

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
December 20, 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, Committeemembers Trzaska, Jaffer and Quraishi

Also present were:

TOWNSHIP ATTORNEY - Lisa Maddox, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

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 TOWNSHIP COMMITTEEMAN MARK CONFORTI**

WHEREAS, Quality public service demands intelligence, skill, energy and commitment to advancing the public good; and

WHEREAS, Mark Conforti has demonstrated all of these characteristics and more, working diligently on behalf of Montgomery Township residents during his years of community service; and

WHEREAS, Mayor Conforti retired public office on August 2, 2018, having served Montgomery Township in the following capacities:

Mayor - 2018
Township Committee - 2011-2012, 2016-2018
Board of Health - 2012
Board of Fire Prevention - 2012
Planning Board, Class I - 2018
Planning Board, Class II - 2010
Planning Board, Class III - 2012, 2017
Planning Board, Class IV - 2011, 2013-2015
Budget and Finance Committee - 2012, 2016-2018
Environmental Commission - 2016-2017
Zoning Board of Adjustment - 2016-2018
Sewer Committee - 2014-2015, 2018
Local Emergency Planning Council - 2018
School Budget Review Subcommittee - 2010
Budget and Finance Committee - 2013-2015
Wastewater Management Plan Committee - 2014-2015
Zoning Board of Adjustment, Alternate III - 2010-2011
Site Plan/Subdivision Committee - 2012-2015, 2017-2018
Sustainable Montgomery's "Green Team" - 2016-2017
Emergency Services Coordinating Committee - 2016-2018
Township Committee Liaison to Board of Education - 2016-2017
Somerset County Multi-Jurisdictional Hazard Mitigation Committee - 2018
Master Plan/Land Development Ordinance Update Committee - 2010-2012, 2014-2018

WHEREAS, During his years of service, Mark Conforti has embraced and skillfully performed the responsibilities of public office - often above and beyond the call of duty - and has given his utmost to the people of Montgomery, who in turn have benefited from his experience, knowledge, courage and love for this community; and

WHEREAS, Mark Conforti has set a standard for excellence in public service with civility, humility, determination, professionalism and good humor.

NOW, THEREFORE, BE IT RESOLVED That we the members of the Montgomery Township Committee, on behalf of the people of Montgomery, express our deepest appreciation to the Honorable Mark Conforti for outstanding service to our community, and extend a fond farewell and warmest wishes for the future to Mark and his family on this 20th day of December, 2018.

- 4-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Quraishi and carried unanimously.
- 4-2. Mr. Conforti thanked the Governing Body for this resolution. He stated that it was an honor to serve. It was always about trying to make things better for Montgomery and that was in large part do the professionals that the Township has employed. Unlike some towns, Montgomery has a continuity of its professionals that is enviable in this State.

5. **RESOLUTION HONORING TOWNSHIP COMMITTEEWOMAN PATRICIA GRAHAM**

WHEREAS, A community derives its strength from people who endeavor to help others and contribute to the public good; and

WHEREAS, Patricia Graham, in her years of service as a Township Committeewoman, has demonstrated keen intelligence, level-headedness, insight and steadfast integrity that have earned her the respect and admiration of fellow residents, elected officials and staff; and

WHEREAS, During her years of service, Patricia has faithfully performed the duties and obligations of public office in the following capacities:

Mayor - 2016
Deputy Mayor - 2012-2013, 2018
Township Committee - 2011-2018
Planning Board, Class I - 2016
Sewer Committee - 2011, 2016
Landmarks Commission - 2015
Site Plan/Subdivision Committee - 2016
Local Emergency Planning Council - 2016
Zoning Board of Adjustment - 2012
Environmental Commission - 2011
Budget and Finance Committee - 2016
Board of Health - 2013-2015, 2017-2018
Wildlife Management Committee - 2015-2016
Open Space Committee - 2011-2015, 2017-2018
Economic Development Commission - 2016-2018
Veterans Memorial Committee - 2017-2018
Shared Municipal Court Subcommittee - 2011-2018
Master Plan/Land Development Ordinance Update Committee - 2016
Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission - 2011-2015

NOW, THEREFORE, BE IT RESOLVED That we the members of the Montgomery Township Committee, on behalf of the people of Montgomery, express our deepest appreciation to Patricia Graham for her outstanding service to our community, and extend a fond farewell and warmest wishes on this 20th day of December, 2018.

- 5-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Jaffer and carried unanimously.
- 5-2. Ms. Graham thanked the Governing Body for the resolution. She thanked all of the members of the Township Committee who really work hard for the town and all of the excellent and talented professionals.

6. **RESOLUTION HONORING TOWNSHIP COMMITTEEWOMAN CHRISTINE MADRID**

WHEREAS, Quality public service demands intelligence, skill, energy and commitment to advancing the public good; and

WHEREAS, Christine Madrid has demonstrated all of these characteristics and more, working diligently on behalf of Montgomery Township residents during her years of community service; and

WHEREAS, Committeewoman Madrid will leave public office on December 31, 2018, having served Montgomery Township in the following capacities:

Mayor - 2015, 2018
Deputy Mayor - 2018
Township Committee - 2012-2018
Planning Board, Class I - 2015, 2018
Sewer Committee - 2013-2015, 2018
Board of Fire Prevention - 2018
Zoning Board of Adjustment - 2013-2014
Environmental Commission - 2012, 2015
Veterans Memorial Committee - 2012
Budget and Finance Committee - 2015, 2018
Wildlife Management Committee - 2017
Site Plan/Subdivision Committee - 2015, 2018
Local Emergency Planning Council - 2015, 2018
Sustainable Montgomery's "Green Team" - 2015
Landmarks Commission - 2012-2014, 2016-2018
Emergency Services Coordinating Committee - 2018
Township Liaison to Library Advisory Board - 2012-2017
Township Committee Liaison to Board of Education - 2018
Somerset County Multi-Jurisdictional Hazard Mitigation Committee - 2018
Master Plan/Land Development Ordinance Update Committee - 2015, 2018
Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission - 2016-2018

WHEREAS, During her years of service, Christine Madrid has faithfully performed the duties and obligations of public office, and has given her utmost to the people of Montgomery, who in turn have benefited by her experience, knowledge and love for this community.

NOW, THEREFORE, BE IT RESOLVED That we the members of the Montgomery Township Committee, on behalf of the people of Montgomery, express our deepest appreciation for Committeewoman Madrid's many contributions to our community, and extends a fond farewell and warmest wishes for the future on this 20th day of December, 2018.

(Item #6 Cont.)

- 6-1. Committeeman Quraishi moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Jaffer and carried unanimously.
- 6-2. Mayor Madrid thanked the Governing Body for the resolution. She stated that it has been an honor to serve the past seven years. She thanked everyone for entrusting her to help run this town. She stated that nothing makes you appreciate your community more than actually working to make it better.

7. **APPOINTMENT OF PROBATIONARY POLICE OFFICER - Salvatore Antonio Intili**

BE IT RESOLVED that Salvatore Antonio Intili is hereby appointed Probationary Police Officer, effective December 21, 2018.

- 7-1. 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, Jaffer, Trzaska, Madrid
Nays - None

- 7-2. Attorney Maddox administered the Oath of Office to Probationary Police Officer Salvatore Antonio Intili.

8. **APPOINTMENT OF PROBATIONARY POLICE OFFICER - Kendall Blayne Bohannon**

BE IT RESOLVED that Kendall Blayne Bohannon is hereby appointed Probationary Police Officer, effective December 21, 2018.

- 8-1. Committeewoman Jaffer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

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

- 8-2. Attorney Maddox administered the Oath of Office to Probationary Police Officer Kendall Blayne Bohannon.

9. **APPOINTMENT OF PROBATIONARY POLICE OFFICER - Thomas John Connell, Jr.**

BE IT RESOLVED that Thomas John Connell, Jr. is hereby appointed Probationary Police Officer, effective December 21, 2018.

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

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

- 9-2. Attorney Maddox administered the Oath of Office to Probationary Police Officer Thomas John Connell, Jr.

10. **CLASSIFICATION OF PERMANENT POLICE OFFICER - Delio Coutinho**

BE IT RESOLVED That Delio Coutinho has completed his probationary period and is now classified as a permanent police officer effective December 17, 2018.

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

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

11. **DISCUSSION - REQUEST FROM SHARBELL DEVELOPMENT COMPANY FOR RELIEF FROM SECTION 12-3.2 OF THE TOWNSHIP CODE FOR MONTGOMERY CROSSING, PHASE IA**

Mark Cannuli, Sharbell Development Company, explained that they are in the process of finalizing their plans and are hoping to start the project just after the new year. This request relates to the 40 unit condominium building of the project. The request is for a waiver from the Township Code section 12-3.2 which requires every individual condominium building to have a separate sewer service lateral that would connect to a main. He explained that the way they build three story buildings, they normally build what would be a spine in the middle of the building and collect from each floor of all the units which would drain into a 4 inch lateral down to the bottom floor. That would then drain out through a larger lateral to the main. He explained they would be willing to have the Montgomery Crossing Condominium Association own that common sewer lateral on every floor and the collection pipes out to the sewer main. If there was ever a problem the Condo Association would maintain and service those laterals.

Administrator Nieman stated that the Township Engineer has reviewed this and has recommended this waiver even though the Township code does not allow it.

- 11-1. **Motion #18-12-1** - Committeewoman Jaffer moved to approve the Township Code Section 12-3.2 waiver for Montgomery Crossing, Phase IA. The motion was seconded by Committeeman Quraishi and carried on the following:

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

12. **PUBLIC COMMENT**

12-1. Brett Borowski, York Drive, wished everyone happy holidays. He appreciates everything all of the people on the dais do. It is a big commitment to do what everyone on the Township Committee does and it is not a commitment he is prepared to make at this time.

12-2. Ken Knieser, Stonebridge, reiterated what Mr. Borowski said and thanked the Governing Body for all that they do.

12-3. Donald Matthews, Rutland Road, reiterated what Mr. Borowski and Mr. Kneiser said. What the Township Committee has done over the years is pretty unbelievable.

13. **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 #18-12-260 - 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>
11002	27	Krishnan & Rajni Malik	\$5,283.17
11004	5	Shirley & John E. Stoddard III	\$2,289.23
12001	19	Jozsef T. Peykes	\$ 253.35
15001	49.01	QFARM Benjamin & Rachel Landagraf	\$ 6.18
16002	9.24	East Country Development Association	\$2,633.27
16002	9.28	East Country Development Association	\$ 15.13
31003	30	Colfax Homeowners Association, c/o Impac	\$ 28.60

B. **RESOLUTION #18-12-261 - REFUND OVERPAID 2018 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$543.25 be given to Stephen & Shari Anne Tave, c/o Golden Title Agency, 1818 Old Cuthbert Road, Cherry Hill, NJ 08034 for the overpayment of 2018 sewer charges on Block 34001, Lot 42.07.

C. **RESOLUTION #18-12-262 - REDEMPTION OF TAX SALE CERTIFICATE #18-0012**

BE IT RESOLVED That a refund in the amount of \$3,428.72 be given to Sunshine State Certificates VII, LLC, 7900 Miami Lakes Drive West, Miami Lakes, FL 33016 for the Redemption of Tax Sale Certificate #18-0012 on Block 37001, Lot 4.24.

D. **RESOLUTION #18-12-263 - AUTHORIZING EXECUTION OF THE METRO EMPLOYEE ASSISTANCE SERVICE AGREEMENT - January 1, 2019 to December 31, 2019**

BE IT RESOLVED That the Township Administrator is hereby authorized to sign an agreement with the Metro Employee Assistance Service for the term January 1, 2019 to December 31, 2019.

E. **RESOLUTION #18-12-264 - AUTHORIZING THE ISSUANCE OF 2019 TOWING LICENSES**

WHEREAS, The Township has received a completed towing application for light duty licenses from TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Rich's Off-Road Towing, LLC.; Kovi Towing, LLC.; and Stewart's Towing, Inc. to provide towing services in 2019; and

WHEREAS, The Township has received a completed towing application for heavy duty licenses from TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Mike's Towing & Recovery; and Stewart's Towing, Inc. to provide towing services in 2019; and

WHEREAS, The Police Department has reviewed said application and conducted appropriate investigations pursuant to section 4A-2.2 of the Code of the Township of Montgomery (1984); and

WHEREAS, The Police Director has reviewed the results of said investigations, approved said application, and recommended the issuance of light duty towing licenses to from TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Rich's Off-Road Towing, LLC.; Kovi Towing, LLC.; and Stewart's Towing, Inc. and heavy duty towing license to TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Mike's Towing & Recovery; and Stewart's Towing, Inc.

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

1. The Township Clerk is hereby authorized to issue light duty licenses to TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Rich's Off-Road Towing, LLC.; Kovi Towing, LLC.; and Stewart's Towing, Inc. for 2019.
2. The Township Clerk is hereby authorized to issue heavy duty licenses to TJS Automotive Services, Inc. d/b/a Dave's Heavy Towing; Mike's Towing & Recovery; and Stewart's Towing, Inc. for 2019.
3. All towing licenses are subject to the provisions set forth in Chapter IVA of the Code of the Township of Montgomery (1984), and shall expire on December 31, 2019.
4. This resolution shall take effect immediately.

(CONSENT AGENDA Cont.)

F. **RESOLUTION #18-12-265 - AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2019-2020 MONTGOMERY TOWNSHIP MUNICIPAL ALLIANCE REQUEST FOR APPLICATION WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS FOR THE DRUG ENFORCEMENT AND DEMAND REDUCTION (DEDR) ACT IN THE AMOUNT OF \$19,700.16, THE CASH MATCH OF \$4,925.04 AND THE IN-KIND AMOUNT OF \$14,775.12 FOR A TOTAL AMOUNT OF \$39,400.32 TO BE FUNDED THROUGH THE 2019 BUDGET**

WHEREAS, The Township of Montgomery, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, The Montgomery Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, Montgomery Township intends to apply for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset; and

WHEREAS, The Grants Manager and the Director of Human Services recommend this application to be submitted to Somerset County.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that:

1. The Mayor and Alliance Chairperson are authorized to sign the original of this grant application.
2. Montgomery Township is hereby authorized to submit an application for the Montgomery Township Municipal Alliance grant for fiscal year 2019-2020 in the amount of \$39,400.32

DEDR	\$19,700.16
Cash Match	\$ 4,925.04
In-Kind	\$14,775.12

3. Montgomery Township acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

13-1. Committeeman Trzaska moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Quraishi and carried on the following:

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

14. **RESOLUTION #18-12-266 - CHANGE ORDER #1 - No Cost Time Extension, Sewer Crossing Restoration - Whispering Lane**

WHEREAS, Resolution #18-10-223, adopted on October 4, 2018, authorized the award of a contract for the Sewer Crossing Restoration - Whispering Lane project to Enviroscaapes, Inc. in the amount of \$52,900.00; and

WHEREAS, The Township Engineer has requested the Committee's approval of a Change Order to extend the time of completion for the project; and

WHEREAS, Change Order #1 would allow for a no cost time extension to March 31, 2019; and

WHEREAS, Change Order #1 will not result in a change in the original contract amount; and

WHEREAS, The Township Engineer has recommended approval of the Change Order; and

WHEREAS, A copy of the proposed Change Order request is available in the Office of the Township Engineer.

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

1. Change Order #1 is hereby approved for this project.
2. This Resolution, when counter-signed by Enviroscaapes, Inc., shall serve as a contract amendment to the original contract for the purpose of extending the contract completion date from December 23, 2018 to March 31, 2019 with change in the contract amount.

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

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

15. **RESOLUTION #18-12-267 - AWARD OF BID - Fleet Management and Maintenance Services**

WHEREAS, The following bid for Fleet Management & Maintenance Services was received and publicly opened on December 14, 2018:

<u>BIDDER</u>	<u>AMOUNT</u>
First Vehicle Services Company, Inc.	\$716,916.05

WHEREAS, It is the recommendation of the Purchasing Agent and the Superintendent of Public Works that First Group America Company, Inc. be awarded the bid; they being the lowest responsible bidder; and

WHEREAS, It is the intent of the Township of Montgomery to enter a 12 month contract with 4 (four) one year extension options; 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 an account 01-201-26-315-256 which will fund this service.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the one year contract for Fleet Management & Maintenance Services is hereby awarded to First Vehicle Services Company, Inc., 600 Vine St., Suite 1400, Cincinnati, OH 45202 in the amount of \$716,916.05 for March 1, 2019 through February 28, 2020; and

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

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

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

16. **RESOLUTION #18-12-268 - RESOLUTION AUTHORIZING THE PUBLIC SALE BY AUCTION OF LAND OWNED BY THE TOWNSHIP OF MONTGOMERY AND NO LONGER NEEDED FOR PUBLIC USE**

WHEREAS, The Township of Montgomery is the record owner of a +1.12 acre parcel of vacant land located along Airpark Road and Route 206 and designated on the Montgomery Township Tax Assessment Maps (rev. ed. 2016) as Block 34001, Lot 57.01, (the "Property"); and

WHEREAS, The Local Lands and Buildings Law, N.J.S.A. 40A:12-13(a), authorizes municipalities to convey property not needed for a public use to the highest bidder at a public auction; and

WHEREAS, The Township of Montgomery advertised this property for public sale to the highest bidder on November 14, 2018 and November 28, 2018, and received bids on December 6, 2018; and

WHEREAS, Brandon Real Estate Investment, LLC was the highest bidder at an auction held on December 6, 2018, with a bid in the amount of Seventy-Five Thousand (\$75,000.00) Dollars; and

WHEREAS, Brandon Real Estate Investment, LLC presented a cashier's check in the amount of Ten Thousand (\$10,000) Dollars prior to the start of the bidding and submitted a check in the amount of Seventy-Five Hundred (\$7,500.00) Dollars as the deposit required by the conditions of sale; and

WHEREAS, The Local Lands and Buildings Law requires the governing body to accept the highest or reject all bids no later than its second regularly scheduled meeting following the auction; and

WHEREAS, The Township Committee desires to accept the highest bid for the Property.

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

1. The preamble to this resolution is hereby incorporated as if fully restated herein.
2. Pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(a), the Township of Montgomery hereby accepts the highest bid for the Property in the amount of Seventy-Five Thousand (\$75,000.00) Dollars from Brandon Real Estate Investment, LLC.
3. The Property is being sold subject to all restrictions, conditions, and easements of record and the purchaser will grant an easement for the 60-foot wide public right-of-way for access, commonly known as Airpark Road.
4. The Property shall be used in accordance with applicable laws of any other use lawfully approved by a land use board of the Township of Montgomery.

(Item #16 Cont.)

5. At closing of title, purchaser shall submit, in addition to the balance of the purchase price, an additional sum of money equal to the costs of all advertising of the sale in the amount of \$111.80.
6. The Township, through its Mayor, Clerk, Administrator, and Attorney, is hereby authorized and directed to execute any and all documents and undertake any and all acts as shall be necessary and proper to effectuate the terms hereof and to comply with any applicable federal, State, county or local laws.

16-1. 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, Jaffer, Trzaska, Madrid
Nays - None

17. **RESOLUTION #18-12-269 - RESOLUTION AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICE AGREEMENT TO CGP&H, LLC**

WHEREAS, The Township of Montgomery ("Township") requires the specialized services of an experienced and reputable firm to provide administrative services in connection with the implementation of its affordable housing program; and

WHEREAS, CGP&H, LLC of Cranbury, NJ ("CGP&H"), is familiar with the Township's requirements and has offered to provide said services; and

WHEREAS, The Township Administrator has determined and certified in writing that the value of the required services required will exceed \$17,500.00; and

WHEREAS, The Township has 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 in connection therewith, CGP&H has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and Affidavit Prerequisite to Execution of Agreement Exempt from Public Bidding and in Excess of \$5,000.00 pursuant to Section 2-22.2 of the Code of the Township of Montgomery (1984) (collectively, the "Pay-to-Play Forms"); and

WHEREAS, The agreement shall be for an amount not to exceed \$5,075.00 per year during 2019 and 2020; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds in Account #18-288-56-000-001 are available to pay for said services; and

WHEREAS, The Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the Township to award this agreement as an extraordinary unspecifiable service agreement, without competitive bidding.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with CGP&H consistent with this Resolution. The terms of said agreement are subject to the approval of the Township Attorney.
2. The agreement is subject to the approval of the Department of Community Affairs.
3. The agreement is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(ii), for the reasons set forth in the Township Administrator's Certification of Extraordinary Unspecifiable Service, which reasons are incorporated herein as if fully restated.
4. CGP&H shall be paid a fee not to exceed \$5,075.00 to provide these services in 2019 and \$5,075.00 to provide said services in 2020. The total contract amount over the entire two-year term shall not exceed \$10,150.00. The agreement may be extended beyond the initial two-year term for up to two additional one (1) year terms, in accordance with and as permitted by law.
5. A copy of this Resolution, the Certification of Contract Value, the Township Administrator's Certification of Extraordinary Unspecifiable Service, the Pay-to-Play Forms and the agreement shall be placed on file in the Office of the Township Clerk.
6. A notice of this action shall be published in the official newspaper as required by law.
7. A copy of this Resolution and the agreement shall be submitted to the Department of Community Affairs for approval.

17-1. 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, Jaffer, Trzaska, Madrid
Nays - None

18. ORDINANCE #18-1597 - Road Name Change-Research Road to Village Drive - Public Hearing

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

AN ORDINANCE CHANGING THE NAME OF RESEARCH ROAD TO VILLAGE DRIVE.

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 Committeewoman Jaffer and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 20th day of December, 2018 and that notice thereof be published in an official newspaper as required by law.

18-1. 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, Jaffer, Trzaska, Madrid
Nays - None

19. ORDINANCE #18-1598 - Acquisition of Interests in Property (Block 17004, Lots 1, 2 and 3) Public Hearing

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 ACQUISITION OF INTERESTS IN PROPERTY DESIGNATED AS BLOCK 17004, LOTS 1, 2 AND 3, MONTGOMERY TOWNSHIP MUNICIPAL TAX ASSESSMENT MAPS (REV. ED. 2017), ON VAN HORNE ROAD (ROUTE 206) AND RUTLAND ROAD, IN THE TOWNSHIP OF MONTGOMERY, AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE TOWNSHIP OF MONTGOMERY OPEN SPACE TRUST FUND.

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

B-2. Brett Borowski, York Drive, asked if there were other sources of funding that cover purchases such as this and is it anticipated to receive any money from the County or State Open Space funds to pay for this. Committeeman Trzaska replied that this purchase was going to be paid for totally by the Township.

Mr. Borowski asked what the plans were for this property. Committeeman Trzaska stated that there were restrictions on the land and must be preserved as farm land. Mayor Madrid stated that this was essentially development rights to the property.

B-3. Lauren Wasilauski, Township Open Space Coordinator, thanked the Matthews family for this. She explained that this was started in 2007. The Governing Body expressed their thanks to the Matthews family, the Open Space Committee and Ms. Wasilauski for this acquisition.

B-4. Committeeman Trzaska moved that the public hearing be closed. The motion was seconded by Committeewoman Jaffer and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 20th day of December, 2018 and that notice thereof be published in an official newspaper as required by law.

19-1. 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, Jaffer, Trzaska, Madrid
Nays - None

19-2. Donald Matthews, Rutland Road, thanked everyone involved in getting this ordinance adopted. He stated that it was a long time coming and he truly appreciated all of the work done.

20. APPROVAL OF MINUTES

The Regular Session minutes of December 6, 2018 were approved as printed.

21. **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.

21-1. Committeewoman Jaffer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Quraishi and carried on the following:

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

22. **NOMINATION AND ELECTION OF NEW TOWNSHIP COMMITTEE MEMBER TO FILL VACANT TOWNSHIP COMMITTEE SEAT**

Committeeman Trzaska nominated Kamran Quraishi to position of Township Committee to fill the vacant seat. The motion was seconded by Mayor Madrid and carried on the following:

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

22-1. Attorney Maddox administered the **OATH OF OFFICE** to Committeemember Quraishi.

23. **MUNICIPAL BUILDING CLOSINGS**

Administrator Nieman stated that the Municipal Building will be closing at 2:30 p.m. on December 21 and will reopen at 8:00 a.m. on December 26. It will also close at 2:30 p.m. on December 31 and reopen at 8:00 a.m. on January 2, 2019.

23. **FOOD PANTRY**

Committeeman Trzaska stated that the Montgomery Food Pantry is in need of canned goods and asked if there has been any suggestion of acquiring a refrigerator or freezer for them. Mayor Madrid mentioned that there was a local charity that was interested in establishing some sort of program where community members would contribute perishable items. Administrator Nieman explained that the Health Department has worked with the Food Bank and determined that there cannot be perishable items there because of the potential health risks.

25. **MONTGOMERY PARK**

Committeeman Trzaska reported that the installation of playground equipment will be moving forward at Montgomery Park and hopefully will be completed before Spring.

26. **COMMITTEE AND SUB-COMMITTEE REPORTS**

26-1. **ZONING BOARD OF ADJUSTMENT**

Committeeman Quraishi stated that there was a continuation application at the Zoning Board of Adjustment meeting for the Montgomery Township Volunteer Fire Company and an application for a bulk variance for Fernandez for a new family dwelling in place of an existing dwelling. There were also two bulk variances for Mountaintop Properties. One was to remove an existing dwelling and construct a new single family dwelling. The other was to construct a new single family dwelling on a vacant lot.

26-2. **MONTGOMERY MOSAIC**

Committeewoman Jaffer stated that there will be a Montgomery Mosaic intercultural holiday party on January 7 at the Otto Kaufman Community Center from 7:00 to 9:00 p.m. Members of the public are welcome to attend and are asked to bring food or any item that represents a holiday they celebrate at any time during the year, not necessarily just in winter.

26-3. **TRANSPORTATION ADVISORY COMMITTEE**

Committeeman Trzaska stated that at the Transportation Advisory Committee discussed the delays of some of the road projects due to inclement weather.

(Item #26 Cont.)

26-4. PLANNING BOARD

Committeeman Trzaska stated that the Planning Board passed a resolution for Montgomery Promenade and they are now able to move forward as they see fit. There were also plans presented for Capital review for the new Municipal complex and Library. There was one comment about having a little more green space around the building.

26-5. VETERANS MEMORIAL COMMITTEE

Mayor Madrid stated that that the Wreath Across America event was a beautiful event and very well done.

ADJOURNMENT was at 8:12 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Jaffer and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk