

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
January 17, 2019

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 Jaffer, Deputy Mayor Gural, Committeemembers Trzaska, Quraishi and Schuldiner

Also present were:

TOWNSHIP ATTORNEY - Kevin Van Hise, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

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

4. **RESOLUTION HONORING WILLIAM FORBES**

WHEREAS, A community possesses no greater treasure than the dedicated service of its citizens and volunteers; and

WHEREAS, Bill Forbes has served the community as a member of Montgomery EMS since 1984; and

WHEREAS, In his 35 year career with Montgomery Emergency Medical Services, Bill personally responded to well over five thousand emergency calls, in addition to volunteering for countless community service stand-bys and aid to other agencies; and

WHEREAS, Bill has worn numerous hats in the organization, having served as Captain for 4 years, Crew Chief for 30 years, Vice President for one year, Head Trustee for 17 years, Driver Trainer and Radio Officer.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee recognizes the distinguished service and significant contributions made by Bill Forbes and congratulates him on this 17th day of January, 2019.

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

- 4-2. Scott DellaPeruta, Montgomery EMS, thanked the Governing Body for honoring Bill Forbes who has served the community above and beyond in the past 35 years. Bill is not only active on the EMS but also serves on the Open Space Committee, the Van Harlingen Historical Society and other boards. Bill will continue to be a lifetime member of the Montgomery Emergency Services and has taken on the new task of helping to find a new home for the EMS.

- 4-3. Bill Forbes commented that he joined Montgomery EMS in 1984 when it was a small group of members. He has no clue how they covered the entire town with the 19 squad members. Fortunately, as the Township grew so did the membership. He thanked all of the volunteer members of Montgomery EMS, the residents of the Township, his family, and especially his wife, for their unending support. He also thanked the Governing Body for this recognition.

5. **RESOLUTION RECOGNIZING THE TAMIL HERITAGE FESTIVAL OF PONGAL**

WHEREAS, Tamil is one of the classical languages with more than 2000 years of literary history and is still spoken by millions all around the world; and

WHEREAS, There is a large community of Tamil speaking population concentrated in Montgomery Township and Somerset County; and

WHEREAS, Among many festivals celebrated by Tamils, Thai Pongal is considered to be an important secular festival of the community; and

WHEREAS, Pongal is a harvest festival where people offer gratitude to the Sun, farmers, and farm animals for their immense help in agriculture: the prime provider of food. In addition to Tamils, other Indians also celebrate the harvest festival; and

WHEREAS, Pongal is celebrated for four days in January every year. The first day is celebrated as Boghi; where people decorate their houses, and get ready to welcome prosperity. The second day is Pongal where people offer salutations to the Sun. The third day is Mattu Pongal, a day of paying respect to farm animals. The final day of celebration is Kaanum Pongal, a day spent visiting friends and families and exchanging gifts.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee recognizes the contribution the Tamil community makes to the cultural diversity of the Township and encourages participation and celebrations associated with all cultural traditions.

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

(Item #5 Cont.)

- 5-2. Balamurali Kothandaraman, Vice President, New Jersey Tamil Sangam, stated that Tamil is one of the oldest languages from the Indian subcontinent. They celebrate the harvest festival at this time of the year with a four day event. He is very happy that the Governing Body passed this resolution and is so welcoming of diversity. On Sunday, January 20, there will be an event at the Montgomery High School to celebrate and all are welcome.

6. **PUBLIC COMMENT**

- 6-1. Candy Willis, Landmarks Commission Chair, stated the Landmarks Commission has been working on getting the Harlingen Historic District officially listed on the State and National Registers. Unlike Blawenburg, River Road and Bridgepoint Historic Districts that are officially listed on the New Jersey State and National Registers of Historic Places, Harlingen was determined eligible for the Registers in 1985 but for various reasons the nomination was shelved. She explained that the Landmarks Commission is not proposing that the Harlingen Historic District be a local historic district. There is no down side to the property owner when listed on the State and National Registers and asked the Governing Body's approval to pursue the official listing. They have met with an architectural historian and the cost to get the listing would be approximately \$12,000.00. She asked the Governing Body to look upon the project favorably and help the Landmarks Commission fund the project.

Committeeman Trzaska asked about the boundaries of the historic district. Ms. Willis explained that it was basically the crossroads of Harlingen Road and Rutland Road, by the Summerskill's old winery. Administrator Nieman suggested that Ms. Willis submit a map to the Township Committee for further information. She stated that she will email the map to the Governing Body.

Mayor Jaffer asked what portion of the residents of the area were at the meeting which took place and what was the general sense of these residents concerning being included if it were to be designated a historic district. Ms. Willis responded that about half of the residents were in attendance and most of them understood that there was really no negative impact.

Committeeman Trzaska asked if there would be restrictions on private land owners if the area were to be declared a historic district. Ms. Willis answered that there would be no restrictions, as the Landmarks Commission was not asking that it be a local historic district.

Deputy Mayor Gural asked if the \$12,000.00 estimate was to get onto the registry or does that include some kind of assessment. Ms. Willis stated that the architectural historian would be paid from this amount to draw up the boundaries.

Committeeman Schuldiner asked Ms. Willis to include in her email something about the implications of what this designation will mean for the Township and for the people who live in that area.

- 6-2. Jessie Havens, Ludlow Avenue, remarked on all that Bill Forbes has done.

Ms. Havens spoke about the new Municipal Building. She asked where the Governing Body stood in regards to the new building.

Committeeman Trzaska responded that he totally supported the initiative to build a new Municipal Building. He remarked on the problems with the current building, the cost to make improvements, and the reasons behind the decision to build a new complex.

Mayor Jaffer stated that she has met with the architects and she plans to have a public meeting for the public to review and make comments about the new construction. Administrator Nieman stated that the deadline for final comments from staff about the interior of the building is January 18, so he would say a public meeting would be within a month's time. Mayor Jaffer asked if there was anything that would preclude a smaller citizen advisory committee from having a meeting. Administrator Nieman replied that nothing would prevent that, except the cost of the architect.

Greg Kaganowicz, Griggstown Road, spoke about the new Municipal Building. He was glad to hear that there would be another public meeting. He stated that he had written a letter to the Township Committee and that the Environmental Commission had also written a letter and no one had responded. He felt that Township residents should have input about the building before the design is finalized.

Mayor Jaffer responded that the Governing Body will set a timeline for the public meeting when they get the revisions to make sure the revisions thoroughly include feedback, to the extent possible, from the public. She stated that any projects in the future will have more public meetings during the development phases.

(Item #6 Cont.)

- 6-3. Nancy Herrington, Township Line Road, stated she has been involved with the Fair Welcoming Community Coalition (FWCC) of Somerset County which deals with immigration issues. She asked if the Governing Body was aware of the new Attorney General's directive regarding cooperation between local Police Departments and ICE. Mayor Jaffer responded that they were aware. Ms. Herrington understood that the Governing Body was about inclusiveness and trying to bring people together. The FWCC is trying to get help with immigrants' rights at the government level, but asking local municipalities about programs that would bring this topic to the public. Mayor Jaffer commented that there have been events held every month through Montgomery MOSAIC that are community building, and certainly immigrant's rights would be one of those issues.

Committeeman Trzaska asked how the Township's Police Department and the Township gets involved in immigration issues. Police Lieutenant James Gill stated that through the course of his career immigration has always been an issue. He explained that what the gray line of immigration was "do we work for the federal agencies and do we uphold their laws while we are conducting our investigations". Sometimes the waters would be a little muddied. There are guidelines that were set through the Attorney General, basically saying the Police can't provide a workspace for Federal agents to come in and you can't assist them in that investigation unless it's an investigation pertinent to the laws of the municipality. He stated that the Police are not legally allowed to ask anyone if they are in this country legally and he feels that this does not tie their hands in any way in their investigations. There are only certain occasions where the question of immigration status comes into play, and it is usually larger offenses. People's rights, whether they are immigrants or not, are thoroughly upheld at State and local levels in New Jersey. He explained that the Police officers are informed of every directive as soon as it comes in.

- 6-4. Ewa Zak, Griggstown Road, spoke, both as a resident and a representative of the Shade Tree Committee, about the proposed new Municipal Building. She thanked the Governing Body for their assurance that the plans will be revisited and a public meeting for the residents will be held. She suggested that a park or green space should be planned so that people do not see Route 206 from the building.
- 6-5. Jonathan Katz, Rocky Hill, asked the Governing Body to take the environmental impact into consideration with the proposed new Municipal Building. He was encouraged to read that the plans meet the LEED environmental standards and that the roof has been designed to accommodate solar panels. However, it seems that in the current construction plan solar panels are not to be included. He felt that it would be important for the environment to include these in the final plans.
- 6-6. Brett Borowski, York Drive, commented on Bill Forbes remarkable career.

He stated there is a problem of garbage in the stream at Schaefer Park by Wall Street. Administrator Nieman replied he would have the Department of Public Works clean it up.

He noted that he has seen a large uptick in Facebook posts from Montgomery residents regarding immigration and commented that he felt a publicity push was important to acknowledge immigrant rights. He stated that everyone in a municipality, regardless of status, needs to feel comfortable calling the Police Department.

He spoke about his frustration over some of the design elements of the proposed new Municipal Building. He was heartened to hear the Governing Body's responsiveness to the people who spoke before him.

He asked about the fees for Kid Connection and the ordinance which is on the agenda for introduction. He will speak more at the ordinance public hearing.

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 #19-1-29 - 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>
6003	16	Andrew A. & Teresa A. Leary	\$3,293.23
7014	2	Ellen L. Dutton	\$3,134.57
7019	61.02	Hann-Rong Chueh & Hung L. Jyi	\$5,724.24
28001	5.74	Rajnikanth & Maitri Gari	\$2,583.56
34001	42.19	Jianjun Wu & Chunyan Pan	\$3,787.87
34019	36	Zhengqui Hong & Wang Yanrong	\$3,564.97
37004	1.63	AFRM Title & Abstract, LLC	\$2,650.37

(CONSENT AGENDA Cont.)

B. RESOLUTION #19-1-30 - APPROVAL OF OUTDOOR ASSEMBLY - Hell of Hunterdon Bicycle Ride

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Kermesse Sport requested approval of the Township Committee to conduct an 82 mile recreational bicycle ride on March 24, 2019. The event will start and end at the Princeton Elks Lodge.
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
 - (a) This approval is for the period specified and is not to be considered approval to conduct similar events without Township Committee approval.
 - (b) This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
3. The organizers will obtain the required health certificates from the Township Health Department, if applicable.
4. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations and shall employ three (3) Private Duty Police Officers for the event.

**C. RESOLUTION #19-1-31 - RELEASE OF ESCROW FEE - Manish Gupta
(Block 31003, Lot 13) - Street Opening Permit #18-R-13**

WHEREAS, Gail Smith, Township Engineer, has recommended the release of a cash escrow fee to Manish Gupta because all work has been satisfactorily completed with respect to a street opening permit at Block 31003, Lot 13 (71 Rolling Hill Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$1,360.00 be released to Manish Gupta, 71 Rolling Hill Road, Skillman, NJ 08558.

**D. RESOLUTION #19-1-32 - RELEASE OF ESCROW FEE - Amy Bitterman
(Block 15022, Lot 6) - Street Opening Permit #18-R-20**

WHEREAS, Gail Smith, Township Engineer, has recommended the release of a cash escrow fee to Amy Bitterman because all work has been satisfactorily completed with respect to a street opening permit at Block 15022, Lot 6 (130 Sunset Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$375.00 be released to Amy Bitterman, 130 Sunset Road, Skillman, NJ 08558.

**E. RESOLUTION #19-1-33 - RELEASE OF ESCROW FEES - Steven Back
(Block 32001, Lot 4 and Block 33001, Lot 21.01) - Street Opening Permits #17-R-01
and #16-R-45**

WHEREAS, Gail Smith, Township Engineer, has recommended the release of a cash escrow fees to Steven Back because all work has been satisfactorily completed with respect to street opening permits at Block 32001, Lot 4 (324 Mountain View Road) and Block 33001, Lot 21.01 (324 Mountain View Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fees in the amount of \$1,536.00 for Street Opening Permit #17-R-01 and \$234.40 for Street Opening Permit #16-R-45 be released to Steven Back, 324 Mountain View Road, Skillman, NJ 08558.

**F. RESOLUTION #19-1-34 - EXTENSION OF TIME FOR THE COMPLETION OF PUBLIC
IMPROVEMENTS - Various Projects**

WHEREAS, Gail Smith, Township Engineer, has certified on January 9, 2019 that adequate funds remain in the posted guarantees to cover the remaining public improvements in the following developments and therefore recommends time extensions to complete said improvements:

<u>Development</u>	<u>New Completion Date</u>
Bedens Brook Valley, Soil Removal at 24 Sunnyside Lane (Block 31001, Lot 11.06)	April 16, 2020
Kenneth and Marilyn Cummings (165 Opossum Road) Handler Estates	April 16, 2020
Montgomery Ridge - Site Improvements, Phase I Townhouses	April 10, 2020
Montgomery Ridge - Site Improvements, Phase I Affordable Apartments	February 7, 2020

**G. RESOLUTION #19-1-35 - RELEASE OF PERFORMANCE GUARANTEES - PSE&G Cherry Valley
Connector Road Project**

WHEREAS, Gail Smith, Township Engineer, has certified on January 14, 2019 that all public improvements in a project known as Public Service Electric & Gas, Cherry Valley Connector Road Project have been completed in accordance with the approved plans and the Code of the Township of Montgomery and therefore recommends that the Performance Guarantee be released.

(CONSENT AGENDA Item G Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the reduced performance guarantee in the amount of \$355,111.80 (Bond #327-012-757 in the amount of \$319,600.62 and \$35,511.18 cash) be released to Public Service Electric & Gas Company and a maintenance guarantee be posted as follows:

Original Construction Cost Estimate	\$355,111.80
15% Maintenance Guarantee	\$ 53,266.77

BE IT FURTHER RESOLVED That the effective date of acceptance of the improvements shall be the date the Township Attorney confirms in writing that the maintenance guarantee is in the proper amount and acceptable legal format.

BE IT FURTHER RESOLVED That the release of the Performance Guarantee shall also be conditioned upon the posting of adequate escrow funds.

Upon satisfactory completion of these conditions, it is recommended that the Township accept the following:

Roads and Rights-of-Way public improvements - as follows:

- a. Unnamed road commonly known as the Cherry Valley Connector Road, located within a 50 foot wide roadway easement as shown and described on References A¹ and B², said easement's execution having been approved by the Township Committee via Resolution 12-9-212. The unnamed road is also described as beginning from the intersection of State Route 206 and continuing to the westerly property line shared with Block 34001 Lot 61, shown on Reference C³, from approximately Station 53-91 - Station 64+42.
- b. Associated curbing, curb ramps, sidewalks, within the aforementioned 50 foot wide roadway easement.

Storm Sewers - Storm sewer structures, including but not limited to inlets and catch basins, collections lines, flared end sections, and riprap/scour outlet protection completely contained within the roads or rights-of-way listed above.

Sanitary Sewers - Sanitary sewerage improvements as shown on Reference C³:

- a. Along the Cherry Valley Connector Road from approximately Station 56+50 to Station 59+13.
- b. Along the Cherry Valley Connector Road from approximately Station 59+13 to Station 62+34.
- c. Along the Cherry Valley Connector Road from approximately Station 62+34 to and existing manhole at approximately Station 62+39.

The following improvements will not be accepted by the Township and will be owned and maintained by the property owner unless otherwise noted:

Driveways - all driveways, driveway aprons, or associated depressed curbing shown on Reference D⁴ that egress onto the unnamed Cherry Valley Connector Road.

Stormwater Management Facilities - the detention basin located to the east of the substation.

Public Utilities (e.g. water, electric, telecommunications, etc.) - will be owned and maintained by the appropriate utility company.

H. RESOLUTION #19-1-36 - RELEASE OF PERFORMANCE GUARANTEES - PSE&G Substation Site Plan Project

WHEREAS, Gail Smith, Township Engineer, has certified on January 14, 2019 that all public improvements in a project known as Public Service Electric & Gas, Substation Site Plan Project have been completed in accordance with the approved plans and the Code of the Township of Montgomery and therefore recommends that the Performance Guarantee be released.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a performance guarantee in the amount of \$395,742.42 (Bond #327-012-756 in the amount of \$356,168.18 and \$39,574.24 cash) be released to Public Service Electric & Gas Company and a maintenance guarantee be posted as follows:

Original Construction Cost Estimate	\$395,742.42
15% Maintenance Guarantee	\$ 59,361.36

BE IT FURTHER RESOLVED That the effective date of acceptance of the improvements shall be the date the Township Attorney confirms in writing that the maintenance guarantee is in the proper amount and acceptable legal format.

BE IT FURTHER RESOLVED That the release of the Performance Guarantee shall also be conditioned upon the posting of adequate escrow funds.

All improvements for this project will not be accepted by the Township, including the detention basin located to the east of the substation.

(CONSENT AGENDA Cont.)

I. **RESOLUTION #19-1-37 - ENDORSEMENT OF NJDEP TREATMENT WORKS APPROVAL APPLICATION FOR THE MONTGOMERY TOWNSHIP MUNICIPAL COMPLEX**

BE IT RESOLVED By the Montgomery Township Committee that Donato Nieman, Township Administrator, is hereby authorized to execute a Treatment Works Approval application to the New Jersey Department of Environmental Protection related to the Montgomery Municipal Complex (Block 20001, Lot 10.05) subject to review and approval by the Township Engineer and Township Attorney as to form and content.

J. **RESOLUTION #19-1-38 - AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF MANVILLE FOR BRINE SERVICES**

WHEREAS, The Borough of Manville wishes to enter into a formal shared services agreement with the Township of Montgomery to obtain full service brine services.

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

1. The Mayor and Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Manville to provide salt brine to the Borough of Manville for \$0.20 per gallon.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. In accordance with N.J.S.A. 40A:65-4, a copy of the agreement shall be filed for informational purposes with the Division of Local Government Services in the New Jersey Department of Community Affairs.

K. **TOWNSHIP COMMITTEE APPOINTMENTS - Montgomery Veterans Committee**

BE IT RESOLVED That Tom DeGaglia be hereby appointed Montgomery Veterans Committee Regular Member, replacing Ted Lubas, 3 year term expiring December 31, 2021.

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

8. **MAYORAL APPOINTMENTS - Planning Board and Montgomery Veterans Committee**

BE IT RESOLVED That Tony Glockler be hereby appointed Planning Board Alternate 1, replacing Tom Lee, 2 year term expiring December 31, 2020.

BE IT FURTHER RESOLVED That Patricia Graham be hereby appointed Montgomery Veterans Committee Advisor, 1 year term expiring December 31, 2019.

9. **RESOLUTION #19-1-39 - IN SUPPORT OF THE MONTGOMERY TOWNSHIP NOT IN OUR TOWN (NIOT) ORGANIZATION'S APPLICATION FOR GOLD STAR CITY DESIGNATION BY THE NATIONAL NOT IN OUR TOWN**

WHEREAS, Montgomery Mosaic: A NIOT Affiliate is requesting the support of the Montgomery Township Committee for support of their application for Gold Star Cities designation administered through the National NIOT; and

WHEREAS, If awarded, the Gold Star Cities designation will be utilized to promote a safe and inclusive Montgomery Township; and

WHEREAS, Representatives of the Township, religious organizations, students, and non-profits have been meeting for the past year and have conducted a number of events relating to anti-prejudice and inclusiveness; and

WHEREAS, The Township Committee of Montgomery Township, New Jersey finds that supporting the Not In Our Town application is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED, By the Township Committee of the Township of Montgomery, New Jersey:

Section 1. That the Township Committee of Montgomery Township, New Jersey, supports the Not In Our Town application for a Gold Star City designation to be administered through the national Not In Our Town organization.

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

10. **RESOLUTION #19-1-40 - AUTHORIZING ROAD PAVING SERVICES THROUGH THE MORRIS COUNTY COOPERATIVE**

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

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to enter into a cooperative pricing agreement for the purchase of work, materials and supplies; and

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MCCPC #6 - Road Resurfacing has provided the Township with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 01-203-26-290-228.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Road Resurfacing Services at a not to exceed amount of \$444,443.11 be authorized through the utilization of the Morris County Cooperative Pricing Council to:

Tilcon New York, Inc.
9 Entin Road
Parsippany, NJ 07054

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

11. **RESOLUTION #19-1-41 - PROVIDING FOR THE DEFERRAL OF LOCAL DISTRICT SCHOOL TAXES OF THE TOWNSHIP OF MONTGOMERY FOR THE YEAR 2018**

WHEREAS, The Township Committee of the Township of Montgomery, County of Somerset, under the provisions of statutes, wishes to defer Local District School Taxes for the year 2018; and

WHEREAS, The unpaid portion of the Local District School Tax on December 31, 2018 may be deferred to the extent of not more than 50% of the school year July 1, 2018 to June 30, 2019 levy, providing no requisition has been made for such amount or any portion of such amount; and

WHEREAS, The Deferred Local District School Taxes for the year 2018 may not exceed 50% of the school year July 1, 2018 to June 30, 2019 levy of \$80,945,463.00 resulting in a deferred amount not to exceed \$40,472,731.50. This amount represents an increase over the maximum Deferred Local District School Taxes for the year 2017 of \$39,612,359.50.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that Local District School Taxes unpaid by December 31, 2018 be deferred to the amount not exceeding \$40,472,731.50, and this amount representing an increase over the prior year maximum Deferred Local District School Taxes in the amount of \$860,372.00; and

BE IT FURTHER RESOLVED, That two (2) certified copies of this resolution shall be forwarded to the Director of the Division of Local Government Services.

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

12. **ORDINANCE #19-1599 - Providing for 3.5% CAP - Introduction**

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

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2019 BUDGET AND
TO ESTABLISH A CAP BANK PURSUANT TO NJS 40A:4-45.14

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 February 7, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

13. ORDINANCE #19-1600 - Kid Connection-Fees - Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY INCREASING FEES FOR KID CONNECTION PROGRAMS AND AMENDING CHAPTER II OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984).

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 February 7, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

14. APPROVAL OF MINUTES

The Regular Session minutes of December 20, 2018 and the Reorganization Meeting minutes of January 3, 2019 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 Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Gural and carried on the following:

ROLL CALL - Ayes - Schuldiner, Quraishi, Trzaska, Gural, Jaffer
Nays - None

16. MCEA RE-BID

Administrator Nieman explained that the MCEA is the Municipal Energy Aggregation program. It is the hope, after consulting with Gabel Associates, that it might be a good time to go out to the market to see if third party electrical aggregation will result in a lower rate for Montgomery residents than that which is currently offered by PSE&G. The last several times it has gone out to the market it has not been competitive and it was cheaper to stay with PSE&G.

17. AD HOC COMMUNICATIONS COMMITTEE

Mayor Jaffer stated that she would like to form an Ad Hoc Communications Committee and urged members of the public who are interested in serving on that type of committee to let the Township know. This committee would be one to try to figure out how best to assess the Township's communication strategies and try to figure out how best to reach different segments of the population.

18. MONTGOMERY PARK

Committeeman Trzaska stated that playground at Montgomery Park is approximately 1/3 installed.

19. CARRIER CLINIC

Committeeman Trzaska stated that he and the Mayor had a meeting with Carrier Clinic regarding increased security and there will be a community meeting in the near future. Also, Carrier is working on a solution to their sewer wastewater issues.

20. PIKE RUN

Committeeman Trzaska reported that he attended a small town hall meeting at the Pike Run Homeowners Association.

21. YMCA

Committeeman Trzaska stated that he spoke to a representative from the YMCA of Somerset County and they will be reaching out to the Mayor to set up a meeting.

22. MONTGOMERY BUSINESS ASSOCIATION

Mayor Jaffer stated she attended the breakfast meeting with the Montgomery Business Association and was happy to hear their goals for supporting local businesses.

23. SYMPOSIUM ON BIAS CRIME

Mayor Jaffer stated she and members of the Police Department attended a symposium on how to combat bias crime which was very interesting.

24. COMMUNITY BREAKFAST

Mayor Jaffer stated that there was a potential White Supremacist rally in Princeton and she organized a Community Breakfast here in Montgomery to express the Township's commitment to inclusion.

25. MONTGOMERY MOSAIC

Mayor Jaffer stated that Montgomery MOSAIC Intercultural Holiday Party is scheduled for January 28 at 6:30 p.m. at the Otto Kaufman Community Center.

26. COMMITTEE AND SUB-COMMITTEE REPORTS

26-1. ZONING BOARD OF ADJUSTMENT

Committeeman Quraishi and Deputy Mayor Gural stated that there was an application presented from the Montgomery Volunteer Fire Company #1 at the Zoning Board of Adjustment meeting for the preliminary and final major site plan for the construction of a new driveway to service the existing parking lot. They also appeared for an accessory structure and conversion of existing garage space to store gear, apparatus and training equipment.

26-2. VETERANS MEMORIAL COMMITTEE

Deputy Mayor Gural stated that the Veterans Memorial Committee held their Reorganization meeting on January 8. There is a Montgomery High School basketball game honoring Veterans on January 19 at 1:00 p.m. They are starting to work on the Patriot's Day event and discussed plans for 2019.

26-3. OPEN SPACE COMMITTEE

Deputy Mayor Gural stated that the Open Space Committee had a couple of parcels of land that they introduced for possible purchase. They talked about a couple of issues that residents had brought up about some of the existing easement properties.

26-4. BOARD OF HEALTH

Deputy Mayor Gural stated that the Board of Health discussed the interceptors for grease traps for new restaurants. They also talked about the Accreditation process that they are pursuing. They discussed digitizing agendas.

26-5. PLANNING BOARD

Mayor Jaffer stated that the Planning Board had its Reorganization meeting.

26-6. MUNICIPAL ALLIANCE

Mayor Jaffer stated that she was impressed with the work that the Municipal Alliance is doing to support youth development and combat substance abuse. She asked them how we measure what the problems are in this community. That comes from data from the school district. She asked that the data be obtained for the Municipal Alliance.

26-7. ENVIRONMENTAL COMMISSION

Administrator Nieman stated that the Environmental Commission held their Reorganization meeting. They are also going to have a meeting in February with Tara Kenyon, who is doing the Natural Resource Inventory. They are also working very closely with Stony Brook-Millstone Watershed to try to do more with the community, by informing them of the options, rather than just having the traditional lawn and traditional detention basins. They are also working with the Montgomery-Rocky Hill Rotary for Earth Day.

27. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
 - Matters involving the contract for the potential lease of sale or real property;
 - Advice of Labor Counsel regarding AFSCME Collective Bargaining negotiations;
 - Personnel Issue.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. No agreements shall be authorized except by action of the Township Committee

27-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Schuldiner and carried unanimously.

28. The meeting reconvened in Open Session and ADJOURNMENT was at 9:24 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeeman Schuldiner and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk