

RESOLUTION #10-4-104 - DESIGNATING SPECIFIC TRACTS OF MUNICIPALLY-OWNED PARKS AND OPEN SPACES TO BE INCLUDED IN MONTGOMERY TOWNSHIP'S DEER MANAGEMENT PROGRAM PURSUANT TO CHAPTER IX, SECTION 9-9 OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) FOR THE HUNTING SEASON BEGINNING ON SEPTEMBER 11, 2010 AND ENDING ON FEBRUARY 19, 2011

WHEREAS, As part of a comprehensive deer management plan and for the purpose of reducing the Township's white-tailed deer population, the Township Committee of the Township of Montgomery amended Chapter IX, "Parks and Recreation" of the Code of the Township of Montgomery (1984) ("Code") to allow limited hunting on the Township's parks and open spaces for the purpose of culling white-tailed deer only; and

WHEREAS, Section 9-9 of the Code authorizes the Township Committee to designate annually by resolution which parks and open spaces will be made available for hunting through the Township's municipal deer management program and during which dates;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY as follows:

1. Pursuant to Section 9-9 of the Code of the Township of Montgomery (1984), the hunting of white-tailed deer will be allowed from September 11, 2010 to February 19, 2011 on the properties listed below and subject to the restrictions and conditions set forth herein:

A. Folusiak

Designation: Block 11001, Lot 56

Location: 63± acres located on Hollow Road

Seasons/dates: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010 December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011
<u>Permit shotgun:</u>	December 1 - December 3, 2010 December 6 - December 11, 2010 December 15 - December 17, 2010 January 8 - February 12, 2011
<u>Permit muzzle-loader:</u>	November 29 - November 30, 2010 December 1 - December 4, 2010 December 6 - December 11, 2010 December 13 - December 14, 2010 December 18 - December 22, 2010 December 27 - December 31, 2010 January 1 - February 12, 2011
<u>Six-day firearm:</u>	December 6 - December 11, 2010

Permits: No more than six (6) municipal deer management permits shall be issued for this property.

Other restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

B. Opatut and Adjacent Land

Designation: Block 34001, Lots 35, 35.01, 35.06, 38.02, 43.02, 43.03, and an 18± - acre portion of Block 34023, Lot 72

Location: 165± acres located off of County Route 518 and Pine Brae Drive

Seasons: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

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<u>Permit shotgun:</u>	December 1 - December 3, 2010 December 6 - December 11, 2010 December 15 - December 17, 2010 January 8 - February 12, 2011
<u>Permit muzzle-loader:</u>	November 29 - November 30, 2010 December 1 - December 4, 2010 December 6 - December 11, 2010 December 13 - December 14, 2010 December 18 - December 22, 2010 December 27 - December 31, 2010 January 1 - February 12, 2011
<u>Six-day firearm:</u>	December 6 - December 11, 2010

Permits: No more than eighteen (18) municipal deer management permits shall be issued for this property.

Other restrictions: Anyone with a permit for this property may also hunt on Lot 72, provided that said hunting on Lot 72 shall take place only from three (3) designated tree stand locations, and only bow hunting shall be permitted from said stands. The location of these designated tree stands shall be established by the Montgomery Township Police Department according to all applicable safety setbacks and requirements.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

C. Dead Tree Run

Designation: Block 18026, Lot 27

Location: 69± acres located on Dead Tree Run Road

Seasons: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010 December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than four (4) municipal deer management permits shall be issued for this property.

Other Restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

D. Ingersoll-Rand

Designation: Block 23001, Lot 13

Location: 151± acres located on Montgomery Road

Seasons: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010 December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than sixteen (16) municipal deer management permits shall be issued for this property.

Other Restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

E. Runyon Farm-Fox Brook-Tomenchok

Designation: Block 15001, Lots 31, 29, and 34

Location: 141± acres located on State Highway Route 206 and Sunset Road

Seasons: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
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<u>Winter bow:</u>	January 1 - February 19, 2011
<u>Permit shotgun:</u>	December 1 - December 3, 2010 December 6 - December 11, 2010 December 15 - December 17, 2010 January 8 - February 12, 2011
<u>Permit muzzle-loader:</u>	November 29 - November 30, 2010 December 1 - December 4, 2010 December 6 - December 11, 2010 December 13 - December 14, 2010 December 18 - December 22, 2010 December 27 - December 31, 2010 January 1 - February 12, 2011
<u>Six-day firearm:</u>	December 6 - December 11, 2010

Permits: No more than fourteen (14) municipal deer management permits shall be issued for this property.

Other restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

F. Dale/Washington Well

Designation: Block 27001, Lot 6

Location: 63± acres located between County Route 518 and Burnt Hill
Road

Seasons: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010
	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than seven (7) municipal deer management permits shall be issued for this property.

Other restrictions: There shall be a 15±-acre "no hunting" zone erected around the sledding area located in the northern portion of the property. The boundaries of said "no hunting" zone shall be clearly marked and shall further be delineated with snow fencing. No hunting whatsoever shall take place in said zone after the first snowfall or November 15, 2010, whichever is earlier.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

G. Broadway Area

Designation: Block 4007, Lot 12, Block 4008, Lot 13, Block 4009, Lot 14, Block 4010, Lots 1, 2 and 3, and Block 4011, Lot 1.

Location: 50± acres located on County Route 601 and Broadway Road

Seasons: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
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	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than six (6) municipal deer management permits shall be issued for this property.

Other restrictions: No hunting whatsoever shall take place from November 24 to November 28, 2010, inclusive.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

H. Somerset Holdings/Bridgepoint Road Tract

Designation: Block 22001, Lots 10, 11, 12.02, 12.03, and a portion of Lot 5 excluding the northeastern portion between Mill Pond Road to the north and the southern lot line of Block 22024, Lot 5, as shown on the map on file in the office of the Township Clerk

Location: 35± acres located on Bridgepoint Road

Seasons: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
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	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than four (4) municipal deer management permits shall be issued for this property.

Other restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

I. Bennett Tract

Designation: Block 31001, Northern Portion of Lot 9.03

Location: 31± acres located on Provinceline Road

Seasons: This property shall be open to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011 including fall bow, permit bow and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010
	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than two (2) municipal deer management permits shall be issued for this property. Permit eligibility for this property is restricted to 2009-2010 permittees who (i) harvested at least two (2) deer during the 2009-2010 season in accordance with the terms of their permit and (ii) are also taking a permit for another property in the Township's Deer Management Program for the 2010-2011 season.

Other Restrictions: Bow hunting on this property shall only take place from designated tree stand locations. Absolutely no ground hunting or stalking shall be permitted, and all hunting must be from elevated tree stands. The location of these designated tree stands shall be established by the Montgomery Township Police Department according to all applicable safety setbacks and requirements. No hunting shall take place when there is snow on the property. No hunting whatsoever is permitted in the southern portion of Lot 9.03. (Consult the 2010-2011 Deer Management Program Map for this property.)

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

J. Platz Tract

Designation: Block 15001, Lot 26 & Block 15004, Lot 9

Location: 39± acres located on Dutchtown-Harlingen Road

Seasons: This property shall be open to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011 including fall bow, permit bow and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010
	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than two (2) municipal deer management permits shall be issued for this property. Permit eligibility for this property is restricted to 2009-2010 permittees who (i) harvested at least two (2) deer during the 2009-2010 season in accordance with the terms of their permit and (ii) are also taking a permit for another property in the Township's Deer Management Program for the 2010-2011 season.

Other Restrictions: Bow hunting on this property shall only take place from designated tree stand locations. Absolutely no ground hunting or stalking shall be permitted, and all hunting must be from elevated tree stands. The location of these designated tree stands shall be established by the Montgomery Township Police Department according to all applicable safety setbacks and requirements.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

K. Montgomery Meadows

Designation: Block 15001, Lot 43

Location: 16.4 acres located on Brandywine Road

Seasons: This property shall be open to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011 including fall bow, permit bow and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

<u>Fall bow:</u>	September 11 - October 29, 2010
<u>Permit bow:</u>	October 30 - December 24, 2010
	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than two (2) municipal deer management permits shall be issued for this property. Permit eligibility for this property is restricted to 2009-2010 permittees who (i) harvested at least two (2) deer during the 2009-2010 season in accordance with the terms of their permit and (ii) are also taking a permit for another property in the Township's Deer Management Program for the 2010-2011 season.

Other Restrictions: Bow hunting on this property shall only take place from designated tree stand locations. Absolutely no ground hunting or stalking shall be permitted, and all hunting must be from elevated tree stands. The location of these designated tree stands shall be established by the Montgomery Township Police Department according to all applicable safety setbacks and requirements.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

L. Saxon Ridge

Designation: Block 16012, Lots 1.02 and 1.03

Location: 17.4± acres located at the corner of Route 601 and Sunset Road, and on Saxon Way

Seasons: This property shall be open to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011 including fall bow, permit bow and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

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	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than four (4) municipal deer management permits shall be issued for this property; however, only two (2) permits may be in use at the same time. Permit eligibility for this property is restricted to 2009-2010 permittees who have (i) harvested at least two (2) deer during the 2009-2010 season in accordance with the terms of their permit and (ii) are also taking a permit for another property in the Township's Deer Management Program for the 2010-2011 season.

Other Restrictions: Bow hunting on this property shall only take place from designated tree stand locations. Absolutely no ground hunting or stalking shall be permitted, and all hunting must be from elevated tree stands. The location of these designated tree stands shall be established by the Montgomery Township Police Department according to all applicable safety setbacks and requirements. No hunting shall take place when there is snow on the property. There shall be no hunting in areas south of the brook that traverses the property. Permittees shall be restricted to use of tree stands furnished by the Township.

Hunting on Sundays and the use of crossbows shall be strictly prohibited.

M. Nicolaysen

Designation: Block 34001, Lot 37.02

Location: 95± acres located on Cherry Valley Road

Seasons/dates: This property shall be open only to bow hunters during the dates established for bow hunting by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, and winter bow. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

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	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011

Permits: No more than seven (7) municipal deer management permits shall be issued for this property.

Other restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

N. Zeloof

Designation: Block 15001, Lot 1

Location: 29.73± acres located on Belle Mead Blawenburg Road

Seasons/dates: This property shall be open to bow and firearm hunters during all regular deer hunting seasons established by the State of New Jersey for deer management zones 12 and 14 for 2010-2011, including fall bow, permit bow, winter bow, permit muzzleloader, six-day firearm, and permit shotgun. The specific dates on which hunting will be permitted are as follows, except that in the event any of the dates set forth below are inconsistent with any dates established by the State for the appropriate season, the State's dates shall apply, unless limited in specific instances by the Township of Montgomery in accordance with paragraph 2 of this Resolution:

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	December 27 - December 31, 2010
<u>Winter bow:</u>	January 1 - February 19, 2011
<u>Permit shotgun:</u>	December 1 - December 3, 2010
	December 6 - December 11, 2010
	December 15 - December 17, 2010
	January 8 - February 12, 2011
<u>Permit muzzle-loader:</u>	November 29 - November 30, 2010
	December 1 - December 4, 2010
	December 6 - December 11, 2010
	December 13 - December 14, 2010
	December 18 - December 22, 2010
	December 27 - December 31, 2010
	January 1 - February 12, 2011
<u>Six-day firearm:</u>	December 6 - December 11, 2010

Permits: No more than five (5) municipal deer management permits shall be issued for this property.

Other restrictions: Hunting on Sundays and the use of crossbows shall be strictly prohibited.

2. Except as otherwise set forth, hunting shall be allowed only during the dates designated by the State of New Jersey Department of Environmental Protection, Division of Fish and Wildlife for the applicable seasons listed above. The specific dates shall be set forth on each permit. Any dates set forth on the permits notwithstanding, the Township may make it a condition of any permit that hunting not take place on certain days as may be necessary to protect the health and safety of the public.

3. Only white-tailed deer may be hunted; hunting, shooting or killing any other game is strictly prohibited.

4. Hunting may take place only pursuant to the requirements set forth in Section 9-9 of the Code of the Township of Montgomery (1984) ("Code"). *Except for the provisions set forth hereinabove prohibiting hunting on Sundays and prohibiting the use of crossbows*, all applicable State and local regulations shall remain in effect and nothing herein shall be construed to abrogate same.

5. Pursuant to Section 9-9 of the Code, every permittee shall be required to participate in a hunter orientation and safety course to be conducted by an agent of the New Jersey Division of Fish and Wildlife, as well as in a property-specific hunter orientation and safety course to be conducted by Montgomery resident and member of the Montgomery Township Wildlife Committee Bruce Perone.

6. Warning signs shall be posted at the entrances to the properties designated above and in the vicinity of tree stands; in addition, the properties shall be posted in accordance with any specific terms and conditions of the individual permits.

7. All permittees shall be required to check in with the Police Dispatcher prior to hunting any property. This procedure shall be required each time the permittee intends to hunt.

8. A press release and a legal notice in a form approved by the Township Attorney notifying the public of the above designated dates and locations shall be published on the Township's website and in the Township's newsletter and shall be submitted to the Township's officially-designated newspapers as well as such others newspaper or newspapers as may be deemed advisable to publicize the above-referenced dates and locations as widely as possible. In addition, individual notices shall be sent to all property owners situated within two hundred feet of the properties set forth above.

9. The Township reserves the right to modify the conditions and restrictions set forth above *at any time, including after issuance of 2010-2011 permits*, in the interests of the public health, safety and welfare of Township residents.

10. Permittees are limited to use of one portable tree stand per permittee, except on properties where the tree stand has been furnished by the Township in which instance(s), the permittee shall be required to use the stand furnished by the Township.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A
TRUE COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MONTGOMERY AT A MEETING HELD

April 15, 2010

Township Clerk