

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

Also present were:

TOWNSHIP ATTORNEY - Kevin Van Hise, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. Mayor Jaffer stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."

3. Mayor Jaffer led the Salute to the Flag.

4. **RESOLUTION #19-12-246 - CALLING UPON THE WHITE HOUSE AND CONGRESS TO REUNIFY MIGRANT FAMILIES, RELEASE THEM FROM DETENTION AND AFFORD THEM DUE PROCESS IN IMMIGRATION PROCEEDINGS**

WHEREAS, Montgomery Township has a long and proud history of welcoming immigrants of all backgrounds into our community; and

WHEREAS, Other than Native American communities indigenous to this land, we are all descendants of people who migrated or were brought as slaves to America from other parts of the world; and

WHEREAS, Over the course of centuries, migrants to the United States have contributed to the very fabric of the country through their work across various sectors; and

WHEREAS, Research and studies have confirmed that our diversity makes us stronger, and thus the diverse and migrant communities that make up the United States are an asset; and

WHEREAS, The United States has had a long and proud history of welcoming migrants, and providing asylum to those fleeing violence or persecution in their countries of origin; and

WHEREAS, The United States has historically served as an international leader in protecting refugees and advocating for human rights; and

WHEREAS, The treatment of migrants and the separation of children from their parents at the border and in the interior of the country is inhumane, unconstitutional, and goes against the United States' long-standing ideal of upholding and advocating for human rights; and

WHEREAS, There are more than 2,000 immigrants detained in the State who cannot afford a lawyer, and as immigration arrests rise across the State, guaranteeing due process and access to legal representation has become all the more urgent;

WHEREAS, Migrant families and their children are detained in unacceptable conditions, in many cases without adequate food, water, or access to necessary hygiene and sanitary products; and

WHEREAS, The unsanitary conditions and lack of access to adequate health care is causing migrant men, women, and children in these detention centers to get sick and seven children have died after being in Border Patrol custody; and

WHEREAS, The US has held nearly 70,000 migrant children in detention in 2019, and minors detained without their parents in these detention centers often receive inadequate education, mental health services, and other care; and over 1,000 children per year have been sexually assaulted; and

WHEREAS, Reporting from both national and statewide agencies and news outlets reveals that these facilities are not safe for housing large numbers of people for extended periods of time as they are presently being used; and

WHEREAS, The DHS Office of the Inspector General and the UN High Commissioner for Human Rights have documented inhumane conditions at detention facilities, including children without access to essential medication, and living in frigid temperatures; and

WHEREAS, In the last year, the United States Congress allowed a transfer of over \$200 million from other DHS agencies like the Coast Guard and the Federal Emergency Management Agency to bail out ICE's overspending in their attempt to build more detention centers and incarcerate more immigrants; and,

WHEREAS, The DHS Office of the Inspector General has also issued two recent reports detailing ["egregious violations of detention standards"](#) at Essex County Correctional Facility;

(Item #4 Cont.)

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

Section 1. As public officials elected to represent the values of the Montgomery Township community in New Jersey, we condemn the inhumane treatment of migrants at our borders and in the interior of the country.

Section 2. We affirm that as history and law have dictated, all men, women, and children who come to our borders have a right to due process and to the full and fair opportunity to seek protection in the United States.

Section 3. We call upon Montgomery Township's Members of Congress, Rep. Tom Malinowski and Sens. Cory Booker and Robert Menendez, to call for an end to immigration detention in the United States, the immediate reunification of migrant families and the release of migrant children and parents from detention, and also to afford these families due process by allowing them the full and fair opportunity to seek protection from the United States.

Section 4. We call upon Montgomery Township's Congressman, Representative Tom Malinowski to take immediate action to cut funding to the border militarization and detention in the congressional appropriations process.

Section 5. We call upon the State of New Jersey, all counties that hold migrant detainees, and the federal government to protect the rights and safety of all detained migrants and allow for meaningful civilian oversight of county jails and immigration detention centers.

Section 6. We call upon the State of New Jersey and all counties that hold migrant detainees to fully fund a universal legal services program that guarantees every indigent migrant in detention access to quality legal representation;

Section 7. We direct the Municipal Clerk to send a copy of this resolution, duly adopted, to Freeholder Director Brian D. Levine, Freeholder Deputy Director Patricia L. Walsh; Freeholder Shanel Y. Robinson, Freeholder Brian G. Gallagher, Freeholder Sara Sooy, Assemblyman Andrew Zwicker, Assemblyman Roy Freiman, Senator Christopher "Kip" Bateman, Governor Phil Murphy, Representative Tom Malinowski, Senator Cory Booker, Senator Robert Menendez, and President Donald J. Trump.

4-1. Mayor Jaffer 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

5. **RESOLUTION #19-12-247 - CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT**

WHEREAS, The Township of Montgomery strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, On January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, The intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, Over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, Montgomery Township has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, It is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, Montgomery Township received and responded to 729 OPRA requests in 2017, 573 OPRA requests in 2018, and to date has received and responded to 965 OPRA requests as of September 1, 2019; and

WHEREAS, Montgomery Township municipal staff has spent approximately 482.5 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 364.5 hours in 2017 and approximately 286.5 hours in 2018; and

WHEREAS, Due to the often conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Township of Montgomery must often times rely on the municipal attorney to review certain OPRA requests, resulting in additional fees of approximately \$11,710.25 in response to OPRA requests in 2017, \$9,008.00 in response to OPRA requests in 2018, and currently has spent \$7,040.00 in response to OPRA requests in 2019; and

(Item #5 Cont.)

WHEREAS, The Madison Marquette Ordinance OPRA request; the Lehmann non-return and unlawful adoption of dog; and the Tokarczyk vs. Montgomery Township complaint to the Government Records Council regarding the Riverside Oxbridge Wastewater Treatment Plant bid, are examples of OPRA requests which were costly and interrupted the operations of the Township Clerk's staff; and

WHEREAS, With limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, As the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform.

NOW, THEREFORE BE IT RESOLVED That the Montgomery Township Committee appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Assemblymen Roy Freiman and Andrew Zwicker, Senator Christopher "Kip" Bateman, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Loretta Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

- 5-1. 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

6. **PUBLIC COMMENT**

- 6-1. Afsheen Shamsi, Princeton resident, thanked the Governing Body for passing Resolution #19-12-246 and for being the first municipality to adopt such a resolution. She thinks what is happening at the borders and detention centers is absolutely inhumane.

Larry Koplik, Harlingen Road, voiced his opposition to Resolution #19-12-246. He stated that he agreed with every word of the resolution, but he doesn't think the Township should be involved in national and federal issues. He felt that it was opening up a "Pandora's Box" because there are many disturbing issues going on in the world.

Mayor Jaffer stated that she had received the following statement of support from the ACLU and she felt it would clarify why it is important:

"Statement in Support of Montgomery Township Committee Resolution #19-12. Thank you for this opportunity to comment on Montgomery Township Committee Resolution #19-12, Calling Upon the White House and Congress to Reunify Migrant Families, Release them from Detention and Afford them Due Process in Immigration Proceedings.

Founded in 1960, the ACLU of New Jersey (ACLU-NJ) is the state's leading organization dedicated to defending and advancing civil rights and liberties. We are a nonprofit, non-partisan organization with more than 40,000 members and donors in New Jersey, and tens of thousands more supporters across the state.

The ACLU-NJ stands in support of Resolution #19-12. As an organization committed to protecting the rights of immigrants and fair and equitable access to justice, we are deeply concerned with the inhumane and unconstitutional use of immigration detention in the United States - including the separation of children from their parents, the unsafe and unsanitary conditions of detention, and the lack of due process that is afforded to those in immigration proceedings. These actions are in opposition to the very principles that we value as a community and as a state, and we applaud this resolution for demanding systemic change at the national, state, and local level.

This resolution calls for an end to government actions that are devastating families in Montgomery Township and across our state, including the separation of families and the detention of asylum-seekers and others facing potential deportation. It also calls upon our federal legislators to defund immigration enforcement agencies so that we can redirect resources to priorities that serve our families and communities. It calls on New Jersey and our local governments to take action to protect the most fundamental rights of immigrants across our state by fully funding the State's pilot universal representation program and allowing for meaningful civilian oversight of the jails and detention facilities.

(Item #6-1 Cont.)

The ACLU-NJ has long fought for the rights of immigrant New Jerseyans, including people facing detention and deportation proceedings. Most recently, the ACLU-NJ and our partners in the New Jersey Coalition for Immigration Representation have advocated for the establishment of the State's universal representation program to ensure that all people in immigration proceedings have access to the legal counsel necessary for due process, and most recently achieved a \$3.1 million appropriation for this vital program to provide lawyers for low-income individuals detained in New Jersey's immigration detention facilities. The ACLU-NJ is also advocating for a civilian oversight board at the Essex County Correctional Facility to address conditions faced by people jailed and detained within the facility. Nationally, the ACLU has fought every major anti-immigrant policy of our current federal Administration, including the separation of families and unconstitutional immigration detention, and the ACLU continues to advocate against funding for abusive immigration enforcement practices.

We strongly urge you to vote in support of this resolution today, and to stand together with our members in working to create a fair and welcoming New Jersey. Thank you for speaking out on these important issues.

For further information, please contact Farrin Anello, Senior Staff Attorney, at fanello@aclu-nj.org."

Mayor Jaffer stated that she had spoken with Ms. Anello and representatives of different immigrant rights organizations and they emphasized how very important it is for municipalities to make statements on these matters. She felt that this was a moral outrage and the municipalities' voices will be heard more than the average person's.

- 6-2. Lisa Tarzia, Spruce Lane, stated that last month in the Montgomery News there had been a small article regarding the possibility of Montgomery considering a plastics ban. A survey went out to local businesses to see what their response might be to that. She is hoping when the data is retrieved and reviewed that it will be made public, perhaps on the website. She explained the problems with plastics, such as the amount of time it takes for plastic to biodegrade. She stated that plastics are in the waterways, the soil, and the food supply. Scientific data now shows that plastics are a neurotoxin for developing brains of infants and children and they are hormone disrupters effecting human fertility for both males and females. She encouraged people to use fabric bags and produce bags in grocery stores. She stated that the State has introduced a bill, S-2776 (18R), regarding this topic.

Mayor Jaffer stated that at the last Environmental Commission meeting they spoke about this issue at length. They did receive the results of the survey and more than half of the businesses were in favor of having such a resolution. The Environmental Commission itself voted unanimously to recommend such a resolution. They are working on the language and they will be sending their recommendations to the Governing Body for consideration. The Environmental Commission also spoke about how this is going through the State process. The Environmental Commission's opinion was that, even though this is going through the State process, it is still worthwhile for municipalities to go forward with their processes as well.

- 6-3. Heather Ciociola, congregant at Congregation Kehilat Shalom and refugee advocate, spoke about Resolution #19-12-346 and thanked the Governing Body for passing this. She stated that she was proud to be part of a community that convenes and worships in Montgomery Township, which has shown in many ways that it strives to be a just and inclusive community.
- 6-4. Brett Borowski, York Drive, spoke about the Energy Aggregation program. He stated that the contracted rate has been higher than PSE&G's rates for the past couple of months. He explained that it wasn't a huge amount and he is still ahead of the game based on what he has saved in August and September. He asked if the Township was tracking this and asking for advice from Gabel Associates. He asked if the Township has a mechanism to pull everyone out of the program if it is unfavorable. If not, what are the plans to advise the residents about their option of opting out individually? Administrator Nieman stated that the Township is watching and Gabel Associates called him recently to tell him that this is price averaging.
- 6-5. Mr. Borowski spoke about Resolution #19-12-247 which deals with OPRA. He has heard of this during meetings over time and he realizes that there are commercial organizations that overly burden the Clerks. He certainly understands the need and desire to look at OPRA and see how those sorts of incidences can be eliminated. He questioned the specific requests which were stated in the Resolution. Township Clerk Kukla explained each of these examples and why they were placed in the resolution. She explained that in two of the three instances she was brought before the Government Records Council for her explanation as to why she denied these requests. There is a major time and cost factor to having this happen, as Attorneys are needed for legal counsel.

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 #19-12-248 - REDEMPTION OF TAX SALE CERTIFICATES #19-0008 and #19-0009**

BE IT RESOLVED That a refund in the amount of \$15,784.64 be given to CC1 NJ II, LLC, P.O. Box 123800, Dallas, TX 75312 for the redemption of Tax Sale Certificate #19-0009 on Block 31004, Lot 5.

BE IT FURTHER RESOLVED That a refund in the amount of \$3,722.59 be given to US Bank Cust Actlien Holding Inc, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #19-0018 on Block 37006, Lot 20.02 CONDO.

B. **RESOLUTION #19-12-249 - REFUND OVERPAID 2019 TAXES**

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

<u>Block</u>	<u>Lot</u>	<u>Home</u>	<u>Amount</u>
4020	1	Country Club Meadows	\$12,727.22
4020	5	Wei Xie and Yanyan Cao	\$17,621.46
4026	12	Wells Fargo Home Mortgage	\$ 9,783.98
4028	6	Country Club Meadows	\$36,450.37
5012	24	Rishi & Shweta R. Jain	\$ 1,345.65
6001	40.12	Siva & Sirisha Surapaneni	\$ 7,097.17
6001	40.13	Vidha & Raghuram Chandramohan	\$ 6,099.33
7008	14	Ronald Gilman & Meihua Liang	\$ 5,341.22
24001	10	Kevin Klink	\$ 4,459.01
34017	10	Derek Hok & Wenheng Zhu	\$ 3,590.30

C. **RESOLUTION #19-12-250 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) 2019 Radon Awareness Program**

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 NJ Department of Environmental Protection:

2019 Radon Awareness Program	\$2,000.00
------------------------------	------------

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 #19-12-251 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE TOWNSHIP OF BRANCBURG FOR PUBLIC HEALTH NURSING SERVICES**

WHEREAS, The governing bodies of the Township of Montgomery and the Township of Branchburg desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for public health nursing services; and

WHEREAS, A shared services agreement, setting forth the rights and responsibilities of Montgomery Township and Branchburg Township, has been prepared and circulated for approval by the governing bodies of Montgomery and Branchburg.

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

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Township of Branchburg for public health nursing services for a 1 year period, beginning January 1, 2020 and ending December 31, 2020.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

(CONSENT AGENDA Cont.)

E. **RESOLUTION #19-11-252 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE TOWNSHIP OF BRANCBURG FOR HEALTH EDUCATION SERVICES**

WHEREAS, The governing bodies of the Township of Montgomery and the Township of Branchburg desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for health education services; and

WHEREAS, A shared services agreement, setting forth the rights and responsibilities of Montgomery Township and Branchburg Township, has been prepared and circulated for approval by the governing bodies of Montgomery and Branchburg.

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

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Township of Branchburg for health education services for a 1 year period, beginning January 1, 2020 and ending December 31, 2020.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

F. **RESOLUTION #19-12-253 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF ROCKY HILL FOR ANIMAL CONTROL SERVICES**

WHEREAS, The governing bodies of the Township of Montgomery and the Borough of Rocky Hill desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for animal control services; and

WHEREAS, A shared services agreement, setting forth the rights and responsibilities of Montgomery Township and Rocky Hill Borough, has been prepared and circulated for approval by the governing bodies of Montgomery and Branchburg.

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

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Borough of Rocky Hill for animal control services for a 1 year period, beginning January 1, 2020 and ending December 31, 2020.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

G. **RESOLUTION #19-12-254 - AUTHORIZING AN AMENDED SEWER PARTICIPATION AGREEMENT IN PIKE BROOK SEWAGE TREATMENT PLANT FOR BLOCK 17003, LOT 15 AND A REFUND OF \$3,337.50**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute an amended sewer participation agreement in the Pike Brook Sewage Treatment Plant with Jeffrey Warren for Block 17003, Lot 15 and a refund in the amount of \$3,337.50, subject to review and approval by the Township Engineer and Township Attorney as to form and content.

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

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

8. **RESOLUTION #19-12-255 - A RESOLUTION OF SUPPORT CONFIRMING LEFT TURN PROHIBITIONS AT THE DRIVEWAY ENTRANCE TO THE GROVE AT MONTGOMERY, TOWNSHIP OF MONTGOMERY, NEW JERSEY**

WHEREAS, The Grove at Montgomery shopping center and apartment complex was recently constructed and included a new entrance/ exit driveway along Route 206 near its intersection with Belle Mead - Griggstown Road; and

WHEREAS, The new entrance/ exit driveway was approved by the New Jersey Department of Transportation Major Access Permit #A-206-C-6018-2015, which approval requires that left turns be prohibited into and out of the entrance/ exit driveway at Route 206.

WHEREAS, The New Jersey Department of Transportation, Bureau of Traffic Engineering has investigated and determined that the left turn prohibitions are warranted and can be recommended for approval; and

WHEREAS, In order to legally establish these turn prohibitions, the New Jersey Department of Transportation is required to promulgate a Traffic Regulation Order (TRO); and

WHEREAS, An initial step in the TRO process is to receive a Resolution of support from the municipal governing body; and

(Item #8 Cont.)

WHEREAS, The Township Engineer and Police Department have reviewed the driveway and have recommended the adoption of the resolution requested by New Jersey Department of Transportation, Bureau of Traffic Engineering.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby concurs with the New Jersey Department of Transportation, Bureau of Traffic Engineering that the following turn prohibitions be established:

Route 206 Turn Prohibitions:

No person shall make a left turn at any location listed and only in the manner described:

<u>Intersection/Location</u>	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
Route US 206 and the exit driveway of the Grove at Montgomery (Block 6001, Lot 1) 110 feet south of the southerly curb line of Belle Mead-Griggstown Road (CR 630)(Approximate mile post 62.13)	Left Turns	Westbound from the exit Driveway of the Grove at Montgomery onto Route US 206 southbound
Route US 206 and the entrance driveway of the Grove at Montgomery (Block 6001, Lot 1) 110 feet south of the southerly curb line of Belle Mead-Griggstown Road(CR630)(Approximate mile post 62.13)	Left Turns	Route US 206 southbound into the entrance driveway of the Grove at Montgomery eastbound

BE IT FURTHER RESOLVED That the Township of Montgomery concurs that any approved traffic regulations in conflict with or inconsistent with the provisions of this Resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED That the Township Clerk is hereby authorized and directed to send copies of this resolution to New Jersey Department of Transportation, Attn: Ms. Jaime Oplinger, Executive Manager, Bureau of Traffic Engineering, PO BOX 600, Trenton, NJ 08625-0600

8-1. 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

9. **RESOLUTION #19-12-256 - AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR THE MONTGOMERY ROCKY HILL MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2020-2021**

WHEREAS, The Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

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

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

WHEREAS, The Montgomery Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset.

(Item #9 Cont.)

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township does hereby authorize submission of a strategic plan for the Montgomery Rocky Hill Municipal Alliance grant for fiscal year 2020-2021 in the amount of:

DEDR	\$12,450.69
Cash Match	\$ 3,112.67
In-Kind	\$ 9,338.02

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

10. **ORDINANCE #19-1623** - Designation of Traffic Regulations on Private Property (The Grove at Montgomery) - Introduction
-

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

AN ORDINANCE AMENDING SCHEDULE XXI, TRAFFIC REGULATIONS ON PRIVATE PROPERTY, OF CHAPTER VII, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ADD THE PRIVATE PROPERTY OF THE GROVE AT MONTGOMERY SHOPPING CENTER.

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

10-1. 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

11. **ORDINANCE #19-1624** - Acquisition of PSE&G Property on Route 206 (Block 28005, Lot 60) - Introduction
-

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION OF REAL PROPERTY ON ROUTE 206, KNOWN AS BLOCK 28005, LOT 60.

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

11-1. 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

12. **APPROVAL OF MINUTES**

The Regular Session minutes of November 7, 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. **UPDATE ON INVASIVE SPECIES**

Attorney Van Hise stated that the Environmental Commission has a proposed ordinance regarding invasive species. He anticipates having that available for the Governing Body's consideration in the new year.

15. **THANK YOU FROM COMMITTEEMAN SCHULDINER**

Committeeman Schuldiner thanked the Governing Body, staff and community who sent him good wishes while he recuperated from his recent surgery.

16. **EMS**

Mayor Jaffer stated that she attended a meeting with some leaders of the EMS to talk about their fundraising and capital campaign for their new building. In that spirit, she is hosting a New Year's Ball and EMS Benefit Gala on Saturday, December 7.

17. **NEW MUNICIPAL BUILDING**

Mayor Jaffer stated that there had been a meeting with the architects for the new Municipal Building. They are discussing the details of the interiors with a design committee. There will be another meeting later in December and the project is on schedule to go out to bid early in 2020.

18. **BOARD OF EDUCATION**

Mayor Jaffer stated that she attended a shared services meeting with the Board of Education to brainstorm ideas for cutting costs and improving cooperation.

19. **EAGLE SCOUT COURT OF HONOR**

Mayor Jaffer stated that she attended an Eagle Scout Court of Honor at St. Charles Borromeo Church which included guests from the Board of Chosen Freeholders and Board of Education.

20. **ROAD PROJECT UPDATE**

Administrator Nieman updated the Governing Body on some of the road projects in progress, upcoming and completed. He stated that this update will be posted on the website in the near future.

21. **PSE&G**

Administrator Nieman reported that PSE&G would be working on the electrical poles in front of the Municipal Building. They stated that they hoped to do this work over the weekend, but if they couldn't, they would probably do it on Monday. If the work is done on a weekday, PSE&G would have to cut power to the Municipal Building for a number of hours. He stated that if that were the case, he would be allowing the non-essential employees to stay home for either half day or the full day depending on how long the power would be out.

22. **COMMITTEE AND SUB-COMMITTEE REPORTS**

22-1. **RECREATION COMMITTEE**

Committeeman Trzaska stated that the Recreation Committee spoke about some of the small issues at the various parks in the Township. He stated that the park and dog park behind the Municipal Building has been named "Pike Brook Park". They are also working on some enhancement ideas for the Bessie Grover Park. Deputy Mayor Gural stated that there is ongoing discussions about an "all inclusive" park somewhere in the Township.

(Item #22 Cont.)

22-2. OPEN SPACE COMMITTEE

Deputy Mayor Gural stated that the Open Space Committee discussed improvements to Bessie Grover Park and the Skillman Farm property.

22-3. BOARD OF HEALTH

Deputy Mayor Gural stated that the Board of Health voted on some issues for the Habitat for Humanity home. They will find out their final accreditation status in February, 2020. The Health Department received a \$95,000.00 grant from the New Jersey Department of Health to create two nursing positions; outreach to four participating school districts for nursing program; and hosting two certification trainings. The Board of Health did a mental health update to include a vaping cessation program, hopefully through grants with the Municipal Alliance. She stated that the New Jersey Department of Environment Protection will be reimbursing the Township \$2,000.00 for radon kits, so the Health Department will be able to give out the free radon kits again. They are working on the strategic plan for 2020 and looking to prepare a resolution to encourage the Governing Body to cull the deer population.

22-4. VETERANS MEMORIAL COMMITTEE

Mayor Jaffer stated that she attended the Veterans Day event. She thanked the Veterans Memorial Committee for all of their hard work. She stated that there would be a "Wreaths Across America" event at the Montgomery Upper Middle School on December 11.

22-5. MUNICIPAL ALLIANCE

Mayor Jaffer stated that she attended the ceremony at Somerset County for the presentation of Municipal Alliance funds.

22-6. ONE MONTGOMERY/MONTGOMERY MOSAIC

Mayor Jaffer stated that there would be an event called "Building Greater Understanding About Native American History" in the Municipal Building Court Room on December 10 at 6:45 p.m.

23. 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 properties for open space, farmland, conservation, municipal purposes: Block 12001 Lot 20 ("Fenton/Safro");
 - Advice of counsel regarding acquisition of various properties;
 - Personnel Issues.
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Acquisition of land shall be authorized by the Township Committee in a public session. It is possible that at the conclusion of closed session, the Township Committee will reconvene in open session for the purpose of taking action on some of the matters discussed in closed session.

23-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Schuldiner and carried unanimously.

24. Meeting reconvened in Open Session and ADJOURNMENT at 9:07 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