

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
October 3, 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. **REQUEST FOR RELIEF FROM ROAD OPENING MORATORIUM ON HARLINGEN ROAD**

Administrator Nieman explained that the Township recently paved Harlingen Road, but did not notify the residents that this was going to occur. Mr. Drift has been rehabilitating a home and had he known, he would have completed the work sooner and he would have been able to connect to gas line. Mr. Drift is still going to try to connect the house without disrupting the pavement, but based upon the fact that the Township did not notify him, Administrator Nieman recommended that the Governing Body allow Mr. Drift to open the road.

- 4-1. **Motion #19-10-1** - Committeeman Schuldiner moved to approve the relief from the road opening moratorium on Harlingen Road. The motion was seconded by Deputy Mayor Gural and carried unanimously.

5. **2020 CENSUS PRESENTATION**

Tahira Gomez-Smith, 2020 Census representative, gave a brief presentation about the 2020 Census. The mission is to count everyone living in the United States every 10 years. It is the largest statistical agency of the United States. It is the primary source for all numbers that are used to determine the federal budget, rate of unemployment, where hospitals are located, the fire services, the road location, and more. The information gathered in the census is protected by federal law. The canvassing process began in 2018, by counting the housing units in the United States, Puerto Rico and Guam. Later in 2019 people will begin seeing communications on Social Media, TV and radio about the census. In the beginning of 2020, people will start receiving more direct advertisements and forms to fill out. If people have not responded by April 1, 2020, census takers will be going house to house for the information. There will be four different ways that people will be able to answer the census: 1. Internet; 2. Mailing; 3. Telephone; and 4. in person. There will be 12 languages available on the internet, and there will be 59 languages available overall. The mailings will be in both English and Spanish. She stated that the Census Bureau is hiring census takers, especially if they have language skills. There are field offices throughout New Jersey to help the canvassers during the canvassing process. There are also Complete Count Committees being set up in the State and in Counties. They are looking for municipalities to set up these Committees also or to participate in the Complete Count Committee in the County to address their own special needs. She spoke about the distrust on how the information is used. She stated that the information collected is protected by law. She urged the Governing Body to reach out to the residents about the 2020 Census.

6. **PUBLIC COMMENT**

Mayor Jaffer opened the public comment portion of the meeting. There being no public comment, Mayor Jaffer closed this portion of the meeting.

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 #19-10-224 - APPROVAL TO SUBMIT A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF HEALTH (NJDOH) TO FORM A SHARED SERVICES NURSING STRIKE TEAM**

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery formally approve the grant application to form a shared services Nursing Strike Team.

BE IT FURTHER RESOLVED That the Health Officer is hereby authorized to submit a grant application to the New Jersey Department of Health on behalf of Montgomery Township.

(CONSENT AGENDA Cont.)

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

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

8. **RESOLUTION #19-10-225 - AUTHORIZATION TO RATIFY AGREEMENT** - Montgomery Township Superior Officers Association

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Township Clerk are hereby authorized and directed to execute a collective bargaining agreement with the Montgomery Township Superior Officers Association for a three-year period effective January 1, 2018 to December 31, 2020.

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

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

9. **RESOLUTION #19-10-226 - RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE ELECTION BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED SPOUSES OF VETERANS WHO RESIDE IN CONTINUING CARE RETIREMENT COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR PROPERTY TAX DEDUCTION**

WHEREAS, The State Constitution for New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war and other times of emergency to receive a property tax deduction, in the amount of \$250 per year, in well-deserved recognition of their service to our country; and

WHEREAS, Veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC) have been unfairly denied eligibility for the \$250 property tax deduction because they do not own their units, even though they instead contribute to property taxes through a monthly payment, and even though they have made the same sacrifices as all veterans in our great country; and

WHEREAS, There are twenty-five CCRCs in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied the property tax deduction; and

WHEREAS, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and General Assembly, to extend the deduction to veterans and their widowed spouses in CCRCs; and

WHEREAS, The extension of the deduction, because it requires an amendment to the State Constitution, must be approved by the voters at the ballot in November before it will become valid and effective; and

WHEREAS, The Montgomery Township Committee now desire to memorialize their support of the referendum on the ballot in November, and to urge the voters of this State to vote in favor of the property tax deduction for veterans and widowed spouses of veterans who reside in CCRCs.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee urges voters to support the referendum on the ballot in November 2019, so that veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities ("CCRC") will be eligible for the \$250 property tax deduction.

- 9-1. 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

10. **RESOLUTION #19-10-227 - AWARD OF BID #B02-2019** - 2019 Blue Spring Road Improvement Project

WHEREAS, The following bids for the Blue Spring Road Improvements (State Aid Project) were publicly opened on Thursday, September 26, 2019 at 11:00 a.m.:

<u>Bidder</u>	<u>Bid Amount</u>
Capital Paving and Contracting, LLC	\$ 984,092.50
DeSantis Construction, Inc.	\$ 987,884.00
Reivax Contracting Corp.	\$1,023,825.00
Top Line Construction Corp.	\$1,072,657.21
Black Rock Enterprises, LLC.	\$1,135,533.00

WHEREAS, Capital Paving and Contracting, LLC, 1225 Route 31 South Building A, Suite 124, Lebanon, NJ 08833, is the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk; and

WHEREAS, There exists account numbers 02-213-41-718-000 and 02-213-41-715-000, which will fund this project.

(Item #10 Cont.)

NOW, THEREFORE, BE IT RESOLVED That the Township of Montgomery hereby recommends to the New Jersey Department of Transportation that the contract for Blue Spring Road Improvements (State Aid Project), in the Township of Montgomery, County of Somerset, be awarded to Capital Paving and Contracting, LLC, whose bid amounted to \$ 984,092.50, subject to the approval of the Department.

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

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. **ORDINANCE #19-1622** - Acquisition of Block 10001, Lot 8 (Spencer Property) on Hollow Road and Dutchtown-Zion Road - Public Hearing

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 8, BLOCK 10001 "SPENCER PROPERTY," (HOLLOW ROAD & DUTCHTOWN-ZION ROAD) IN THE TOWNSHIP OF MONTGOMERY.

B. Mayor Jaffer opened the hearing to the public. There being no comment, Committeeman Schuldiner moved that the public hearing be closed. The motion was seconded by Committeeman Trzaska and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 19th day of September 2019 and that notice thereof be published in an official newspaper as required by law.

11-1. 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

12. **APPROVAL OF MINUTES**

The Regular Session minutes of October 3, 2019 were approved as printed.

13. **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.

13-1. 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

14. **NOVEMBER 21 TOWNSHIP COMMITTEE MEETING**

Administrator Nieman explained that the scheduled November 21 Township Committee meeting competes with the New Jersey League of Municipalities Conference, so the alternatives would be to meeting on November 7 and November 14 or just have the November 7 meeting. It was decided to schedule a meeting on November 14.

15. **MONTGOMERY CROSSING RIBBON CUTTING**

Committeeman Trzaska stated that there had been a ribbon cutting for Montgomery Crossing in the area of Village Shopper III and PIRHL. It is hoped that the loop roads in that area would be coming quickly to help the Route 206/518 intersection traffic congestion.

16. **BRINDAVANA SCHOOL**

Mayor Jaffer stated that she attended an inaugural ceremony for the Brindavan School in Hillsborough. She explained that this is a New Jersey based charitable, non-profit, cultural organization representing people originating from Karnataka or exhibiting an interest in the language of Kannada and the traditions and culture of Karnataka.

17. NESHANIC GARDEN CLUB

Mayor Jaffer stated that she attended a luncheon to honor the Neshanic Garden Club's 90th Anniversary.

18. ACTIVE SHOOTER TRAINING

Administrator Nieman stated that there had been Active Shooter training for all municipal employees. Mr. Edwin Moore from the New Jersey State Department of Homeland Security and Emergency Preparedness conducted this training. He will also be working with the Kid Connection and Otto Kaufman Community Center staff.

19. COMMITTEE AND SUB-COMMITTEE REPORTS

19-1. ECONOMIC DEVELOPMENT COMMISSION

Committeeman Quraishi stated that the Economic Development Commission is still waiting to hear from the County on the Ridewise program, which is a ride sharing service. They also discussed the 2019 Montgomery FunFest. There was discussion regarding the Business Directory. It was decided that the directory would be printed and distributed every other year rather than every year. The next directory publication will be in 2020, since there was not one published in 2019.

19-2. SHADE TREE COMMITTEE

Committeeman Quraishi stated that the Shade Tree Committee reviewed the JP Morgan Bank plans. This building is to be located near the corner of Routes 518 and 206. The Committee found that the plans were acceptable. They also discussed the bright orange fences around the shrubs and trees at the entrance to Mill Pond Park and the Dog Park on Covert Drive. The Committee felt these fences should be taken down and replaced with some less intrusive type of fencing. There was a long discussion about the need for an arborist. There was also a suggestion about running articles in the Montgomery News and the Township's Newsletter about hazardous trees.

20. 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:
 - Advice of counsel with regard to Kid Connection Building;
 - Confidential advice of counsel with regard to Hunter Farms.
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.

20-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Schuldiner and carried unanimously.

21. Meeting reconvened in Open Session and ADJOURNMENT was at 8:05 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Deputy Mayor Gural and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk