieman stated that bids were received with Princeton on the Cherry Valley Road project. The apparent low bidder came in at \$2.97 million. Pending legal review and engineering review by Princeton and Montgomery, after Princeton approves it, the Governing Body will be asked to approve it for Montgomery.

17. **COMMITTEE AND SUB-COMMITTEE REPORTS**

17-1. **ZONING BOARD OF ADJUSTMENT**

Committeeman Quraishi stated that the Zoning Board of Adjustment discussed an application by Fire Company #1 to build a new driveway. There was a request for an extension for additional paperwork.

17-2. **PLANNING BOARD**

Committeeman Trzaska stated that the Planning Board discussed the ordinance about recreational marijuana. They also amended a recent application on a new Goddard School on Vreeland Drive.

17-3. **SITE PLAN COMMITTEE**

Committeeman Trzaska stated that the Site Plan Committee discussed the Montgomery Promenade. He stated that the project is essentially approved, except for one building. The plans for that one building will be before the Planning Board for final approval soon.

17-3. **VETERANS MEMORIAL COMMITTEE**

Deputy Mayor Graham stated that the Veterans Memorial Committee is planning its Veterans Day celebration. They would like to have reenactors in the park again this year and the reenactors want to use a cannon and possibly stay overnight.

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

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subject to be discussed in this session is as follows:
 - Discussion of property for potential acquisition (Block 17004, Lots 1, 2 & 3 {Donald & Patricia Matthews}) with public funds for agricultural, open space, conservation, 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.

18-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Graham and carried unanimously.

19. Meeting reconvened in Open Session and **ADJOURNMENT** was at 9:40 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Deputy Mayor Graham and carried unanimously.

Date of Approval: