

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
March 7, 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 Quraishi and Schuldiner
Committeeman Trzaska (after Item #6)

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 - American Red Cross Month 2019**

WHEREAS, More than 137 years ago, the American Red Cross was established as a humanitarian organization, guided by seven fundamental principles—including humanity, impartiality and independence—to provide services to those in need regardless of race, religion, gender, sexual orientation or citizenship status. Today, the American Red Cross is one of the largest humanitarian organizations in the world, and delivers its mission every day to prevent and alleviate human suffering in the face of emergencies; and

WHEREAS, Every year, the American Red Cross responds to an average of more than 62,000 disasters across the country, from small home fires to devastating massive disasters. Last year's many crises included mudslides in California, a volcano in Hawaii, wildfires in Colorado and California, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in U.S. territories. Thousands of American Red Cross volunteers provided around-the-clock shelter for disaster victims, served millions of meals and snacks with partners, and distributed millions of relief items; and

WHEREAS, In New Jersey, the Red Cross has a long history of helping our neighbors in need. The Red Cross New Jersey Region assisted with 902 local disasters in the past year alone and helped save lives through our Home Fire Campaign. Since the campaign launched in October 2014, the New Jersey Region has worked with community partners to install more than 31,761 smoke alarms. Meanwhile, in our area, the Red Cross handles an average of 5,100 emergency military calls every year and collects an average of 95,000 units of blood from our generous blood donors; and

WHEREAS, March is Red Cross Month, a special time to recognize and thank the Red Cross volunteers and donors who give of their time and resources to help members of the community. The Red Cross depends on these local heroes to deliver help and hope during a disaster. We applaud our heroes here in New Jersey who give of themselves to assist their neighbors when they need a helping hand; and

WHEREAS, The American Red Cross shelters, feeds and provides emotional support to victims of disasters; supplies about 40 percent of the nation's blood; teaches skills that save lives; provides international humanitarian aid; and supports military members and their families; and

WHEREAS, We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that we do hereby proclaim March 2019 as Red Cross Month and encourage all Americans to support this organization and its noble humanitarian mission.

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

5. **RESOLUTION - Girl Scout Week - March 10 through March 16**

WHEREAS, The year 2019 marks the 107th anniversary of Girl Scouts of the USA, the largest and most successful leadership program for girls in the world; and

WHEREAS, Girl Scouts unleashes the G.I.R.L. (Go-getter, Innovator, Risk-taker, Leader) in every girl, preparing her for a lifetime of leadership; and

WHEREAS, Girl Scouts combines time-tested, research-backed methods with exciting, modern programming that speaks to today's girls and is designed to cater to the strengths of girls' leadership development; and

WHEREAS, Girl Scouts offers girls 21st century programming in science, technology, engineering, and math (STEM); the outdoors; entrepreneurship; and beyond, helping girls develop invaluable life skills and take the lead early and often; and

WHEREAS, As the world's premier leadership development organization for girls, Girl Scouts welcomes girls of all backgrounds and interests who want to develop the courage, confidence, and character to make the world a better place; and

(Item #5 Cont.)

WHEREAS, Research shows that girls learn best in an all-girl, girl-led environment in which their specific needs are addressed and met; and

WHEREAS, The Girl Scout Gold Award, the highest and most prestigious award in Girl Scouting, calls on Girl Scouts in grades 9 to 12 to take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and

WHEREAS, With more than 100 years of experience, Girl Scouts brings a wealth of knowledge to programs that deliver girls cornerstone experiences with benefits that last a lifetime; and

WHEREAS, Today, more than 50 million women are Girl Scout alums, and 2.6 million girls and adults are current members. The Montgomery Rocky Hill Service Unit 75 currently has 376 girls and 252 adult volunteers.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery does hereby applaud the Girl Scout Movement and Girl Scout Heart of New Jersey for providing girls with a safe, inclusive, all-girl space where they can hone their skills and develop leadership abilities, and declare the week of March 10th to 16th to be "Girl Scout Week".

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

6. **RESOLUTION - Multiple Sclerosis Awareness Week - March 10 through March 16**

WHEREAS, Multiple Sclerosis ("MS") can impact individuals of all ages, races, and ethnicities but is at least 2 to 3 times more common in women than in men; and

WHEREAS, There are approximately 2,300,000 individuals worldwide who have been diagnosed with MS; and

WHEREAS, MS is typically diagnosed in individuals between the ages of 20 and 50, but it is estimated that between 8,000 and 10,000 children and adolescents are living with MS in the United States; and

WHEREAS, MS is an unpredictable, often disabling disease of the central nervous system that disrupts the flow of information within the brain, and between the brain and body; and

WHEREAS, Symptoms of MS range from numbness and tingling, to vision problems and paralysis, and the progress, severity, and specific symptoms of MS in any one person cannot yet be predicted; and

WHEREAS, While there is no evidence that MS is directly inherited, studies show that there are genetic and, environmental factors that give certain individuals a higher risk of developing MS; and

WHEREAS, The exact cause of MS is still unknown and there is no cure; and

WHEREAS, The Multiple Sclerosis Coalition, a national network of independent MS organizations dedicated to the enhancement of the quality of life for all those affected by MS, recognizes and supports Multiple Sclerosis Awareness Week; and

WHEREAS, The mission of the Multiple Sclerosis Coalition is to increase opportunities for cooperation and provide greater opportunity to leverage the effective use of resources for the benefit of the MS community; and

WHEREAS, The United States plays a critical role in coordinating MS research globally and amplifies the impact of research in the United States through which results are delivered to MS patients; and

WHEREAS, In 2012, the National Multiple Sclerosis Society was a founding member of the International Progressive MS Alliance, which coordinates research to accelerate the development of treatments for progressive MS by removing international scientific and technological barriers and, as of 2017, includes 16 MS organizations societies from 15 countries, 8 Foundation and Trust members and 5 pharmaceutical partners; and

WHEREAS, The Multiple Sclerosis Coalition recognizes and supports Multiple Sclerosis Awareness Week during March of every calendar year; and

WHEREAS, The goals of Multiple Sclerosis Awareness Week are to invite people to join the movement to end MS, encourage everyone to do something to demonstrate a commitment to moving toward a world free of MS, and acknowledge those who have dedicated time and talent to help promote MS research and programs; and

WHEREAS, In 2019, Multiple Sclerosis Awareness Week is recognized during the week of March 10 through March 16.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that we do hereby proclaim March 10 through 16, 2019 as Multiple Sclerosis Awareness Week.

6-1. Deputy Mayor Gural moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Schuldiner and carried unanimously.

7. Committeeman Trzaska arrived on the dais.

8. **HARLINGEN HISTORIC DISTRICT DISCUSSION**

Candy Willis, Landmarks Commission Chair, spoke about the process of getting the Harlingen Historic District listed on both the State and National Registers. She discussed the advantages and disadvantages of being officially listed. She stated that New Jersey Administrative Code 7:4 says "once a property is listed on the New Jersey Register, any public undertaking that would 'encroach upon, damage, or destroy' the Registered property must be reviewed pursuant to this law and receive prior authorization from the Commissioner of the Department of Environmental Protection. Strictly private undertakings are not reviewable". The Historic Preservation office said "listing of the New Jersey and National Registers does not place restrictions on private property owner rights within the limits of the local municipal zoning provided no federal or state licensed permit or funding is involved". It can be said that the State and National listings do not restrict the private property owner's rights. She showed several pictures of the Harlingen Historic District from early days and today. She explained that the similarity in the buildings from approximately 100 years ago and now is pretty astonishing. She spoke about the benefits of being listed on the State and National Registers. There are some financial benefits to being listed, such as: 20% income tax credit on the cost of rehabilitating historic buildings for industrial, commercial or rental residential properties; and fund matching grants for rehabilitation and restoration. An example in the district is the Harlingen Reformed Church. It has a certificate of eligibility from the State Historic Preservation Office and it is eligible to apply for funds from the New Jersey Historic Trust and several County preservation programs. Another benefit is the protection from public encroachment.

Mayor Jaffer asked if a meeting had been held with all of the property owners within this proposed historic district. Ms. Willis responded that there had been such a meeting. She stated that some of the property owners did not receive letters she sent out, but she has been in touch with those people through emails.

Committeeman Schuldiner asked if all of the property owners are approved of the district being listed. She said that she has not heard from all of them. She stated that she had heard that the Harlingen Church was objecting. She is planning to meet with them. Committeeman Trzaska stated that hearing from the property owners that they are in favor would be a nod in the right direction, and finding out why the church objected would be interesting also. Ms. Willis explained that there is no vote by the property owners for being listed on the State and National Registers. If a property owner had objections, they would have to send a notarized letter to the State Historic Preservation Office. The only way it would be turned down is if more than 50% of the people objected.

Donald Matthews, Landmarks Commission, spoke about what occurred in 1992, when the subject of applying for historic status first came up. He stated that the Landmarks Commission tried to get the Harlingen Historic District registered on the local register and it didn't work. It was overwhelmingly voted down. He gave a brief history of what led up to this idea of registering. He also gave a brief history of the Township's current ordinance concerning historic areas.

Deputy Mayor Gural asked if any of the properties in the district had changed owners since the last meeting about the registering of the district. Candy Willis explained that Gasior's was going to be changing owners, and she stopped in to introduce herself to the retiring owner. She stated that Mr. Gasior is retiring and selling the business to his sons. They told her that the outside of the building will remain the same.

Clem Fiori, Blawenburg, stated that he was strongly in favor of this project. He pointed out that the registering of the Blawenburg Historic District has had an incredibly beneficial effect. In particular, it was beneficial in getting the kind of careful attention having to do with impacts to the roads and road improvements.

Mayor Jaffer stated that if this is a benefit to the community, and with all the work that the Landmarks Commission has put into looking into the options, she would be comfortable with moving forward with this plan.

9. **COMMUNITY DEVELOPMENT BLOCK GRANT - Crawford House**

Administrator Nieman stated that the Community Development Block Grant program is underway for Crawford House. He explained that Montgomery Township has limited eligibility and could only apply for housing rehabilitation for Seniors and that is done through a County program. Private non-profits and others can apply for a Community Development Block Grant. Crawford House has asked the Township to pass a resolution in support of their application. They are asking for a grant of approximately \$29,000.00 to aid and assist in the operation of Crawford House, which is a rehabilitation facility for women. He recommended that the Township Committee pass a resolution in support of their application.

9-1. **Motion #19-3-1** - Deputy Mayor Gural moved to support the Community Development Block Grant application of Crawford House. The motion was seconded by Committeeman Schuldiner and carried unanimously.

10. **PUBLIC COMMENT**

- 10-1. Ken Kneiser, Stonebridge, stated that in the early 1960's he was determined to be old enough that he did not need doctor's approval to give blood. A few years ago it was determined that he was too old to give blood without a doctor's permission. In light of the Township Committee's earlier resolution in support of the Red Cross, he encouraged everyone to donate the little time it takes to give blood.
- 10-2. Dan Greenhouse, Sycamore Lane, stated that he previously expressed his concerns about the farming of an Open Space property on Montgomery Road at the February 21 Township Committee meeting. He thinks that the Township's Open Space properties should remain a clean, pristine buffer for environmental pollution and the Township should not allow it to be sprayed with pesticides.

He spoke about the Multiple Sclerosis Awareness Week resolution. He believes it will raise awareness about an illness that is quite serious. He repeated the one clause in the resolution which read: "WHEREAS, While there is no evidence that MS is directly inherited, studies show that there are genetic and, environmental factors that give certain individuals a higher risk of developing MS". He expressed his concern that pesticide exposure in communities lead to degenerative diseases, neurological diseases and lower IQs in children. He impressed upon the Township Committee to not allow the spraying of pesticides on Open Space properties that are farmed in the Township. He stated that it was not only the fiduciary responsibility but the moral obligation of the Township Committee to do everything they can to decrease these environmental factors which may harm children and people. He stated that inviting a commercial farmer to use the Township owned Green Acres to spray pesticides that spread throughout the community is against the community's best interest.

- 10-3. Brett Borowski, York Drive, thanked Mr. Kneiser for his comments about the Red Cross and donating of blood. He stated that he was unable to donate for health reasons, but encouraged everyone to donate if they are able.

Mr. Borowski commented on the bridge on Route 518 in Hopewell and how the timing of this project and the Cherry Valley Road closure was bad for people who have to commute from the north and east. He inquired as to what kind of coordination is typical with these kinds of projects. Administrator Nieman explained that the Mercer County Engineer said they screwed up on the timing. They awarded the contract at the end of January and the contractor is starting March 11. Administrator Nieman stated that after Mercer County was told that Montgomery did not accept their truck detour, they changed it but they could not change the automobile detour. Montgomery asked if they could delay the project but they could not. They did however take total responsibility for the failure to communicate with Montgomery Township.

Mr. Borowski asked the status of Cherry Valley Road. He stated he believed that the target completion date is approximately August, 2019. Administrator Nieman responded that the Mercer County has an August 5 or 9 date for the completion of their project. They have environmental constraints that they have to be in the ground before May based upon the stream corridor issues. Montgomery Township's date for the completion is sometime at the end of August.

Mr. Borowski spoke about the Energy Aggregation program. He was glad that this program is going forward.

11. **RESOLUTION #19-3-76 - APPOINTMENT OF HEARING OFFICER - Thomas Cafferty**

BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey that Thomas Cafferty is hereby designated as hearing officer for 2019.

- 11-1. 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

12. **RESOLUTION #19-3-77 - RESOLUTION AWARDING A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO MONTGOMERY COMMUNITY ENERGY AGGREGATION (MCEA) PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE MCEA**

WHEREAS, The Government Energy Aggregation Act of 2003 (P.L. 2003, c.24; N.J.S.A. 48:3-93.1 et seq.) ("Act") and rules promulgated by the New Jersey Board of Public Utilities (N.J.A.C. 14:4-6.1 et seq.) ("Rules") govern the establishment and implementation of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers join together for the purchase of electric utility services by a government aggregator; and

WHEREAS, By Ordinance No. 13-1434 adopted on April 4, 2013, and in accordance with the Act and the Rules, the Township of Montgomery ("Township") authorized the formation of a Government Energy Aggregation Program in the Township of Montgomery, Somerset County, New Jersey, hereinafter referred to as the Montgomery Community Energy Aggregation ("MCEA"); and

WHEREAS, By Ordinance Nos. 15-1500 and 17-1547 the Township authorized the renewal and continuation of the MCEA; and

WHEREAS, The Township is the Lead Agency of the MCEA; and

(Item #12 Cont.)

WHEREAS, The residents of the Township of Montgomery are included in the MCEA on an "opt-out" basis, as set forth in the Rules; and

WHEREAS, On February 8, 2019, the Township, in its capacity as Lead Agency of the MCEA, publicly noticed and issued a Request for Proposals ("RFP") for the Provision of Electric Generation Service and Government Energy Aggregation Services for the MCEA by New Jersey Board of Public Utilities ("NJBP")-licensed and qualified electric power suppliers in New Jersey; and

WHEREAS, The RFP provided for a two-stage process that included: Stage 1 for the submission of supplier questions and comments and the submission of qualification documents by interested, NJBP-licensed electric power suppliers; and Stage 2 for the submission of price proposals; and

WHEREAS, The RFP provides for the submission of separate pricing for electric generation service for a single group, Participating Residential Accounts in the Public Service Electric and Gas Co. ("PSE&G") service territory, for several potential contract durations (terms), and for two different contract language options: Option A) using the form of Master Performance Agreement attached to the RFP; and Option B) using the form of MPA attached to the RFP except that a new article 2.1.6 as set forth in the RFP is added to the MPA; and

WHEREAS, The RFP provides for the award of a contract, including start date, contract duration and contract language option, at the discretion of the Township of Montgomery and in accordance with the evaluation criteria set forth in the RFP; and

WHEREAS, During Stage 1 non-binding Notices of Intent and other qualification documents were received from three (3) NJBP-licensed electric power suppliers; and

WHEREAS, A number of supplier questions and comments were received and, as a result, on February 22, 2019 a document entitled "Responses to Supplier Questions and Addendum No.1," which supplemented and amended the RFP, was issued and distributed to all suppliers that had submitted a Notice of Intent to Propose and/or requested a copy of the RFP; and

WHEREAS, Stage 2 price proposals and accompanying Transmittal Letters were submitted by two (2) of the qualified NJBP-licensed electric power suppliers by the March 7, 2019 deadline set forth in the RFP; and

WHEREAS, The Township, in consultation with its energy agent, has conducted an in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP and Addendum No. 1; and

WHEREAS, Pursuant to the RFP, the Township reserved the right to make an award to a supplier, or to make no award at all; and

WHEREAS, Pursuant to the Rules, the Township shall base its award of a contract to a NJBP-licensed electric power supplier for the Provision of Electric Generation Service and Government Energy Aggregation Services for the MCEA upon the most advantageous proposal, price and other factors considered; and

WHEREAS, As a result of the evaluation of qualifications and proposals and analysis of price proposals submitted on March 7, 2019, and in accordance with the provisions of the RFP, the Township has determined that the proposal submitted by Constellation New Energy, Inc. for a 15-month term for contract language Option A: 1) is most advantageous and provides the most overall benefit, price and other factors considered, for MCEA participants; 2) will provide for contract power supply prices that are lower than the applicable PSE&G Basic Generation Service tariff prices for power supply, and make it feasible to award a contract, for the Residential Account pricing group; and 3) will provide the opportunity for residents currently receiving budget billing from PSE&G to continue to receive that service from the third party supplier.

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

1. The Township hereby finds that the proposal from Constellation New Energy, Inc. for the provision of electric generation service to the Participating Residential Accounts in the PSE&G Pricing Group of the MCEA and the provision of government energy aggregation services in connection therewith is most advantageous to the Township, price and other factors considered.
2. The Township hereby awards a contract for the provision of electric generation service to the Participating Residential Accounts in the PSE&G Pricing Group and the provision of government energy aggregation services in connection therewith to Constellation New Energy, Inc. in accordance with the terms and conditions of the RFP (including the applicable form of Master Performance Agreement included therein), as amended pursuant to Addendum No. 1 to the RFP.
3. The government energy aggregation services to be provided by Constellation New Energy, Inc. including implementation of the opt-out process for residential customers as set forth in the RFP and applicable NJBP rules, shall commence immediately upon execution of the Master Performance Agreement, and electric generation service to be provided by Constellation New Energy, Inc. to the MCEA-participating customers in the PSE&G service territory shall commence with the June 2019 meter read date for each electric account served, and shall continue for a 15-month term.

(Item #12 Cont.)

- 4. The following start date, contract term, contract price and contract language option are awarded for electric generation service to participating MCEA residents in the PSE&G service territory to be provided by Constellation New Energy, Inc.:

<u>Pricing Group</u>	<u>Contract Start</u>	<u>Term</u>	<u>Contract Price</u>
PSE&G Residential Accounts	June 2019	15 Months	\$0.11530/kwh

Contract Language Option
Option A

- 5. The Mayor and Clerk are hereby authorized and directed to execute on the Township's behalf the Master Performance Agreement with Constellation New Energy, Inc.
- 6. The Mayor and/or Administrator is hereby authorized and directed to issue on the Township's behalf an Award Letter, consistent herewith and in the timeframe set forth in the RFP, to Constellation New Energy, Inc.

12-1. Bob Chilton, Gabel Associates, explained the program, the bid process and the pricing that was received. This contract is for a 15 month period, beginning in June. He stated that PSE&G would be having a price drop in the near future, but this would still not be lower than the price by Constellation New Energy. He estimated the residents' savings over the life of this contract would be approximately 7%.

Brett Borowski, York Drive, asked what would happen if PSE&G's rate drops below the contract rate. Mr. Chilton responded that the contract states that if that were to happen, the supplier is required to send written notification of that circumstance to every single participant and remind them how to opt-out if they would like to.

Shahab Khan asked about other services that could be contracted like this. Administrator Nieman explained that in most instances services such as garbage would have to be contracted out through the Township and the cost would be included in the tax bill. He stated that a program such as this would increase the taxes the municipality would charge to pay for the service, so the individual homeowner would have no choice. He stated he was not sure this would be cost effective for the residents. Mr. Khan suggested that the Township gather data to review.

12-2. Committeeman Schuldiner 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. **RESOLUTION #19-3-78 - 2019 MUNICIPAL BUDGET INTRODUCTION**

BE IT RESOLVED That the statements of revenue and appropriations shall constitute the local budget for the year 2019.

BE IT FURTHER RESOLVED That a summary of said budget shall be published in an official newspaper as required by law together with a notice fixing April 18, 2019 at approximately 7:00 p.m. as the date and time when said budget will be considered for final adoption.

NOW, THEREFORE, BE IT RESOLVED That the governing body of the Township of Montgomery does hereby approve the budget for the year 2019.

13-1. Chief Financial Officer Pitts went over the budget worksheets and stated that the budget presentation would take place on April 18, 2019.

13-2. 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

14. **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 #19-3-79 - RESOLUTION CANCELLING TAXES FOR BLOCK 3007, LOT 10**

BE IT RESOLVED That the 2019 taxes on the following properties be cancelled as a result of being deeded to the Township of Montgomery on March 14, 2019:

<u>BLOCK</u>	<u>LOT</u>	<u>QUARTER</u>	<u>AMOUNT</u>
3007	10	2019/1	\$363.62
3007	10	2019/2	\$363.62

(CONSENT AGENDA Cont.)

B. RESOLUTION #19-3-80 - REFUND OVERPAID 2018 AND 2019 TAXES

BE IT RESOLVED That refunds be given to the following for the overpayment of 2018 and 2019 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
4020	3	Vinod & Jyothermal Kumar	\$ 960.93	2018
4024	11	Chirag A. & Rashmi Patel	\$ 862.75	2018
5008	33	Anjan Aralithalli & Judith Johnson	\$ 99.34	2018
6001	5.13	Maheswara Reddy Paturu & Sailaja Paturu	\$ 6,150.00	2018
7014	18	Renping Zhou & Chunhua Sun	\$ 4,169.22	2018
7023	11	Alpesh & Jignya R. Patel	\$12,906.78	2018
7035	8	Frederick F. & Carol Butler	\$ 1,472.29	2018
16001	11.20	Wei & Aijun Chu	\$ 3,899.01	2019
18017	7	Douglas & Claire Solonick	\$ 725.90	2018
18017	7	Douglas & Claire Solonick	\$ 83.06	2019
18019	33	Mega Title, LLC	\$ 5,594.97	2019
21015	7	Francis Moy & Judith Boland	\$ 1,063.31	2018
21015	7	Francis Moy & Judith Boland	\$ 1,214.72	2019
22029	2	Maya Prabhu	\$ 2,255.56	2018
28001	5.12	Wells Fargo Bank	\$ 2,903.24	2018
31007	37	Jing Li & Junchen Gu	\$ 3,945.36	2018
31009	64	Christine Hart	\$ 27.19	2018
31009	64	Christine Hart	\$ 7,351.09	2019
31009	90	Mary Jocelyn Burchfield	\$ 1,063.31	2018
31009	90	Mary Jocelyn Burchfield	\$ 45.28	2019
37003	6.787CONDO	Lilian Idrovo	\$ 172.67	2018
37003	6.787CONDO	Lilian Idrovo	\$ 1,656.31	2019

C. RESOLUTION #19-3-81 - AUTHORIZING AN AGREEMENT FOR RESERVATION OF REMAINING CAPACITY IN STAGE II SEWAGE TREATMENT PLANT - Village Shoppes at Montgomery, LLC (Block 28005, Lots 60, 65, part of 66, 68 and 69)

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute an agreement with Village Shoppes at Montgomery, LLC for reservation of remaining sewer capacity in the Stage II Sewage Treatment Plant for Block 28005, Lots 60, 65, part of 66, 68 and 69 subject to review and approval by the Township Engineer and Township Attorney as to form and content.

D. RESOLUTION #19-3-82 - RESOLUTION EXTENDING CONCESSION AGREEMENT WITH MONTGOMERY BASEBALL LEAGUE FOR 2019 SOFTBALL SEASON

WHEREAS, By Resolution # 18-4-83 adopted on April 9, 2018, the Township of Montgomery and Montgomery Baseball League ("MBL") executed a Concession Agreement for purposes of the MBL's operation of the existing concession stand at Montgomery Veterans Park during the Montgomery Baseball League's 2018 softball season, as well as utilizing the two storage areas for keeping of softball equipment for a one-year term (terminating April 9, 2019), collectively referred to herein as the "Property"; and

WHEREAS, The Concession Agreement provides that it may be extended for up to one more year, and accordingly the parties seek to extend the Agreement to allow the MBL the right to use and occupy the Property for the foregoing purposes, subject to the terms and conditions set forth in the existing Concession Agreement between the parties; and

WHEREAS, Montgomery Veterans Park is designated as funded parkland under the rules of the New Jersey Green Acres Program, N.J.A.C. 7:36-1.1 et seq. and in accordance therewith, the Township has forwarded the contract extension to Green Acres Program, for review and approval; and

WHEREAS, MBL's use and occupancy of the Property is intended to and will continue to support and promote the use of the funded parkland for recreation purposes; and

WHEREAS, The Committee hereby finds that the services are being performed in an effective and efficient manner.

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

1. The Concession Agreement between the Township and MBL referenced in the "Whereas" clauses above is hereby extended to authorize the MBL to operate the existing concession stand, at which food, drinks and snacks may be sold to the public during its sponsored softball events until June 22, 2019 and to use two storage areas located in the structure at which the concession stand is located for purposes of keeping MBL's softball equipment for one-year, and until April 9, 2020, pending and subject to the receipt of the Green Acres Program approval of same pursuant to N.J.A.C. 7:36-25.13.
2. This Resolution, once counter-signed by the MBL, shall serve as the First Amendment to the 2018 Concession Agreement.
3. A copy of this Resolution shall be placed on file in the Office of the Township Clerk.

14-1. 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

15. MAYORAL APPOINTMENTS - Communication Ad Hoc Committee

BE IT RESOLVED That Therese Glennon, Mike Livio and Jessica Kis are hereby appointed Communication Ad Hoc Committee Regular Members.

16. RESOLUTION #19-3-83 - RESOLUTION AUTHORIZING EXTENSION OF LEASE OF ONE (1) PARCEL OF TOWNSHIP-OWNED FARMLAND

WHEREAS, The Township owns one (1) parcel of real property situated in the Township of Montgomery which has been farmed by a private farmer under a separate Farming Lease Agreement between the Township and the farmer since 2014 and executed pursuant to the provisions of the Local Lands and Buildings Law; and

WHEREAS, The current Farming Lease Agreement was due to expire on December 31, 2018 unless extended for additional terms of five (5) years, as set forth under the terms of the Lease Agreement; and

WHEREAS, The Lease Agreement and applicable Green Acres Program Rules permit said lease to be extended for additional terms of five (5) years, and until December 31, 2023; and

WHEREAS, The current farmer of the one (1) parcels has expressed the intent to continue to farm said parcel subject to the terms of the existing Lease Agreement for additional terms of five (5) years each, which include the following parcel:

1. Block 29001/Lots 5 & 5.01 (Montgomery Road across from Stonebridge), known as "Stonebridge Out Parcel" - 8 tillable acres; and

WHEREAS, The Township has received approval from the Green Acres Program to renew said lease, subject to the existing terms and conditions set forth in said existing Lease Agreement, pursuant to and as required by N.J.A.C. 7:36-25.13(a); and

WHEREAS, The Township Committee finds that it is in the best interest of the Township for this parcel to continue to remain open, accessible and farmed.

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

1. The foregoing "Whereas" clauses are incorporated herein as if fully restated.
2. The Mayor, Administrator, Clerk and other appropriate Township staff and officials are hereby authorized to undertake any and all acts and execute any and all documents as may be necessary and proper to effectuate the terms hereof and extend the Lease Agreement with the current farmer on the above-listed property for a five (5) year renewal term.

16-1. Mayor Jaffer stated that this is the parcel that Mr. Greenhouse had concerns about. She stated that the Township Committee has heard his concerns and they had considered them, but they do note that on this particular farm the application is one time per year and it does meet State and industry standards. They will continue to monitor it, but they do rely on the advice of the Open Space Committee in their decision making.

16-1. Deputy Gural 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

17. RESOLUTION #19-3-84 - AUTHORIZING PURCHASE OF THREE (3) 2020 FORD POLICE INTERCEPTOR UTILITY VEHICLES AND EQUIPMENT FOR MONTGOMERY POLICE DEPARTMENT THROUGH NEW JERSEY STATE CONTRACT

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

WHEREAS, The Township of Montgomery has determined the following State Contract identifier NJSC #88728 has provided the Township with the most competitive price for these items/services; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 01-201-252-402-46.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of three (3) 2020 Ford police interceptor utility vehicles and equipment at a not to exceed amount of \$106,463.00 total be authorized through the utilization of the New Jersey State Contract to:

Winner Ford
250 Berlin Road
Cherry Hill, NJ 08034

17-1. 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

18. **RESOLUTION #19-3-85 - AUTHORIZING UPFIT OF THREE (3) 2020 FORD POLICE INTERCEPTOR UTILITY VEHICLES FOR MONTGOMERY POLICE DEPARTMENT THROUGH NEW JERSEY STATE CONTRACT**

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

WHEREAS, The Township of Montgomery has determined the following State Contract identifier NJSC #88728 has provided the Township with the most competitive price for these items/services; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 01-201-252-402-46.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following upfit of three (3) 2020 Ford police interceptor utility vehicles at a not to exceed amount of \$54,223.86 total be authorized through the utilization of the New Jersey State Contract to:

Emergency Accessories & Installation
770 Cuthbert Boulevard
Cherry Hill, NJ 08002

18-1. 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

19. **RESOLUTION #19-3-86 - AUTHORIZING PROFESSIONAL SERVICES AGREEMENT - Aerial Imaging and Mapping Services - Robinson Aerial Surveys, Inc.**

WHEREAS, The Township of Montgomery seeks to retain professional aerial imaging and mapping services; 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 of Robinson Aerial Surveys, Inc. has submitted a proposal offering to provide the sought-after service to the Township; and

WHEREAS, It has been determined that the value of these services over the course of the contract is anticipated to exceed \$17,500.00; and

WHEREAS, Robinson Aerial Surveys, Inc. 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 Kenyon Planning, LLC 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 #04-215-559-01-1576I.

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 Robinson Aerial Surveys, Inc. for the Aerial Imaging and Mapping Services.
2. Robinson Aerial Surveys, Inc. shall be paid a not to exceed fee of \$24,500.00 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.

19-1. Committeeman Trzaska 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

20. **RESOLUTION #19-3-87 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, The 2019 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2019 Budget being adopted in order to maintain operations until such time as the Township Budget is in place; and

WHEREAS, N.J.S.A. 40A:4-20 provides for approval of emergency temporary appropriations prior to the Municipal Budget being adopted, by a confirming vote of two-thirds of the full governing body.

NOW, THEREFORE, BE IT RESOLVED, By confirmation of two-thirds of the full governing body, that the Chief Finance Officer is authorized to increase the temporary emergency appropriations as follows:

Current Fund

Mayor & Council		
Salary & Wages	\$	5,000.00
Other Expense	\$	2,000.00
Zoning Board		
Other Expense	\$	3,000.00
Police Department		
Other Expense	\$	200,000.00
Fire Prevention		
Salary & Wages	\$	20,000.00

Sewer Fund

Sewer Plant - A		
Other Expense	\$	50,000.00
Sewer Plant - C		
Other Expense	\$	50,000.00
Sewer Plant - E		
Other Expense	\$	100,000.00
Sewer Plant - F		
Other Expense	\$	50,000.00

20-1. Deputy Mayor Gural 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

21. **ORDINANCE #19-1603 - Acquisition of Block 14001, Lot 7 (Forfa Property on Fairview Road)**
Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LOT 7, BLOCK 14001 "FORFA PROPERTY," (FAIRVIEW ROAD) IN THE TOWNSHIP OF MONTGOMERY.

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 March 21, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

21-1. 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

22. **ORDINANCE #19-1604 - LDO-Establishing Standards for Unconnected Drive-In Bank Buildings/Structures in the NC, CC-1, CC-2 and HC Zoning Districts - Introduction**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, ENTITLED "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984), COUNTY OF SOMERSET, STATE OF NEW JERSEY, ESTABLISHING STANDARDS FOR UNCONNECTED DRIVE-IN BANK BUILDING/STRUCTURES IN THE NC, CC-1, CC-2 AND HC ZONING DISTRICTS.

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 March 21, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

22-1. Deputy Mayor Gural 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

23. **ORDINANCE #19-1605 - LDO-Amending Minimum Area and Yard Requirements for Uses Within the MR, R-5, R-2, R-1 and R Districts and for Residential Lots in a Single-Family Conservation Design Subdivision - Introduction**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, ENTITLED "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984), COUNTY OF SOMERSET, STATE OF NEW JERSEY, AMENDING THE MINIMUM AREA AND YARD REQUIREMENTS FOR USES WITHIN THE "MR", "R-5", "R-2", "R-1" AND "R" DISTRICTS, AND FOR RESIDENTIAL LOTS IN A SINGLE-FAMILY CONSERVATION DESIGN SUBDIVISION.

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 March 21, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

23-1. Committeeman Schuldiner 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

24. **ORDINANCE #19-1606 - To Establish the 2019 Sewer Capacity Charges and Service Rates - Introduction**

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

AN ORDINANCE AMENDING CHAPTER XII SEWER AND WATER OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ESTABLISH THE 2019 SEWER CAPACITY CHARGES AND SERVICE RATES.

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 March 21, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

24-1. Brett Borowski, York Drive, asked if there was any way for the Township to change the billing dates, given that there is a difficult time getting the water usage information. Chief Financial Officer Pitts responded that based on talking with the Township's Tax Service provider, it doesn't look like it will be a problem to permanently push the dates to May or June. This would be starting in 2020.

24-2. Committeeman Schuldiner 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

25. **APPROVAL OF MINUTES**

The Regular Session minutes of February 21, 2019 were approved as printed.

26. **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.

26-1. Committeeman Trzaska 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

27. **YMCA**

Committeeman Schuldiner stated that he met with representatives from the Somerset County YMCA. They are interested in building a facility in Montgomery. Since they are a private nonprofit organization, they will have to start funding raising before they can build.

28. **BOARD OF EDUCATION**

Deputy Mayor Gural stated that the Board of Education voted for a new President, Minkyo Chenette. She noted that the past President, Rick Cavalli, stepped down leaving that position vacant. There was also discussion about the negotiations with the MTEA which are ongoing.

29. **GIRL SCOUTS**

Deputy Mayor Gural stated the Girl Scouts put on a World Thinking Day event on March 3. She noted that her daughter is a second year Daisy. The Girls Scouts had tables representing different countries at the event. Some of the girls who are working on their Gold and Silver Awards had tables displaying their projects. The younger girls walked around looking at the displays and collected little pins from each of the tables they viewed. Also at this event, the Girl Scouts were taking donations for the Montgomery Food Pantry.

30. **READ ACROSS AMERICA**

Deputy Mayor Gural reported that several of the Township Committeemembers read at the schools for Read Across America. She stated that it was an awesome event and a complete success.

31. **CHILI COOK-OFF**

Deputy Mayor Gural stated that there had been a Chili Cook-Off for charity on February 23 at the Cherry Valley Country Club.

32. **MARY JACOBS LIBRARY**

Mayor Jaffer stated that she and Committeeman Schuldiner met with some of the membership of the Mary Jacobs Library Foundation to discuss ways in which the Township can support them and work together to serve the community, as they have done for so many years.

33. **FLOODING**

Mayor Jaffer stated that there had been calls from concerned residents about flooding in the area. The Township is hoping to put out some information to publicize what the Township is already doing to address flooding.

34. **ONE MONTGOMERY/MONTGOMERY MOSAIC/VAN HARLINGEN HISTORICAL SOCIETY**

Mayor Jaffer stated that there had been a One Montgomery/Montgomery MOSAIC/Van Harlingen Historical Society event on "The Proud Heritage of African American History in the Sourland Region". She stated that it was a packed audience and a wonderful event.

35. **COMMITTEE AND SUB-COMMITTEE REPORTS**

35-1. **SITE PLAN/SUBDIVISION SUBCOMMITTEE**

Committeeman Schuldiner stated that the Site Plan/Subdivision Subcommittee was presented with update plans from County Club Estates for their Active Adult development. They will be appearing before the Subcommittee again once they make some revisions to that plan.

35-2. **LANDMARKS COMMISSION**

Deputy Mayor Gural stated that she and some of the members of the Landmarks Commission are going to a Landmarks conference called "Preservation in Practice" at the Morristown National Historic Park on Saturday, March 9.

35-3. **ECONOMIC DEVELOPMENT COMMISSION**

Mayor Jaffer stated that the Economic Development Commission met to discuss how they can support small businesses and the economic life of the community.

35-4. **ONE MONTGOMERY**

Administrator Nieman stated that One Montgomery reviewed their 'charge'. They did consider some of the ideas put forward and will have some recommendations when the full membership has an opportunity to meet.

35-5. **ENVIRONMENTAL COMMISSION**

Administrator Nieman stated the Environmental Commission met with a representative from the Board of Trustees from ANJEC, which is the State Association. They were very impressed with what Sustainable Montgomery is doing as well as the support provided by the Township Committee and Administrative Staff to Sustainable Montgomery. The Environmental Commission saw a draft of the Natural Resource Inventory and they are committed to updating the one that was done approximately 15 years ago. They also discussed their plans for Earth Day which will be held jointly with Run with Rotary.

36. 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:
 - Potential acquisition of property for open space, farmland, municipal purposes: Block 12001, Lot 20 (Fenton/Safro).
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.

36-1. Committeeman Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Quraishi and carried unanimously.

37. Meeting reconvened in Open Session and ADJOURNMENT was at 8:47 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