

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
September 5, 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 was absent

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. **PUBLIC COMMENT**

- 4-1. Bill Randolph, Boulder Brook Court, spoke about the purchase of the Convatec property and asked if the Governing Body felt it was representing the residents of the Township by not putting this expenditure out to public referendum. Mayor Jaffer explained that in terms of the cost of the project, the Township Committee had a Town Hall meeting in February of 2019 and the costs were approximately \$35 million. It has not gone up. She stated that Committeeman Trzaska, who was a Committeemember at the time of the first discussions, mentioned that \$25 million was a placeholder figure that the Governing Body at that time had come up with. Once the actual details were arrived at, the figure was approximately \$35 million which is being financed through the Somerset County Improvement Authority. Mr. Randolph stated that the residents he has spoken to have no idea of the price of this project. Mayor Jaffer explained that there was a pretty full audience at the February Town Hall meeting when the detailed presentation was made about the breakdown of the project and the impact of that on the average taxpayer. Mr. Randolph stated that he questioned the decision not to rehab the current Municipal Building because he felt that would be more fiscally responsible. Administrator Nieman explained that rehabbing the current, obsolete Municipal Building would make larger, but not make it serviceable long term. The site is topographically problematic and that it didn't make sense to waste \$15 million on a building that would not be sufficient in an expanded state. Mr. Randolph requested that the Governing Body make a motion and take a vote as to whether or not this be put out to public referendum.

- 4-2. Patti Fox, Heather Lane, agreed with Mr. Randolph's comments. She stated that she found out it was the Township's intention that the current Municipal Building would be turned into the Public Works facility and felt that this is too big of a building just for Public Works. Administrator Nieman responded that the current Municipal Building would not be Public Works. This building would be demolished. He explained that Public Works cannot be at the current Municipal Building location because the stream corridor comes within one foot of the building. The Township has buildable land in the rear where the salt dome is and the Public Works building along with equipment storage would be constructed there.

Ms. Fox asked why the enrollment for Kid Connection was closed. Administrator Nieman explained that enrollment was closed on July 22 after the Township made the statement that the Kid Connection program would continue through June of 2020 at the request of many of the employees of Kid Connection and the parents. To add additional students, parents would then be faced with the same concerns that were expressed by the existing parents. Deputy Mayor Gural stated that to have ongoing rolling admissions was not feasible for the plan going forward. Ms. Fox stated that that the classes are not full and there are people who would like to enroll their children for the one year that Kid Connection will be in existence. Administrator Nieman stated that he and the Governing Body would speak to the Director about vacancies in some classes.

5. **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 #19-9-201 - REFUND OVERPAID 2018 TAXES**

BE IT RESOLVED That a refund in the amount of \$4,153.87 be given to Ravinder K. & Surabhi L. Dharwan, 85 Knightsbridge, Watchung, NJ 07069 for the overpayment of 2018 taxes on Block 17006, Lot 11.

- B. **RESOLUTION #19-9-202 - REFUND OVERPAID 2019 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$123.98 be given to Renate U. Maley, 272 Long Hill Road, Neshanic Station, NJ 08853 for the overpayment of 2019 sewer charges on Block 7016, Lot 17.

(CONSENT AGENDA Cont.)

C. **RESOLUTION #19-9-203 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Drunk Driving Enforcement Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2019, in the amounts listed below, which item is now available as a revenue form the Division of Highway Traffic Safety;

2019 Drunk Driving Enforcement Grant	\$15,252.14
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

D. **RESOLUTION #19-9-204 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Youth Service Competitive Grant - Upper Middle School GSA

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2019, in the amounts listed below, which item is now available as a revenue form the Division of Highway Traffic Safety;

2019 Youth Service Competitive Grant	\$6,000.00
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

E. **RESOLUTION #19-9-205 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Annual Youth Service Grant - Girls on the Run, Lower Middle School Yoga

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2019, in the amounts listed below, which item is now available as a revenue form the Division of Highway Traffic Safety;

2019 Youth Service Annual Grant	\$5,000.00
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

(CONSENT AGENDA Cont.)

F. **RESOLUTION #19-9-206 - AUTHORIZING ROAD CLOSURE FOR BLOCK PARTY - Waters Lane**

BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of the Waters Lane to accommodate a neighborhood block party scheduled for September 14, 2019 (time to be determined). The Montgomery Township Police have no objection to the road closing provided that:

The roadway must be made accessible to emergency vehicles.

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

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

G. **RESOLUTION #19-9-207 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE - Belle Mead Plaza (a/k/a The Grove at Montgomery)**

WHEREAS, Gail Smith, Township Engineer, has certified on August 23, 2019 that all public improvements in a project known as Belle Mead Plaza (also known as The Grove at Montgomery) 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 the performance guarantee in the amount of \$1,854,029.94 (reduced to \$1,519,084.50) (Bond #FP0023451 in the amount of \$1,367,176.05 and \$151,908.45 cash) be released to Country Club Meadows, LLC and a maintenance guarantee be posted as follows:

Original Construction Cost Estimate	\$1,854,029.94
15% Maintenance Guarantee	\$ 278,104.49

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

- a. Road improvements located within the Covert Drive wide right-of-way, beginning at the Belle Mead-Griggstown Road southerly curb line, and continuing southwest to the southerly property line of Block 6001 Lot 1, a common boundary with Lot 12 (Municipal building property). Said improvements are as shown on **Reference A¹** and as shown and described in **Reference B²**, including associated curbing, sidewalk, and curb ramps.
- b. Electronic pedestrian warning signs within the Belle Mead-Griggstown Road right-of-way at the intersection of Covert Drive, as shown on **Reference A** and described in **Reference C³**.

Sanitary Sewers - Sanitary sewerage improvements as shown in **References A, D⁴, and described in **Reference E⁵**:**

- a. Beginning at manhole SSMH 335(EX) within the Covert Drive right-of-way to SSMH 334 on Block 6001 Lot 1.
- b. From SSMH 334 to SSMH 333 on Block 6001 Lot 1.
- c. From SSMH 333 to SSMH 333A within the Covert Drive right-of-way.
- d. From SSMH 333A to SSMH 333B within the Covert Drive right-of-way.

The following improvements **will not be accepted** by the Township:

Roads and Rights-of-Way Public Improvements -

- a. Improvements within the Belle Mead-Griggstown Road right-of-way.
- b. All improvements within the US Highway Route 206 right-of-way as shown on **References A and F⁶**.
- c. The electronic emergency vehicle warning signs on Covert Drive, as shown on **Reference A**.

Lot Improvements - All improvements on Block 6001, Lot 1 except the Sanitary Sewers noted above, shall be owned and maintained by the property owner.

Utilities (e.g. water, electric, telecommunications, etc.)

Storm Sewers - Storm sewer structures and collection system within Block 6001 Lot 1, and the storm sewer pipe crossing Belle Mead-Griggstown Road which connects Stormwater Pond #5A (Block 6001 Lot 1) to Stormwater Pond #5B (Block 5023 Lot 2).

(CONSENT AGENDA Item G Cont.)

Stormwater Management Facilities - Stormwater Pond #5A on Block 6001 Lot 1 shall be owned and maintained by the property owner. Let it be noted that the aspects of the Stormwater Management Facilities are still under separate Performance Guarantee #FP0023452.

Sanitary Sewers - Sanitary sewer structures, collection lines, and service laterals outside of the roads, rights-of-way, or easements referenced herein shall be owned and maintained by the property owner.

H. **RESOLUTION #19-9-208 - AUTHORIZING RELEASE OF CASH PORTION OF GUARANTEE -
Handler Estates, LLC**

WHEREAS, On July 1, 2019, the Township of Montgomery and Handler Estates, LLC. entered into a Settlement Agreement and Release that included a provision to release the cash portion of the performance guarantee (totaling approximately \$30,124.69) for the milling and paving of Handler Court; and

WHEREAS, The Township completed the milling and paving work in July, 2019.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash performance guarantee in the amount of \$30,124.69 be released and transferred for payment to the paving contractor.

I. **RESOLUTION #19-9-209 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE -
36 Meadowlark Lane**

WHEREAS, Gail Smith, Township Engineer, has certified on August 28, 2019 that all public improvements in a project known as 36 Meadow Lark Lane 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 the cash performance guarantee in the amount of \$10,000.00 be released to Gurdon Horner, P.O. Box 5010, PMB 163, Rancho Santa Fe, CA, 92067-5010.

J. **RESOLUTION #19-9-210 - AUTHORIZING EXTENSION OF TIME FOR COMPLETION OF VARIOUS
PROJECTS**

WHEREAS, Gail Smith, Township Engineer, has certified on August 30, 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>
Estates at Montgomery, Phase I	November 19, 2020
JER/Herring - Residential Parcel & Landscaping	October 1, 2020
Montgomery Ridge, Phase 2 Townhouse Site Work	December 23, 2020
Montgomery Ridge, Phase 3 Townhouses and 17 Additional Parking Spaces	December 23, 2020
Montgomery Promenade, Temporary Parking	November 14, 2020
Princeton Airport, Hangar #4, Phase 1	August 4, 2020
Rollins-Western Real Estate Holdings	November 7, 2020
S.A.V.E. - Animal Shelter	November 14, 2020
Staats Farm Road Development	September 14, 2020
Tapestry at Montgomery - Restoration 1 Temporary Trailer	December 31, 2020

K. **RESOLUTION #19-9-211 - APPROVAL OF CONSTRUCTION SEQUENCE AGREEMENT - Springpoint at
Montgomery, Inc. (Block 23001, Lot 16)**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a construction sequence agreement with Springpoint at Montgomery, Inc. with respect to Block 23001, Lot 16 subject to review and approval by the Township Engineer and Township Attorney.

L. **RESOLUTION #19-9-212 - RESOLUTION AUTHORIZING MUNICIPAL ALLIANCE GRANT FOR FISCAL
YEAR 2019-2020**

WHEREAS, The County of Somerset has prepared a contract which would provide \$19,700.16 to Montgomery Township for the provision of Montgomery Rocky Hill Municipal Alliance activities for prevention of alcoholism and drug abuse, and the Township would provide a 75% match of \$14,775.12 in in-kind services, and a 25% cash match of \$4,925.04 will be provided by the municipality, and a copy of the proposed agreement is on file in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that it hereby authorizes the Mayor and Clerk to sign the original of this agreement.

5-1. Deputy Mayor Gural moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Schuldiner and carried on the following:

ROLL CALL - Ayes - Schuldiner, Quraishi, Gural, Jaffer
Nays - None
Absent - Trzaska
Abstain - Schuldiner (Item J)

6. **RESOLUTION #19-9-213 - CHANGE ORDER #1 - Final Change Order (increase) and Time Extension, 2018 Road Improvements Project**

WHEREAS, Resolution #18-9-209, adopted on September 6, 2018, authorized the award of a contract for the 2018 Road Improvements Project to Stilo Excavation, Inc. in the amount of \$ 1,299,683.05; and

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

WHEREAS, Change Order #1 would allow for bid item quantity adjustments as outlined on said Change Order and for a no cost time extension to August 30, 2019; and

WHEREAS, The work comprising Change Order #1 will result in a net increase in the original contract amount by \$37,907.83 or 2.92%; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Numbers 04-215-55-901-1521B and 04-215-55-901-1576B; and

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

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

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

1. Change Order #1 is hereby approved as the final change order for this project.
2. This Resolution, when counter-signed by Stilo Excavation, Inc., shall serve as a contract amendment to the original contract for the purpose increasing the total contract price by \$37,907.83 for a total contract amount of \$1,337,590.88, and for the purpose of extending the contract completion date from December 20, 2018 to August 30, 2019 with no change in the contract amount.

6-1. 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, Gural, Jaffer
Nays - None
Absent - Trzaska

7. **RESOLUTION #19-9-214 - AUTHORIZING PURCHASE OF ONE (1) VOGEL 700 3L PAVER THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION 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, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS - Contract 18/19-25 has provided the Township with the most competitive price for these items; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-55-901-1611G.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of a Vogel 700 3L paver and equipment at a not exceed amount of \$166,427.00 be authorized through the utilization of the Middlesex Regional Educational Services Commission Cooperative to:

Jesco, Inc.
118 St. Nicolas Avenue
South Plainfield, NJ 07080

7-1. 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, Gural, Jaffer
Nays - None
Absent - Trzaska

8. **RESOLUTION #19-9-215 - SUPPORT SENATE BILL S-3827 CLARIFYING THE BUSINESS PERSONAL PROPERTY TAX OBLIGATIONS OF TELECOMMUNICATIONS PROVIDERS**

WHEREAS, S-3827 seeks to clarify telecommunications industry corporate tax responsibilities and shield taxpayers from the costs of endless tax court litigation; and

WHEREAS, A misinterpretation of P.L. 1997, c.162 (C.54:10A-3 et al.) has resulted in municipalities facing the cost of litigating telecommunication provider tax appeals filed for every tax year subsequent to 2009 pertaining to the obligation to pay personal business property taxes to municipalities; and

WHEREAS, Tax court litigation in one municipality took ten years to ensure that Verizon would pay its 2008 business personal property taxes and further litigation will be needed to secure business personal property tax payments for each subsequent year in which the exemption was claimed; and

(Item #8 Cont.)

WHEREAS, Every municipality faces the same prospect of costly annual tax court filings and appeals adding to taxpayer burden; and

WHEREAS, S-3827 would clarify the intent to permanently apply the business personal property tax on local exchange telephone companies that were subject to the business personal property tax as of April 1, 1997.

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

- (1) The Montgomery Township Committee hereby supports S-3827 which will clarify the telecommunications industry corporate tax responsibilities; and
- (2) The Township Clerk is hereby directed to forward a copy of this Resolution to our District 16 representatives, the members of the Assembly Appropriations Committee and the New Jersey League of Municipalities.

8-1. 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, Gural, Jaffer
Nays - None
Absent - Trzaska

9. **RESOLUTION #19-9-216 - AUTHORIZING THE RELEASE OF FUNDS TO PIHRL**

WHEREAS, Pursuant to the Fair Housing Act (P.L. 1985, c. 222), municipalities in the State of New Jersey are required to provide their fair share of housing that is affordable to very-low, low, and moderate income households in accordance with the provisions of the act; and

WHEREAS, The Township has included within its Court-approved affordable housing plan an 86-unit affordable family rental housing development (the "Project") situated at 9 Hartwick Drive, Skillman, known as Block 28004, Lot 4 on the Montgomery Township Tax Map (the "Property") as a compliance mechanism for meeting a portion of the Township's fair share obligation; and

WHEREAS, The Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et seq., permits municipalities to make loans of public funds for the provision of new housing for low and moderate income persons (N.J.S.A. 52:27D-311.f); and

WHEREAS, The Township has received approval by the Court for the Montgomery Township Spending Plan and is now permitted to distribute funds from the Township's Affordable Housing Trust Fund; and

WHEREAS, Pursuant to the Affordable Housing Agreement dated April 4, 2019 between the Township of Montgomery and PIRHL Acquisitions, LLC (PIRHL) (the "Developer"), the Township has agreed to provide an Affordable Housing Loan in the amount of \$1,300,000 to financially assist PIRHL to foster the production of low and moderate income housing in satisfaction of a portion of the Township's obligation to provide affordable housing in accordance with the FHA for the Project; and

WHEREAS, \$1,050,000 of the Loan will be utilized for Project pre-development costs ("Initial Funding"). Of this amount, the Township will make a direct payment out of the Loan proceeds to the Montgomery Township Sewer Utility, representing the full amount of sewer capacity charges attributable to the Project, in the amount of \$354,750; and

WHEREAS, A portion of the balance of the Initial Funding (the "Developer Initial Funding"), in the amount of \$695,250, will be utilized by the Developer for pre-development activities at the Property; and

WHEREAS, The remaining unpaid balance of the Loan Funds, in the amount of \$250,000 (the "Loan Balance"), shall be paid to Developer simultaneously with the Tax Credit Closing. If the Developer has received Federal Home Loan Bank (FHLB) Funds before the Tax Credit Closing, the Township will not be required to disburse the Loan Balance to Developer and the Loan Funds shall be reduced by said sum; and

WHEREAS, In the event that the Developer is awarded FHLB Funds, Developer shall repay the Township for a portion of the Loan (1) in the amount of \$250,000 at the time the Developer receives the first installment of FHLB Funds; provided the Township has paid the Loan Balance to the Developer; and (2) an additional \$150,000 upon receipt of a final Certificate of Occupancy for the entirety of the Project, provided that there is a surplus in Total Sources of Funds for the Project, after payment of the deferred Development Fee to the Developer pursuant to the final closing budget, which will be provided in the final closing budget to the Township.

NOW, THEREFORE, BE IT RESOLVED That the Township will provide an Affordable Housing Loan in the amount of \$1,300,000 to financially assist PIRHL to foster the production of low and moderate-income housing in satisfaction of a portion of the Township's obligation to provide affordable housing in accordance with the FHA for the Project.

9-1. 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, Gural, Jaffer
Nays - None
Absent - Trzaska

10. MAYORAL APPOINTMENT - Planning Board

BE IT RESOLVED That Shelly Bell be appointed Planning Board, Class IV, replacing Dave Cheskis, 4 year unexpired term expiring December 31, 2020.

11. ORDINANCE #19-1620 - Temporary Municipal Road Closings - Public Hearing

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

AN ORDINANCE AMENDING CHAPTER VII "TRAFFIC" OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY, NEW JERSEY (1984) REGARDING TEMPORARY MUNICIPAL ROAD CLOSINGS

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

B-2. Brett Borowski, York Drive, expressed his surprise that an ordinance such as this didn't already exist.

B-3. Kent Huang, Carriage Trail, spoke about the Nixle announcements sent out regarding road closures and suggested that a message regarding the passage of this ordinance be added so people are made aware.

B-4. Committeeman Schuldiner moved that the public hearing be closed. The motion was seconded by Deputy Mayor Gural and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of September, 2019 and that notice thereof be published in an official newspaper as required by law.

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, Gural, Jaffer
Nays - None
Absent - Trzaska

12. ORDINANCE #19-1619 - 2019 Salary & Wage Amendment - Introduction

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

AN ORDINANCE AMENDING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND PROVIDE FOR IT'S ADMINISTRATION IN 2019

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 September 19, 2019 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

12-1. 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, Gural, Jaffer
Nays - None
Absent - Trzaska

13. ORDINANCE #19-1621 - Multi-Way Stop Intersection - Introduction

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

AN ORDINANCE AMENDING SUBSECTION 7-6.2 (STOP INTERSECTIONS) OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY, NEW JERSEY (1984) TO DESIGNATE ORCHARD ROAD AND OPOSSUM ROAD AS A MULTI-WAY STOP INTERSECTION

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 September 19, 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 Deputy Mayor Gural and carried on the following:

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

14. APPROVAL OF MINUTES

The Regular Session minutes of August 15, 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, Gural, Jaffer
Nays - None
Absent - Trzaska

16. **RARITAN VALLEY COMMUNITY COLLEGE**

Administrator Nieman stated that he and Deputy Mayor Gural visited with representatives of Raritan Valley Community College. They would like to meet with the Economic Development Commission and the Montgomery Business Association to discuss whether or not they can offer classes and work with the business community to assist small business owners and entrepreneurs who want to start a business. Raritan Valley Community College would also like to have a presence in Montgomery and make their presence known to those students who might benefit from attending RVCC. They will be building dormitories on the campus so students can have the college experience on the RVCC campus. Deputy Mayor Gural stated that RVCC would like to make sure people know that a community college should not be a last resort, it should be a very viable option. Administrator Nieman explained that RVCC has a relationship with Rutgers University, where if a person finishes their first two years at RVCC with a B average or higher, they will automatically be accepted at Rutgers. They are also recognized by other higher education institutions in the State of New Jersey.

17. **EMPOWERING GIRLS TOGETHER**

Mayor Jaffer stated she attended an event for a group through the High School called Empowering Girls Together that was held at the Mary Jacobs Library. It was a great mentoring and training program for girls.

18. **COMMITTEE AND SUB-COMMITTEE REPORTS**

18-1. **ECONOMIC DEVELOPMENT COMMISSION**

Committeeman Quraishi stated that the Economic Development Commission had a guest speaker who spoke about the Agri-Tourism Marketing Initiative for the central New Jersey region. There was also discussion about a meeting with representatives of Ride Wise and Greater Mercer TMA. There was also discussion about a Raritan Valley Community College Workforce Center for Small Business Development and the Montgomery FunFest scheduled for September 15. Mayor Jaffer stated that DiscoverCentralNJ.com is a great resource, which is being built by a local businessman and former Montgomery Township Committeeman Brad Fay.

18-2. **LANDMARKS COMMISSION**

Committeeman Quraishi stated that Landmarks Commission will be sending a letter to the Somerset County Planning Director about the Township historic site survey which is included in the County's Master Plan. The Harlingen Historic District received their Certification of Eligibility from the New Jersey Historic Preservation Office. They are also working on the Dorlandt Cemetery fence install on Sunset Road. He stated that the Landmarks Commission is hoping the Governing Body will be supportive of a potential local historic site getting into the Township's Master Plan.

19. 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 is as follows:
 - Potential acquisition of property for open space, farmland, conservation, municipal purposes - Block 11001, Lot 61 (DTCD Limited Partnership)
 - Advice of Labor Counsel with respect to SOA contract;
 - Confidential advice of counsel with regard to Hunter Farms;
 - Potential Settlement Agreement Amendment - Country Club Meadows.
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Approval of any agreements or acquisition of land shall be authorized by the Township Committee in a public session.

19-1. Committeeman Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Quraishi and carried unanimously.

20. Meeting reconvened in Open Session and ADJOURNMENT was at 8:49 p.m. on a motion by Deputy Mayor Gural. The motion was seconded by Committeeman Schuldiner and carried unanimously.

Date of Approval:

Donna Kukla