

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
July 16, 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, Committee members Gural, Keenan and Huang

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: "Although this meeting is the regularly scheduled meeting of the Montgomery Township Committee, due to the State of Emergency that exists as a result of the COVID-19 Coronavirus crisis, and in accordance with Executive Order No. 104 issued by Governor Murphy on Monday, March 16 limiting public gatherings, this meeting is being held virtually by webcast, simulcast on Comcast Cable Channel 29. Instructions for participating in this meeting are provided on the Township's website at [www.twp.montgomery.nj.us](http://www.twp.montgomery.nj.us)."

3. Mayor Jaffer led the Salute to the Flag.

4. **INTRODUCTORY PRESENTATION OF IDENTITY & HERITAGE OF MONTGOMERY TOWNSHIP - Princeton University Students**

Princeton University students Joonho Jo, Alik Zalmover, Grant Cuomo and Rachel Qing Pang spoke as a group of social impact designers who are spearheading a project about the heritage and identities of Montgomery Township. They hope to achieve the following:

- Re-discover and re-introduce lost stories of heritage and identity;
- Educate and be educated about complete history of the Township;
- Create an effective way to portray these histories;
- Raise awareness about diverse cultures of the Township.

They stated that in 2019, Montgomery Township consisted of the following:

- 57.6% White;
- 33.5% Asian;
- 5.6% Hispanic or Latino;
- 1.8% Black or African American;
- 0.5% Native American and Alaska Native.

They will be interviewing Montgomery residents, native and black Americans, members of boards and commissions, museum exhibit curators, scholars, historians and authors. The group aims to educate all people on hidden stories of heritage and identity. In a perfect world, their goal would be a fully integrated society, where diverse cultures are not only accepted, but also encouraged and fostered.

Mayor Jaffer thanked the students for their presentation and encouraged any members of the Township Committee and the public to email them with any questions, stories and/or comments at [montgomery4heritage@gmail.com](mailto:montgomery4heritage@gmail.com).

5. **POLICE REPORT**

Police Captain Jim Gill reported on the following activities of the Police Department for the month of June, 2020:

-- 27 motor vehicle accidents;  
-- 3 thefts;  
-- 1 burglary;  
-- 5 criminal mischief;  
-- 8 domestic violence.

He stated that the Police Department is back at full staff. He spoke about masking and social distancing pertaining to the Police Officers. He reported that there had been no instances where the Police were called out to a business because someone refused to wear a mask.

Deputy Mayor Schuldiner asked if there had been any issues with members of the Police Department coming down with COVID-19. Captain Gill stated that, in the very beginning, a couple of the officers were sick. They were required to be quarantined until they had no symptoms and were reevaluated.

6. **COVID-19 VIRUS UPDATE**

Health Officer Stephanie Carey stated that there had been 6 new cases of COVID-19 in Montgomery in the past week. She stated the following three important rules for people to follow:

- Wear a mask;
- Follow social distancing rules;
- Stay home when you are sick.

She stated that if anyone has travelled to any of the 22 hot spot states listed on the New Jersey website, upon their return they should stay home and self-quarantine for 2 weeks. She reported that they are continuing to partner with the school district, the business community, and the regulated industries to give them the guidance they need to be able to continue to reopen safely.

Deputy Mayor Schuldiner asked about how many people are on the Township's contact tracing team and if there was any information on where the 6 new cases came from. Ms. Carey answered that some of the new cases had no definitive information, but some are associated with social gatherings. She stated that there are 4 full time members plus some backup members of the contact tracing team.

7. **PUBLIC COMMENT**

- 7-1. Township Clerk Donna Kukla read the following public comment from Ed Trzaska, Taggart Drive:

"Let's get this project over the finish line. I would like to express my continuing support for the new town hall and library initiative and thank the current members of the Township Committee for their hard work as the planning phase comes to completion. This new complex will unify our community more than ever and create a true town center - somewhere we can share our unique cultures, interests, ideas, and hopes for what the future Montgomery will become.

I was Mayor when this initiative started (after Hurricane Sandy) and Mayor once again when we approved the partnership with the Somerset County Improvement Authority. I am proud of these decisions and look forward to the beginning of construction. It's been a long but rewarding journey. I would like to thank Sadaf, Marvin, the residents, and our professionals who helped refine the final design of the complex last year. It is outstanding and truly Montgomery.

I would also like to thank the entire Township Committee for moving the project forward efficiently and avoiding unnecessary delays. Obviously, due to the state of the current town hall, this project is critical and needs to happen. It enjoys widespread support from the community, including our local EMS team who will now have the opportunity to relocate their headquarters to the center of town. Any delays would cause significant cost increases. Labor costs go up, material costs go up, professional costs go up, and most importantly, interest rates will go up. Federal interest rates are at zero. Losing out on these historic rates would cost Montgomery taxpayers millions. This is not something to risk.

This is a project not just for here and now, but for the next 40-50 years. It's for those future residents as much as it is for all of us. I am confident that once the new municipal complex is completed, it will be hard to imagine Montgomery without it. It will become the heart of our community."

Mayor Jaffer thanked Mr. Trzaska, a former Mayor and someone who was involved from the very early stages of the project. She echoed his comments about this being a very long-term project initiated by a completely different group of people, different Township Committeemembers, as well staff and professionals.

- 7-2. Township Clerk Donna Kukla stated that Jack Garhart, Bayberry Lane, asked for an update on the new municipal building bids.

Administrator Nieman responded that the bids will be received on July 21 at Somerset County. This will be held via Zoom.

Mr. Garhart also asked for a summary of the two calls the Mayor made regarding Kid Connection.

Mayor Jaffer responded that she had two meetings over the past couple of weeks. One of these meetings was with Kid Connection staff. There is a lot of uncertainty in terms of the school calendar and how often children will be in school. The Township has kept its distance learning program going for the Kid Connection program until the end of the previous academic year, but the decision was made to let the staff go until the Township knew what was happening in the fall. There was a meeting with the staff about any concerns they might have and one of the things they asked for was an extension of their health insurance until the end of August. That is something that has been provided. She wanted to express to the Kid Connection staff how important their work is and has been for the community and how much respect she has for the work of those who are in early childhood education.

Mayor Jaffer responded that the parents' meeting started off with a discussion of the challenges facing all of those providing educational and care services to the children in the community right now. There was discussion about the increased costs of the program because of the lowering of the numbers of students who can be in a classroom as well as the lower enrollments than were expected.

(Item #7-2 Cont.)

Mr. Garhart asked the following questions about Ordinance #20-1642 being introduced tonight:

- a. Has the town's fire chief confirmed that the local fire department's ladder trucks can reach the roofs of the newly proposed building heights in case of emergency?
- b. Has the Township's insurance company been notified of the code's change?
- c. Has an independent group reviewed the risks and provided an assessment? Does Somerset County have someone like a fire chief that can provide this assessment?

Administrator Nieman responded that the Township's Construction Official who is also the Fire Marshal and Fire Subcode Official, reviewed the plans and the hydrant locations. The plans are also sent to all of the emergency services entities within the Township.

Deputy Mayor Schuldiner explained that the buildings are not getting taller than what the ordinance previously allowed. This is just changing how it is measured.

Mr. Garhart asked for an update as to the financial impact of COVID-19 to the municipal town's budget. Has the Township looked into seeing if the town can get state infrastructure money to pay down the \$40 million in debt that the Township has assumed?

Chief Financial Officer Michael Pitts responded that in terms of state aid, everything that has been heard so far is that the state aid will remain the same. Within the next week or so a tax rate will be struck. This cannot happen unless the County gets the official numbers from the State.

8. **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 #20-7-148 - REFUND OVERPAID 2020 SEWER TAX**

BE IT RESOLVED That a refund in the amount of \$40.38 be given to Weathervane Abstract & Settlement Services, LLC, 110 Main Street, P.O. Box 454, Flemington, NJ 08822 for the overpayment of the 2020 sewer tax on Block 37001 Lot 4.02.

B. **RESOLUTION #20-7-149 - REFUND OVERPAID 2019 & 2020 TAXES**

BE IT RESOLVED that a refund in the amount of \$5,559.11 be given to Core Logic Tax Services, Refund Department, P.O. Box 9202, Coppell, TX 75019-9978, for the overpayment of Taxes on Block 23001 Lot 21.

TAX YEAR/QUARTER	TAX AMOUNT
2019/4 <sup>th</sup>	\$2,811.86
2020/1 <sup>st</sup>	\$2,747.25

C. **RESOLUTION #20-7-150 - REFUND OVERPAID 2020 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2020 taxes:

Block	Lot	Name	Amount
37001	4.02	Weathervane Abstract & Settlement Services, LLC	\$ 27.93
4024	1	Sharath Korala & Anitha Gangidi	\$2,046.21
23001	21	Quicken Loans	\$2,747.24
27001	11.08	Anthony & Ahtoinette Melchione	\$3,978.38

D. **RESOLUTION #20-7-151 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - Clean Communities Grant**

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

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

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2020, in the amounts listed below, which items is now available as a revenue from the State of New Jersey;

FY 2020 CLEAN COMMUNITIES GRANT	\$56,245.03
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

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

(CONSENT AGENDA Cont.)

E. **RESOLUTION #20-7-152 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -  
NJ Association of County & City Health Officials Grant

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

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

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2020, in the amounts listed below, which items is now available as a revenue from the State of New Jersey;

FY NJACCHO GRANT	\$22,498.00
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BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

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

F. **RESOLUTION #20-7-153 - APPROVAL OF CONSTRUCTION SEQUENCE AGREEMENT** - Bloomberg  
Business Park Second Solar Collector Project

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a Construction Sequence Agreement for Bloomberg Business Park, Second Solar Collector Project, Block 34001, Lots 38.01, 38.001 and 38.03, PB-01-20, subject to the review and approval of the Township Attorney and the Township Engineer.

G. **RESOLUTION #20-7-154 - APPROVAL OF DETENTION BASIN EASEMENT** - Village Shoppes at  
Montgomery, LLC

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a detention basin easement from Village Shoppes at Montgomery, LLC to the Township of Montgomery for Block 28007, Lot 3, subject to the review and approval of the Township Attorney and the Township Engineer.

H. **RESOLUTION #20-7-155 - APPROVAL OF SIDEWALK EASEMENT** - Village Shopper III, LLC  
and Village Shoppes at Montgomery, LLC

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a sidewalk easement from Village Shopper III, LLC and Village Shoppes at Montgomery, LLC to the Township of Montgomery for Block 28005, Lot 66.02 and 69, subject to the review and approval of the Township Attorney and the Township Engineer.

I. **RESOLUTION #20-7-156 - RELEASE OF PERFORMANCE GUARANTEE** - Pedro da Eira  
Street Opening Permit #18-R-61 - Block 22004, Lot 7 - 245 Dead Tree Run Road

WHEREAS, Gail Smith, Township Engineer, has recommended the release of a cash performance guarantee to Pedro da Eira because all work has been satisfactorily completed with respect to a street opening permit at Block 22004, Lot 7 (245 Dead Tree Run Road.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash performance guarantee in the amount of \$435.00 be released to Pedro da Eira, 245 Dead Tree Run Road, Belle Mead, NJ 08502.

8-1. Deputy Mayor Schuldiner moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Huang and carried on the following:

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

9. **ORDINANCE #20-1642 - LDO-APT/TH & SSIZ-2 - Public Hearing**

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

AN ORDINANCE 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 SUBSECTION 16-4.4c REGARDING MAXIMUM BUILDING  
HEIGHT IN THE "APT/TH" APARTMENT/TOWNHOUSE DISTRICT AND  
SUBSECTION 16-4.14.b.5(a) REGARDING MAXIMUM BUILDING HEIGHT  
FOR APARTMENT BUILDINGS IN THE "SSIZ-2" SITE SPECIFIC  
INCLUSIONARY ZONE 2 DISTRICT.

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

"At the July 6, 2020 Planning Board meeting, the Board found the above referenced ordinance substantially consistent with the Master Plan and recommended adoption as written."

(Item #9 Cont.)

- C-1. Mayor Jaffer opened the hearing to the public.
- C-2. Deputy Mayor Schuldiner explained that this ordinance would impact two different areas of the Township. One is the project called Haven at Princeton on River Road by Blue Spring Road and the other is the property behind the Montgomery Theater next to Tamarack Circle.
- 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 16<sup>th</sup> day of July, 2020 and that notice thereof be published in an official newspaper as required by law.

9-1. 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, Gural, Schuldiner, Jaffer  
Nays - None

10. **APPROVAL OF MINUTES**

The Regular Session minutes of July 2, 2020 were approved as printed.

11. **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.

11-1. 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, Gural, Schuldiner, Jaffer  
Nays - None

12. **HOLLOW ROAD QUIET ZONE**

Administrator Nieman stated that the Quiet Zone on Hollow Road will become effective as of August 4.

13. **TOWNSHIP COMMITTEE UPDATES**

13-1. **OPEN SPACE COMMITTEE**

Committeeman Huang reported that the Open Space Committee discussed pathways, stewardship, dams and the recent acquisition of the Raymond Farm. They also discussed the Wildlife Management program and the new properties that were added.

13-2. **SKILLMAN ROAD PUBLIC INFORMATION SESSION**

Committeeman Huang stated he attended the Skillman Road public information session on July 9 that was organized by the Engineering Department.

13-3. **BUSINESS TASK FORCE**

Committeewoman Keenan stated that there has been a request for the Business Task Force to hold another virtual business forum. The Business Task Force has asked for a report of all unoccupied retail or commercial space in the Township, and how long they have been unoccupied.

13-4. **WILDLIFE MANAGEMENT**

Committeewoman Keenan stated that there had been a meeting between the Open Space Coordinator, the Wildlife Management Committee Chair, a Stonebridge resident and herself about the hunting on the Ingersoll Rand property.

(Item #13 Cont.)

13-5. DISABILITY CONFERENCE

Committeewoman Gural explained that part of her role at work is on the Diversity and Inclusion Council and is the Co-Chair of the New Jersey Disability Network for Bank of America. She is attending a three-day Disability Conference that includes such topics as "Intersection of Race and Disability", "Accessibility with Hiring Practices", "Mental Wellness in the Workplace" and "How Effective Diversity Inclusion Programs are Structured". These would be really good topics to introduce in town.

Administrator Nieman stated that, as the Affirmative Action and the Americans with Disabilities Act Officer, he was certainly open to any new ideas.

13-6. PLANNING BOARD

Deputy Mayor Schuldiner reported that the Planning Board discussed the Ordinance which was adopted earlier in this meeting and memorialized the construction sequence agreement for the solar field array at Bloomberg.

13-7. CENSUS

Deputy Mayor Schuldiner reminded everyone that if they haven't already filled out their Census form, to do so.

13-8. MONTY CARES PROGRAM

Deputy Mayor Schuldiner reminded everyone of the Monty Cares program. If you are a person who has a need that is not being filled such as food, transportation etc. contact Montycares.org.

13-9. SCHOOLS RE-OPENING PLAN

Mayor Jaffer stated that at the last Board of Education meeting they laid out all the considerations that they have to deal with in figuring out exactly what their plan is going to be to re-open the schools. They did not rule on the exact plan for the district, but they did indicate that they are looking toward the hybrid plan where there will be a mix of in-person instruction as well as distance learning for the students. She stated that the Township Committee has no input in the decision and explained that the public is more than welcome to share their thoughts with the Governing Body and to copy them on any correspondence, but they do not decide on the plan. She stated that the Health Department has been working with the schools in figuring out all of the health and safety protocols.

13-10. BOARD OF EDUCATION

Mayor Jaffer stated that the Board of Education discussed issues of racism and has set up two parents' councils, one for K-6 and the other for 7-12. She urged parents who are interested and want to be part of this to reach out to the Board of Education.

13-11. STAND CENTRAL JERSEY

Mayor Jaffer stated that she would be speaking at a Stand Central Jersey Zoom event on July 19 at 2:00 p.m. She is standing up for an inclusive and just Central Jersey.

13-12. COMBATTING RACISM AND IMPLICIT BIAS WORKSHOP

Mayor Jaffer stated that on July 25 the Township is hosting a free workshop on combatting racism and implicit bias being conducted by Dr. Sandra Donnay. This will be an all-day event.

13-13. ELECTION POLL WORKERS

Mayor Jaffer spoke about the need for poll workers for Election Day because there is a severe shortage.

13-14. TOWNSHIP FOOD BANK

Deputy Mayor Schuldiner and Administrator Nieman announced that the Township Food Bank is now open.

ADJOURNMENT was at 8:10 p.m. on a motion by Deputy Mayor Schuldiner. The motion was seconded by Committeeman Huang and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk