

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
February 6, 2020

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 Schuldiner, Committeemembers Keenan and Huang
Committeewoman Gural 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. **PROCLAMATION - Celebrating the 100th Anniversary of the League of Women Voters**

WHEREAS, On February 14, 1920, the League of Women Voters was formed and incorporated in Washington, D.C., in anticipation of the ratification of the 19th Amendment of the United States Constitution prohibiting the states and the federal government from denying the right to vote to citizens of the United States on the basis of sex; and

WHEREAS, The League was designed to help millions of women carry out their new responsibilities as voters by educating them about issues; and

WHEREAS, The League is a civic organization that has fought since 1920 to improve government, and from the beginning has been nonpartisan, neither supporting nor opposing any political party or individual candidate, and continues today as a nonpartisan political organization; and

WHEREAS, The League supports a vision of a democracy in which everyone has the desire, the right, the knowledge, and the confidence to participate; and

WHEREAS, The Princeton Area League members encourage informed and active involvement in government, work to increase understanding of major public policy issues, and influence public policy through education and advocacy; and

WHEREAS, League members, at all levels, support our democracy through volunteering thousands of hours registering voters and educating the public in a variety of methods and languages; and

WHEREAS, The League will celebrate its 100th anniversary on February 14, 2020.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby proclaim February 14, 2020, as a day to celebrate the Centennial of the League of Women Voters in Montgomery, and we urge all people in our community to join us in this special observance.

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

- 4-2. Nickole Forbes, Princeton Chapter of League of Women Voters, thanked the Governing Body for adopting this proclamation and acknowledged all of the members of the League of Women Voters over the many years. She stated that Montgomery Township used to have a very active chapter and now they are part of the Princeton Area League of Women Voters. She acknowledged two long time members who recently passed away, Frieda Gilvarg and Rita Ludlum. Mayor Jaffer requested that the League of Women Voters bring back the moderating of all the Presidential debates. She thanked the League for all of the work that they do.

5. **PROCLAMATION - Black History Month - February, 2020**

WHEREAS, During Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual and political development; and

WHEREAS, In February 1926, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, initiated Black History Week; and

WHEREAS, For many years the second week of February, chosen so as to coincide with the birthdays of Frederick Douglas and Abraham Lincoln, was celebrated by African Americans in the United States; and

WHEREAS, In 1976, as part of the nation's bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

WHEREAS, The observance of Black History Month calls our Nation's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals; and

(Item #5 Cont.)

WHEREAS, The Stoutsburg Sourland African American Museum, located in Skillman is a place that instills the history of the unique culture, experiences, and contributions of the African American community of the Sourland Mountain region dating back to colonial times; and

WHEREAS, The Museum's purpose is to create awareness and educate the public about the African American residents who lived in this unique community and rose up from slavery to be men and women whose labor helped create one of the wealthiest areas in New Jersey.

NOW, THEREFORE, We the Montgomery Township Committee do hereby proclaim February 2020 as Black History Month in Montgomery Township and urge all citizens to celebrate our diverse heritage and culture.

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

6. **APPOINTMENT OF PROBATIONARY POLICE OFFICER - Ryan Ericson**

BE IT RESOLVED That Ryan Ericson is hereby appointed Probationary Police Officer, effective January 27, 2020.

- 6-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

- 6-2. Acting Police Captain/Director James Gill spoke briefly about Officer Ericson's background.

- 6-3. Mayor Jaffer administered the Oath of Office to Probationary Police Officer Ryan Ericson.

7. **PUBLIC COMMENT**

- 7-1. Brett Borowski, York Drive, spoke about the Township's energy aggregation program. He stated that there was a very modest savings in January.

Mr. Borowski asked about the intent in forming the Budget and Finance Committee. Mayor Jaffer stated that it was to get public participation within the Budget process. Mr. Borowski asked if any meeting had been scheduled for this committee and would these meetings be on the Community Calendar. Administrator Nieman stated that he would have the next meeting published on the Community Calendar, but it might include closed session if the topics affect personnel or other items that might be controversial. He noticed that Township Committee meetings are listed on the Google calendar but none of the other meetings are. Deputy Mayor Schuldiner explained that there are two calendars. Mr. Borowski asked if there was any way to see when different committees met in the past. Mayor Jaffer stated that she would look into this.

8. **POLICE REPORT - December 2019**

Acting Police Captain/Director James Gill reported on the following activities of the Police Department for the month of December, 2019:

-- 194 criminal investigation reports
-- 30 arrests;
-- 8 thefts;
-- 2 burglaries;
-- 4 criminal mischief;
-- 3 domestic violence.

Committeewoman Keenan asked for an update on the car burglaries. Acting Police Captain/Director Gill explained that it is a multi-jurisdictional investigation at the moment and stated that a lot of these burglaries occur because people do not lock their car doors and leave valuables in plain sight. He explained that at the end of all press releases regarding these burglaries there is a blurb regarding vehicle protection, there is also a notice on the Township website. He stated that the use of Social Media platforms is something they are looking into. The Police Department's Public Safety/Network Coordinator is working to try to find what is going to be the best platform to disseminate information without leaving the Police Department vulnerable, because the exchange of information has the ability to grow and be misinterpreted.

9. **DEER MANAGEMENT PRESENTATION**

- 9-1. Chief Financial Officer Michael Pitts explained that he and Administrator Nieman reached out to Mr. Van Clef of Friends of Hopewell Valley Open Space and New Jersey Invasive Species Strike team in November or December, 2019, after he met with the Open Space Committee. He stated that everyone knows that the Township has a deer population problem just like everywhere else in the area. They set up this presentation to give an update on where the Township is in terms of the deer population, deer management and options for deer management.

(Item #9 Cont.)

- 9-2. Michael Van Clef, Friends of Hopewell Valley Open Space and New Jersey Invasive Species Strike Team, stated he does a lot of work with Hopewell Township and when they started their Deer Management program approximately 8 years ago, they looked at Montgomery's program because it is a great program. One of the issues they are finding is that the municipality can have a great deer management program on some percentage of the overall area of the municipality and it might be knocking down the population in that one little area, but the population on the municipality scale is not changing. He gave a brief background of the problem areas. There had been a grant based study done in the Sourlands in 2013. They found that there are definitely more deer in the western area of the Sourlands than in the central and eastern areas. There were 111 deer per square mile in the western area, 66 per square mile in central, and 86 per mile in eastern area. He stated that nearly 70% of the public supports deer herd reduction, approximately 15% of the public is unsure, and approximately 15% do not support deer herd reduction according to surveys in 2010 and 2016.

He explained the goals that need to be met:

- Goal #1 - Reduce Lyme Disease
- Goal #2 - Reduce Deer-Vehicle Collisions
- Goal #3 - Reduce Agricultural Losses
- Goal #4 - Reduce Landscape Planting Losses
- Goal #5 - Reduce Ecological Damage

He gave a summary of strategies needed:

- Strategy Set #1: Improvement of Hunting Access
 - o Encourage and facilitate hunting access on public and private lands
 - o Develop strategies to access "pocket deer" in residential areas
- Strategy Set #2: Improvement of Hunting Efficacy
 - o Encourage and facilitate coordinated hunting activities among neighboring landowners
 - o Encourage and facilitate use of Agricultural Depredation Permits by farmers
 - o Encourage and facilitate Deer Management Programs that focus harvests on female deer
 - o Encourage and facilitate program for venison donation to local food banks
 - o Consult with the New Jersey Division of Fish and Wildlife and other wildlife professionals to facilitate above strategies
- Strategy Set #3: Avoidance of Deer Impacts
 - o Improve awareness of methods that reduce deer vehicle collisions
 - o Improve awareness of methods that reduce Lyme disease
 - o Improve awareness of methods that reduce landscape damage
 - o Discourage the intentional feeding of deer in non-hunting situations

He explained that the potential expanded effort is a Community Based Deer Management Permit which is utilized by some Counties and Municipalities. This requires an in-depth Division of Fish and Wildlife application and a specific deer management plan. It allows expanded deer management options. This allows the use of paid professional and/or volunteer hunters, allows expansion of hunting season and hunting options and requires that venison be donated to food banks. All of this needs permission from the Division of Fish and Wildlife

He explained that the estimated herd size in Hopewell is 8,000 deer. If goal is 10 deer per square mile, then 7,200 would need to be harvested in a single year. The average annual hunting harvest is 1,200 plus annual deer/vehicle collisions of 500 = 1,700 deer "harvested" annually. This rate only maintains herd size.

He spoke about the Community Based Deer Management Plan and how a municipality could pay either volunteer hunters and/or professional hunters to cull even more deer. Professional hunters can include unaffiliated but highly skilled hunters that would likely charge significantly less than existing professional organization, such as White Buffalo. This would also require that all venison be donated. He suggested that the municipality focus on one area in town to begin with and then rotate to other areas.

- 9-3. Mayor Jaffer stated that it seemed to her that the Township needs to come up with some creative approach to this and it is a regional issue that needs to be addressed at some point regionally. She asked if there were more effective ways of deer management being attempted in other states or part of the country. Mr. Van Clef replied that culling deer in one area will help, because most deer have a one mile square home range. He stated that he hasn't seen anything in other states.
- 9-4. Committeewoman Keenan asked about the ban on hunting on Sundays. Mr. Van Clef stated that the Division of Fish and Wildlife now allows Sunday bow hunting on private lands.
- 9-5. Deputy Mayor Schuldiner asked if there were other ways to control the reproduction. Mr. Van Clef replied that nothing is proven to work and the cost is exorbitant. He explained that it was not really feasible in an open population of deer across the large amount of acres.

(Item #9 Cont.)

- 9-6. Jamie McQuaid, Township Wildlife Management Committee Chair, stated that he agreed with a lot of what Mr. Van Clef said, but one thing he disagrees with is the money put out by hunters. Hunters enjoy hunting so they put that money out willingly. The Township has approximately 90 people in the hunting program. The number of deer culled in the past five years has averaged about 190 per year. He stated that he would gladly attend a future meeting with more information about the Township's program and the difference between recreational hunting and professional hunting. This program has been in existence since 2002 and is looked upon as an example for other municipalities for their programs and is well respected.
- 9-7. Brett Borowski, York Drive, asked if there are any barriers in the Township's program as to the number of deer that can be taken. Mr. McQuaid responded that the barrier is the deer themselves. The hunters can't get to everywhere there are deer. They hunt on public land during the allowed hunting season. They don't hunt on Sundays or at night. Mr. Borowski asked if there were specific things that the hunters in the program would like to be allowed to do that would increase the number of deer taken. Mr. McQuaid stated that access to properties is a big issue, and he doesn't know if the Township can do anything about that.
- 9-8. Candy Willis, Knickerbocker Drive, stated that she had been a member of the Wildlife Management Committee in 2005 and 2006 and part of the problem is the constraint of not being allowed to hunt on conservation easements. Administrator Nieman explained that there are distance to structure buffers that hunters must obey also when hunting. What is needed is access to large tracts of land.
- 9-9. Bill Forbes, Open Space Committee, stated that he has read that if the deer population herd is threatened that instead of having single births, deer will often times give birth to twins. He asked if this was an accurate statement. Mr. Van Clef stated that this was all resource based.

10. **RESOLUTION #20-2-44 - CREATION OF THE LIBRARY TRANSITION SUBCOMMITTEE**

Montgomery library facilities are in a state of transition as the Township is building a Montgomery Municipal Center with a library. To assist the Township Committee in evaluating the options for this transition, an advisory committee (the "Library Transition Sub-Committee") is hereby created and charged with conducting a financial and risk assessment of the most beneficial transition procedure to the new library facility. This Sub-Committee will consult with administrators and stakeholders to making recommendations for short-term library facilities and long-term implications for library services in Montgomery.

The Chair of this Subcommittee will be Committeewoman Devra Keenan.

- 10-1. Mayor Jaffer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried unanimously.

11. **REPORT ON REDEVELOPMENT OF CONVATEC PROPERTY REGARDING AFFORDABLE HOUSING**

Township Planning Director Lori Savron provided a brief background on the Convatec property at the corner of Route 206 and Orchard Road and is the location of the new Municipal Building. It is a unique situation in that there will be municipal uses and municipally sponsored uses. One of the other uses that is proposed for the property is a municipally sponsored or 100% affordable housing project. What is being proposed is a 100% affordable Senior Citizen rental housing project that would be approximately 64 units. This means that there are no market rate units that would normally be built along with the affordable housing. The municipally sponsored or 100% project will get built through municipal support.

12. **RESOLUTION #20-2-45 - RESOLUTION AUTHORIZING AND DIRECTING THE MONTGOMERY PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED ON ORCHARD ROAD/HEADQUARTERS PARK DRIVE, DESIGNATED AS LOT 10.05 IN BLOCK 20001 ON THE TAX MAP OF MONTGOMERY, MEETS THE CRITERIA FOR DESIGNATION AS A NON-CONDEMNATION REDEVELOPMENT AREA**

WHEREAS, The Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), was enacted to provide an effective mechanism to empower and assist local governments in their efforts to arrest and reverse deteriorated conditions in housing and commercial and industrial installations and in public services and facilities, and to promote the advancement of community interests through programs of redevelopment, rehabilitation and incentives for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, The Redevelopment Law authorizes a municipality to determine whether certain properties or parcels of land located within the municipality constitute an area in need of redevelopment, pursuant to the enumerated criteria set forth in the Redevelopment Law; and

WHEREAS, The Redevelopment Law sets forth a specific procedure and the specific requirements for determining and establishing an area in need of redevelopment; and

WHEREAS, Pursuant to N.J.S.A. 40A:12A-6, before an area of the municipality is determined to be a redevelopment area, the governing body of the municipality shall, by resolution, authorize the municipal planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5 of the Redevelopment Law; and

(Item #12 Cont.)

WHEREAS, The Redevelopment Law at N.J.S.A. 40A:12A-6 also requires the governing body to specify whether the area being investigated will be considered for determination as a "non-condemnation redevelopment area," such that the municipality shall be authorized to use all those powers provided by the Legislature for use in a redevelopment area *other than* the use of eminent domain, or as a "condemnation redevelopment area," such that the municipality shall be authorized to use all of those powers provided by the Legislature for use in a redevelopment area, *including* the power of eminent domain; and

WHEREAS, The Montgomery Township Committee has determined that an investigation and inquiry should be made of certain property located on Orchard Road/Headquarters Park Drive to see if it qualifies under the Redevelopment Law as a non-condemnation area in need of redevelopment; and

WHEREAS, The Township Committee hereby request and direct the Montgomery Planning Board to undertake an investigation of certain property situated in the municipality, located at Orchard Road/Headquarters Park Drive, designated as Lot 10.05 in Block 20001 on the Tax Map of Montgomery (the "Study Area"), and produce a report containing its findings as to whether the Study Area meets one or more of the criteria set forth at N.J.S.A. 40A:12A-5, and make a recommendation to the Montgomery Township Committee as to whether all or a portion of the Study Area should be designated as a non-condemnation redevelopment area.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee, on this 6th day of February, 2020, as follows:

1. The preamble to this resolution is hereby incorporated as if fully restated herein.
2. The Montgomery Planning Board ("Board") is hereby directed to conduct a preliminary investigation of the Study Area defined hereinabove, consisting of Lot 10.05 in Block 20001 on the Tax Map of Montgomery, in accordance with the requirements set forth in N.J.S.A. 40A:12A-6 of the Redevelopment Law, in order to determine whether the Study Area, or part(s) thereof, meet the requirements for designation as a non-condemnation redevelopment area, such that the municipality may be authorized to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain.
3. The Board is directed to prepare a map of the Study Area showing the boundaries of the proposed redevelopment area and locations of the various existing and/or proposed parcel(s) of property included therein, along with a statement setting forth the basis for the investigation appended to the map; to prepare a report containing the Board's findings; and to hold a duly noticed public hearing for the purpose of presenting the results of its investigation, hearing from all persons who are interested in, or would be affected by, a determination that the Study Area is a redevelopment area, and receiving into the record and considering all objections and evidence in support of such objections to a determination that the Study Area be designated as a non-condemnation redevelopment area.
4. After completing its public hearing on the matter, the Board shall make a recommendation to the Township Committee as to whether all, or any portion thereof, of the Study Area should be designated as a non-condemnation redevelopment area.
5. The Board staff and Municipal Planning/Zoning Departments, and their consultants, are hereby authorized and directed to assist the Board in conducting its investigation of the Study Area.
6. This resolution shall take effect immediately.
7. The Municipal Clerk shall cause a copy of this resolution to be transmitted forthwith to the Montgomery Planning Board.
8. The findings and recommendations of the Board, once completed, shall be submitted to the Township Committee for review and consideration in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

12-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

13. **ORDINANCE #20-1625 - LDO-Listing of Designated Local Historical Sites Within The Landmarks Preservation Overlay Area - Public Hearing**

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

AN ORDINANCE AMENDING THE ZONING MAP AND AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SECTION 16-3.6 LISTING OF DESIGNATED LOCAL HISTORIC SITES WITHIN THE LANDMARKS PRESERVATION OVERLAY AREA

B-1. Planning Director Lori Savron explained the ordinance. This ordinance adds three homes and a former church to the Township's Landmarks Preservation Overlay. It designates them as local historic sites.

(Item #13 Cont.)

B-2. The Clerk read the following report from Planning Board:

"At the February 3, 2020 Planning Board meeting, the Board found the above referenced ordinance substantially consistent with the Master Plan and recommended adoption as written."

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

C-2. Barbara Preston, Editor in Chief of the Montgomery News, asked if it would be possible to include the addresses on the ordinance. Landmarks Commission Chair Candy Willis explained that, generally, the ordinance just identifies the property by block and lot so that they don't become tourist sites. The Master Plan does name the property and lists the address, but they don't list that information in the newspapers. She explained that most of the properties are private residences. She stated that homeowners receive a plaque to put on the building stating that it is a historic site.

C-3. Deputy Mayor Schuldiner moved that the public hearing be closed. The motion was seconded by Committeewoman Keenan and carried unanimously.

D. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 6th day of February, 2020 and that notice thereof be published in an official newspaper as required by law.

13-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

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 #20-2-46 - REFUND OVERPAID 2019 TAXES**

BE IT RESOLVED That a refund in the amount of \$2,299.89 be given to the Estate of Donna L Smalley, 35-G Chicopee Drive, Princeton, NJ 08540 for the overpayment of 2019 taxes on Block 37002 Lot 1.100.

B. **RESOLUTION #20-2-47 - ACCEPTANCE OF DONATION - Gazelle Group - Basketballs**

BE IT RESOLVED That the Montgomery Township Committee hereby accepts the donation of basketballs from the Gazelle Group for the Montgomery Township Recreation Department valued at \$500.00 (10 basketballs at \$50.00 per ball).

C. **RESOLUTION #20-2-48 - AUTHORIZING ACCESS AND USE AGREEMENT BETWEEN THE TOWNSHIP OF MONTGOMERY AND MONTGOMERY TOWNSHIP BOARD OF EDUCATION - Swimming Pool**

BE IT RESOLVED That the Mayor or Deputy Mayor and Clerk are hereby authorized to execute an Access and Use Agreement between the Township of Montgomery and the Montgomery Township Board of Education with respect to use of the swimming pool located at Montgomery High School. The term of the agreement shall be from July 1, 2020 to June 30, 2021.

D. **RESOLUTION #20-2-49 - RELEASE OF PERFORMANCE GUARANTEE - Tom Taylor - Street Opening Permit #19-R-29 (Block 15013, Lot 25.02)**

WHEREAS, Gail Smith, Township Engineer, has recommended the release of a cash performance guarantee to Tom Taylor because all work has been satisfactorily completed with respect to a street opening permit at Block 15013, Lot 25.02 (252 Sunset Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash performance guarantee in the amount of \$100.00 be released to Tom Taylor, 252 Sunset Road, Skillman, NJ 08558.

E. **RESOLUTION #20-2-50 - RELEASE OF PERFORMANCE GUARANTEE - SAVE Animal Shelter (Block 25001, Lot 27.01)**

WHEREAS, Gail Smith, Township Engineer, has certified on January 31, 2020 that all public improvements in a project known as SAVE - Animal Shelter 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 \$205,356.12 (cash) be released to SAVE - A Friend to Homeless Animals and a maintenance guarantee be posted as follows:

Original Construction Cost Estimate	\$205,356.12
15% Maintenance Guarantee	\$ 30,803.42

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.

(CONSENT AGENDA Item E Cont.)

There are no roads or improvements to be accepted by the Township. The developer shall maintain the stormwater management rain garden facility and submit annual maintenance logs including inspection reports to the Township Engineer.

F. **RESOLUTION #20-2-51 - RELEASE OF MAINTENANCE GUARANTEE - Carrier Clinic, Women's Housing**

WHEREAS, Gail Smith, Township Engineer, has certified on January 31, 2020 that all public improvements in a project known as Carrier Clinic, Women's Housing have been in satisfactory continuous use for a period greater than two years and therefore recommends the release of the posted maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that Maintenance Bond #S040853 in the amount of \$17,849.17 be released to Fulton Bank, Attn: Global Trade Ops, One Penn Square, Lancaster, PA 17602.

BE IT FURTHER RESOLVED That the escrow funds in account PB-10-12 may be released following the billing of inspections.

G. **RESOLUTION #20-2-52 - APPROVING FIRST AMENDMENT TO CONSTRUCTION SEQUENCE AGREEMENT FOR BELLE MEAD PLANNED UNIT DEVELOPMENT - Sub-development Area 2**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a First Amendment to a construction sequence agreement with Country Club Meadows, LLC. with respect to Block 5016, Lots 1 and 3; and Block 5023, Lots 2 and 3, subject to review and approval by the Township Engineer and Township Attorney as to form and content.

H. **RESOLUTION #20-2-53 - ENDORSING TREATMENT WORKS APPROVAL APPLICATION - Meadows at Montgomery Active Adult Community (Block 4020, Lot 1)**

BE IT RESOLVED By the Montgomery Township Committee that Donato Nieman, Township Administrator, is hereby authorized to execute a Treatment Works Approval application to the New Jersey Department of Environmental Protection related to Meadows at Montgomery Active Adult Community, subject to review and approval by the Township Engineer as to form and content.

I. **RESOLUTION #20-2-54 - AUTHORIZING ADOPTION OF THE UPDATED MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR SOMERSET COUNTY**

WHEREAS, All of Somerset County has exposure to natural hazards that represent risks including damages and losses to life, property, the environment and the County's economy; and

WHEREAS, Proactive mitigation of known hazards before a disaster event can reduce or eliminate long-term risks and associated costs; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) establishes requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS, A Mitigation Planning Committee (MPC) comprised of Somerset County jurisdictions, agencies, organizations and other partners with like planning objectives has been formed to pool resources and work collaboratively to identify appropriate mitigation strategies within Somerset County; and

WHEREAS, The MPC has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives; and

WHEREAS, Maintenance procedures have been defined for monitoring, evaluating, revising, updating and implementing this strategy on an on-going basis.

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

1. Adopts in its entirety, the 2019 Multi-jurisdictional Hazard Mitigation Plan Update for Somerset County (HMP) as the jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
2. Will use the adopted and approved portions of the HMP to guide pre- and post-disaster mitigation of the hazards identified therein.
3. Will coordinate the strategies identified in the Plan with other planning programs, operations, partners, capital investments and other initiatives under its jurisdictional authority.
4. Will continue to provide representatives to serve on the MPC and perform the duties described in the HMP, including but not limited to MPC meeting attendance and the submission of jurisdiction-specific HMP annual monitoring reports to the County Hazard Mitigation Coordinator.
5. Will help promote and support mitigation successes of all participants in the HMP.
6. Will complete an evaluation of the HMP in conjunction with the MPC annually as needed, and a comprehensive update no less than every fifth year.

(CONSENT AGENDA Item I Cont.)

BE IT FURTHER RESOLVED By the Township Committee of the Township of Montgomery that copies of the jurisdiction's HMP Annex and this resolution be provided to the Township's Hazard Mitigation Officer, Emergency Management Official, Planning Board Chair, the Somerset County Hazard Mitigation Coordinator, and the Somerset County Board of Chosen Freeholders.

J. **RESOLUTION #20-2-55 - AUTHORIZING SUSTAINABLE JERSEY GRANT APPLICATION**

WHEREAS, A sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Montgomery Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Montgomery Township is participating in the Sustainable Jersey Program and been continuously certified since 2009; and

WHEREAS, One of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey authorizes the submission of the aforementioned Sustainable Jersey Grant.

- 14-1. Committeeman Huang moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

15. **MAYORAL APPOINTMENT - Environmental Commission Chairperson**

BE IT RESOLVED That Mary Reece is hereby authorized and designated as Chairperson for the Montgomery Township Environmental Commission.

16. **RESOLUTION #20-2-56 - AWARDING CONTRACTED SERVICES FOR INFORMATION TECHNOLOGY CONSULTING SERVICES - Cornerstone Government Services LLC**

WHEREAS, The Township of Montgomery requested proposals for IT Consulting Services; and

WHEREAS, On December 31, 2019, the Township of Montgomery, consistent with the Local Public Contracts Law (N.J.S.A 40A:11-1 et.seq.), advertised a request for proposals (hereinafter referred to as the "RFP") for said program; and

WHEREAS, In response to the RFP the Township received proposals for the program.

WHEREAS, There exists account number 01-201-20-140-200 which will fund this project at a not exceed amount of \$12,000.00 month.

NOW, THEREFORE, BE IT RESOLVED That the Governing Body of the Township of Montgomery awards the contracting service to Cornerstone Government Services, LLC., 700 Route 130 North, Burlington, NJ 08016-0801, to provide the highest level of service and the most economic and efficient standards that will be in the best interest of the Township and its taxpayers; and

BE IT FURTHER RESOLVED That the Mayor, Chief Financial Officer, and Township Clerk are hereby authorized to execute any and all documents in connection with the submitted proposal.

- 16-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

17. **RESOLUTION #20-2-57 - AUTHORIZING APPOINTMENT OF MUNICIPAL COURT OFFICIALS**

BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the following appointments shall be made for their respective terms, effective January 1, 2020, as listed:

<u>Title/Name</u>	<u>Salary</u>	<u>Term Expiration</u>
Municipal Court Administrator Susan Keeth	\$84,875.00	N/A
Primary Prosecutor Frank Blandino	\$63,000.00	12/31/2020
DUI Special Prosecutor William Fox	\$45,000.00	12/31/2020
Public Defender Peter Cipparulo	\$15,000.00	12/31/2020
DUI Public Defender Scott C. Mitzner	\$10,000.00	12/31/2020
Alternate Prosecutors Representative from the firm of Eric M. Bernstein & Associates, LLC		12/31/2020
John Donnadio		12/31/2020

BE IT FURTHER RESOLVED By the Township Committee of the Township of Montgomery that the above mentioned salaries are inclusive of total compensations, including First Appearances and to serve in the respective positions for the Townships of Montgomery, Hillsborough and Manville and there shall be no further payment.

17-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
 Nays - None
 Absent - Gural

18. **RESOLUTION #20-2-58 - TRANSFER OF FUNDS**

WHEREAS, There are unexpended balances in various 2019 appropriation accounts not required for the balance of 2019; and

WHEREAS, Additional sums are required for the 2019 operating expenses of other Township 2019 accounts.

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

CURRENT FUND

<u>ACCOUNT</u>	<u>TO:</u>	<u>AMOUNT</u>
Fire Hydrant (O/E)		\$25,000.00
TOTAL:		\$25,000.00

<u>ACCOUNT</u>	<u>FROM:</u>	<u>AMOUNT</u>
Streets & Roads (O/E)		\$25,000.00
TOTAL:		\$25,000.00

18-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
 Nays - None
 Absent - Gural

19. **RESOLUTION #20-2-59 - PROFESSIONAL SERVICES RESOLUTION - Surveyor**

WHEREAS, There exists a need to acquire the following professional services for 2020 without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law":

(1) Surveyor.

WHEREAS, The New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of professional services contracts without competitive bidding; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available for the aforesaid services in accordance with the amounts set forth in the 2019 Temporary Budget, with performance of said services after March 31, 2020 being subject to the Township's amendment of the 2020 Temporary Budget, and/or adoption of the final 2020 Budget.

(Item #19 Cont.)

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 proper agreements for a not to exceed amount with the following:
 - Harris Surveying as Surveyor - not to exceed \$17,000.00
- (2) This contract is awarded for a period of one year, for the amount set forth in the contract, and without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.
- (3) This contractor has completed and filed with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying he has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavit, and the executed Agreements shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.
- (6) Performance of services under the terms of this contract, and payment for the services, after March 31, 2020 is subject to the amendment of the 2020 Temporary Budget and/or adoption of the final 2020 Budget, and certification of availability of funds by the Chief Financial Officer.

19-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

20. **RESOLUTION #20-2-60 - AUTHORIZING THE EXTENSION OF THE CONTRACT FOR FLEET MAINTENANCE SERVICES - FIRST VEHICLE SERVICES**

WHEREAS, Resolution #18-12-267 adopted on December 20, 2018 awarded a fleet maintenance services contract for 12 months with 4 (four) one year extension options to First Vehicle Services; and

WHEREAS, N.J.S.A. 40A:11-15 provides that the contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; no such contract shall be extended so that it runs for more than a total of five consecutive years; any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same; and

WHEREAS, The contract will not exceed \$731,254.37 for the extended year effective March 1, 2020 through February 28, 2021 at the recent Consumer Price Index rate of 2.0% to the target and non-target rates for this extension period. There is no increase of a cost adjustment for changes in contractual fleet size from 390 contract units to the 426 contract units today (9.20% increase), for a total increase of 2.0%; and

WHEREAS, There exists account numbers 07-201-55-544-256 and 01-201-26-315-230 which will fund this service; 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.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby approves the first of four (4) one year extensions pursuant to the above-described terms.

20-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

21. **RESOLUTION #20-2-61 - AUTHORIZING THE EXTENSION OF A CONTRACT FOR CLEANING SERVICES AT MONTGOMERY KID CONNECTION**

WHEREAS, Daycare Cleaning Services, Inc., 1909 Fairfax Avenue, Cherry Hill, NJ 08003 was awarded a two year contract, expiring February 28, 2020 and

WHEREAS, There is a need to extend the contract an additional four (4) months at a cost of \$1,250.00 per month; and

(Item #21 Cont.)

WHEREAS, There exists an account number 01-201-28-32-214 which will fund this item; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and filed in the office of the office of the Township Clerk.

NOW THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery authorizes a four month extension of the contract with Daycare Cleaning Services, Inc., in an amount not to exceed of \$5,000.

21-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

22. **RESOLUTION #20-2-62 - CHANGE ORDER #1 - Final Change Order (decrease) and Time Extension, 2019 Road Improvements Project**

WHEREAS, Resolution #19-7-169, adopted on July 3, 2019, authorized the award of a contract for Bid #B01-2019 - the 2019 Road Improvements Project, to DeSantis Construction, Inc. in the amount of \$ 1,319,993.95; 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 December 27, 2019; and

WHEREAS, The work comprising Change Order #1 will result in a net decrease in the original contract amount by \$4,315.60 or -0.33%; 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 DeSantis Construction, Inc., shall serve as a contract amendment to the original contract for the purpose decreasing the total contract price by \$4,315.60 for a total contract amount of \$1,315,678.35, and for the purpose of extending the contract completion date from November 5, 2019 to December 27, 2019 with no change in the contract amount.

22-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

23. **RESOLUTION #20-2-63 - AWARD OF BID #B01-2020 - INTERCEPTOR MANHOLE REHABILITATION PROJECT**

WHEREAS, The following bids for the Interceptor Manhole Rehabilitation Project were received and publicly opened on Thursday, January 30, 2020 at 11:00 AM:

<u>Bidder</u>	<u>Amount</u>
SWERP, Inc.	\$206,450.00
PIM Corporation	\$212,500.00
North American Pipeline Services, LLC	\$321,675.00

WHEREAS, It is the recommendation of the Purchasing Agent and Township Engineer that SWERP, Inc. be awarded the bid; it being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and filed in the Township Clerk's office; and

WHEREAS, There exists account numbers 08-215-55-901-1610B and 08-215-55-901-1575B which will fund this project.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the contract for the Interceptor Manhole Rehabilitation Project is hereby awarded to:

SWERP, Inc.
1237 Hayes Boulevard
Bristol, PA 19007

(Item #23 Cont.)

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

23-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

24. **RESOLUTION #20-2-64 - PROFESSIONAL SERVICES RESOLUTION** - Engineering Services for Bidding Assistance and Construction Phase Services for the Interceptor Manhole Rehabilitation Project

WHEREAS, The Township of Montgomery seeks to retain the services of a professional engineering firm to provide engineering services for bidding assistance and construction phase services for the Interceptor Manhole Rehabilitation Project ("scope of work"); 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 Kleinfelder, has submitted a written proposal dated January 24, 2020 ("Proposal"), which Proposal shall be incorporated herein by reference, offering to provide the sought-after services to the Township; and

WHEREAS, Kleinfelder 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 Kleinfelder 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 professional services contracts 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 number.

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 Kleinfelder for providing bidding assistance and construction phase services described in the Proposal and scope of work. The terms of the agreement shall be subject to the approval of the Township Attorney.
2. Kleinfelder shall be paid a not to exceed fee of \$29,200.00 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.

24-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

25. **ORDINANCE #20-1627 - Sewer Bills Due Date - Public Hearing**

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, IN SOMERSET COUNTY, NEW JERSEY (1984) REGARDING TIME OF PAYMENT OF SEWER SERVICE CHARGES.

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

B-2. Brett Borowski, York Drive, thanked the Governing Body for this and asked if sewer users were going to see usage and rates on the bills when they are received. Chief Financial Officer Michael Pitts responded that those items would be reflected.

B-3. Christine Newman, Spring Hill Road, asked how much of the Township is on sewer. Administrator Nieman stated that approximately 50% of the Township is services by sewers.

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

(Item #25 Cont.)

- C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 6th day of February, 2020 and that notice thereof be published in an official newspaper as required by law.

25-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

26. **ORDINANCE #20-1628 - Increase to Purchasing Threshold for Pay to Play - Public Hearing**

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

AN ORDINANCE AMENDING SUBSECTION 2-22.2 OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY, NEW JERSEY (1984) REGARDING THE AWARD OF CONTRACTS FOR GOODS AND SERVICES EXEMPT FROM PUBLIC BIDDING REQUIREMENTS.

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

- C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 6th day of February, 2020 and that notice thereof be published in an official newspaper as required by law.

26-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

27. **ORDINANCE #20-1626 - Payment Methods for Delinquent Taxes - Introduction**

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

AN ORDINANCE AMENDING SECTION 2-21 "CHECKS AND OTHER WRITTEN INSTRUMENTS" OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY, NEW JERSEY (1984) REGARDING ACCEPTABLE PAYMENT METHODS FOR DELINQUENT TAXES ON PROPERTIES SUBJECT TO TAX SALE.

- B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing February 20, 2020 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

27-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

28. **ORDINANCE #20-1629 - 2020 Salary & Wages - Introduction**

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

AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND TO PROVIDE FOR ITS ADMINISTRATION IN 2020.

- B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing February 20, 2020 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

28-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

29. ORDINANCE #20-1630 - Raymond Farm Acquisition - 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 INTERESTS IN PROPERTY DESIGNATED AS BLOCK 15001, LOT 45, MONTGOMERY TOWNSHIP MUNICIPAL TAX ASSESSMENT MAPS (REV. ED. 2019), ON ALLSHOUSE WAY AND DUTCHTOWN-HARLINGEN 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 February 20, 2020 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

29-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

30. ORDINANCE #20-1631 - LDO-Regarding Performance and Maintenance Guarantees; Start of Construction; and Inspections - Introduction

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

AN ORDINANCE AMENDING CHAPTER XVI "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY, NEW JERSEY (1984) REGARDING PERFORMANCE AND MAINTENANCE GUARANTEES, START OF CONSTRUCTION AND INSPECTIONS.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing February 20, 2020 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

30-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Huang and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

31. APPROVAL OF MINUTES

The Reorganization Meeting minutes of January 2, 2020 and the Regular Session minutes of January 16, 2020 were approved as printed.

32. 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.

32-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried on the following:

ROLL CALL - Ayes - Huang, Keenan, Schuldiner, Jaffer
Nays - None
Absent - Gural

33. CORONA VIRUS

Administrator Nieman stated that Health Officer Stephanie Carey prepared an information bulletin regarding the latest update on the Corona Virus. This bulletin has been posted on the Township's website. The Township is following the Center for Disease Control and the State of New Jersey Department of Health Regulation guidelines. Montgomery Township has met with the Office of Emergency Management, School District representatives, and neighboring Health Officers. The Township is working with the Emergency Services providers and health care agencies to train them with masks and providing fit tests for those masks to prevent infection. He explained that people who have traveled to China within the last 14 days are being screened. He stated that the Health Officer has asked that people go to the websites identified in the post on the Township's website and e-bulletin for full, current and correct information.

34. WHITE BUFFALO

Committeewoman Keenan stated that there will be a walk with the White Buffalo deer people on Sunday, February 9.

35. MAYOR AND DEPUTY MAYOR OFFICE HOURS

Deputy Mayor Schuldiner stated that he would be holding office hours from 6:30 p.m. to 7:30 p.m. on the second and fourth Wednesdays of the month. Mayor Jaffer stated that her office hours are the first and third Thursdays of the month from 10:30 am to 11:30 a.m.

36. MAYOR'S BREAKFAST

Mayor Jaffer stated that she attended a Mayor's breakfast organized by Congressman Malinowski. He is planning to hold these on a regular basis to get all the Mayor's in his district together for discussions. She stated that she brought up the issue of deer management and the fact that it is a regional issue.

37. EMERGENCY PLANNING MEETING

Mayor Jaffer stated that she attended the Emergency Planning Meeting for the Corona Virus. She explained that the Health Department is keeping on top of this situation and distributing any new information that they receive.

38. MAYOR'S WELLNESS CAMPAIGN

Mayor Jaffer stated that she attended a meeting with the Health Department and some other community organizations about potentially starting a Mayor's Wellness Campaign.

39. RUTGERS, NEWARK

Mayor Jaffer stated that she spoke at Rutgers, Newark about her experiences as a Muslim women, scholar, and an elected official.

40. BEAT THE WINTER BLUES

Mayor Jaffer stated that there was an event called "Beat the Winter Blues" which was organized by an organization called "Healthy Mind, Healthy Body Initiative" in conjunction with the Township's Health Department.

41. COMMITTEE AND SUB-COMMITTEE REPORTS

41-1. ZONING BOARD OF ADJUSTMENT

Committeeman Huang stated that the Zoning Board of Adjustment held their Reorganization meeting.

41-2. LANDMARKS COMMISSION

Committeeman Huang stated that the Landmarks Commission held their Reorganization meeting. They discussed the Harlingen Historic District and the application that was sent to the State. There was a discussion on cell towers. There was also a discussion on Hunter Farms.

41-3. ECONOMIC DEVELOPMENT COMMISSION

Committeewoman Keenan stated the Economic Development Commission held their Reorganization meeting. They are little bit behind on their Business Directory work but hope to catch up in the near future.

41-4. ENVIRONMENTAL COMMISSION

Committeewoman Keenan stated that a few members of the Environmental Commission had gone to the Sustainable Jersey Hub to talk about reintroducing this on the County level.

41-5. PLANNING BOARD

Deputy Mayor Schuldiner stated that the Planning Board memorialized the Country Club Meadows approval of the Active Senior Apartment Buildings. The Planning Board Attorney held a small course on the duties of the Planning Board and how it differs from the Zoning Board of Adjustment. She also explained the difference between a variance and a waiver.

41-6. COMMUNICATIONS COMMITTEE

Mayor Jaffer and Deputy Mayor Schuldiner stated that the Communications Committee should be making a presentation at an upcoming Governing Body meeting.

41-7. ONE MONTGOMERY

Mayor Jaffer stated that there would be a One Montgomery event in the Court Room of the Municipal Building on February 19 from 7:00 p.m. to 9:00 p.m. This will be about prejudice and discrimination in society.

42. **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 11001 Lot 61 (DTCD Limited Partnership); Block 4001 Lot 8 & 8.01 (RAM Mortgage Partners); Block 31010 Lots 10, 12, 13 & 17 (Elizabeth Hosea)
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.

42-1. Deputy Mayor Schuldiner moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Keenan and carried unanimously.

43. Meeting reconvened in Open Session and **ADJOURNMENT** was at 9:20 p.m. on a motion by Committeewoman Keenan. The motion was seconded by Deputy Mayor Schuldiner and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk