

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
May 15, 2014

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 Smith, Committeemembers Trzaska and Madrid  
Deputy Mayor Sugden and Committeewoman Graham were absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Mayor Smith 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 Smith led the Salute to the Flag.

4. **PUBLIC COMMENT**

- 4-1. Robert Kress, Meadow Run Drive, asked about the Township's policy regarding the acquisition of easements by Transco for the pipeline. Transco is going through a substantial number of Green Acres properties. He wondered if the revenues associated with those acquisitions of Green Acres properties would go back into the Open Space fund. Attorney Hadinger explained that, under the Green Acres rules, if the Township receives money for land that is diverted to the Transco process, that money will have to be put into the Open Space Trust Fund or used for additional Open Space. The whole process has to be approved by Green Acres and sometimes instead of receiving money the Town or the County receives land.

Mr. Kress asked about the Township's policy on properties the Township buys for purposes of farmland preservation. He stated that if the Township was going to invest money for preservation of farmland, the Township should provide some protection to adjacent property owners. He stated that he was speaking specifically about the property at the end of Orchard Road. Attorney Hadinger explained that the Township doesn't hold an interest in that property. The Township did express a lot of concern about it, but the State Agricultural Development Commission and the County approved the project. When the Township gets interested in farmland preservation, the Township's ability is somewhat constrained by the SADC's rules and the SADC doesn't let properties into the program if the preservation mechanism doesn't meet its rules. One of the things the Township usually tries to do when it is contributing to an interest in farmland preservation under SADC's rules is to get an impervious coverage limitation.

Mr. Kress asked if there was ever a time when the building permits fees and inspection fees were required by the Department of Community Affairs to be used to pay employees' salaries. Administrator Nieman stated that there were two types of situations where a municipality can operate a Code Department. One was a Chapter 159, which is a dedication of all revenue towards the operation of the Code Department only. The municipality must show the fees are appropriate, not excessive and that they are being used to run the department. By law, even if the municipality is running at a deficit, that department must continue to operate to fill all permits that have been outstanding for a period of two years. This is not the way Montgomery's Code Department is run. The Township's fees are reviewed by the DCA to make sure they are appropriate. Mr. Kress suggested that the residual funds, after salaries and permit obligations, should be directed towards the Township's capital improvements because the developer's whose properties are being inspected are creating an additional stress load on the infrastructure. Administrator Nieman stated that the ultimate goal is to build up the Township's reserves such that there is a substantial surplus to use to offset the need to raise municipal property taxes.

5. **POLICE REPORT**

Police Director Palmer reported on the following activities of the Police Department for the month of April, 2014:

-- 37 motor vehicle accidents;  
-- 22 arrests;  
-- 2 burglaries;  
-- 5 thefts;  
-- 3 criminal mischief.

6. **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 #14-5-109 - REFUND OVERPAID 2014 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2014 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
6008	6	Jose Costa Filho & Rosangela Costa	\$4,258.69
16002	9.25	East Mountain Development Association	\$1,698.21
16002	9.26	East Mountain Development Association	\$1,432.38
28003	123	Golden Title Agency, LLC	\$1,060.50
34001	42.20	Katherine & Thomas Bogumil	\$3,351.88

B. **RESOLUTION #14-5-110 - REFUND OVERPAID 2014 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$129.76 be given to Mah, Margaret Keh Wong, 803 Taggart Drive, Belle Mead, NJ 08502 for the overpayment of 2014 sewer charges on Block 5024 Lot 8.03 CONDO.

C. **RESOLUTION #14-5-111 - ACCEPTANCE OF DONATION - Earth Day Fair 2014 - All American Poly Corp.**

BE IT RESOLVED That the Montgomery Township Committee hereby accepts the following donation for the Earth Day Fair.

<u>Name</u>	<u>Amount</u>	<u>Check #</u>
All American Poly Corp.	\$278.32	76122

D. **RESOLUTION #14-5-112 - AUTHORIZATION TO ENTER INTO A CONSTRUCTION SEQUENCE AGREEMENT Bonaventure, LLC (PB-06-09) Princeton Design Guild Campus**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a construction sequence agreement with Bonaventure, LLC with respect to Block 4001, Lots 31.05 (Reading Boulevard Property).

E. **RESOLUTION #14-5-113 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Montgomery Rodeo**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. The Montgomery Business Association has requested approval of the Township Committee to conduct an Outdoor Assembly/Championship Rodeo on the property of Frank and Noel Drift, Sunset Road, Block 16001, Lot 6Q on June 7 and 8, 2014.
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
  - (a) This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
  - (b) This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations and shall employ one (1) Private Duty Police Officer at each event.
4. The organizers have obtained the required health certificates from the Township Health Department.
5. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

F. **RESOLUTION #14-5-114 - AUTHORIZING PURCHASE OF SCHOOL SUPPLIES FOR KID CONNECTION THROUGH THE NEW JERSEY STATE CONTRACT**

WHEREAS, exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A. 40A:11-12; and

WHEREAS, the Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #80976 has provided the Township with the most competitive price for these items/services; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that the following purchase for school supplies at a not to exceed amount of \$10,000 be authorized through the utilization of the New Jersey State Contract to:

S&S Worldwide  
PO Box 513  
Colchester, CT 06415

(CONSENT AGENDA Cont.)

G. **RESOLUTION #14-5-115 - REAFFIRMING AND CONTINUING AFFORDABILITY ASSISTANCE PROGRAM**

WHEREAS, the Township has established an Affordable Housing Affordability Assistance program for the specific and express purpose of providing affordability assistance to eligible COAH-qualified households, as set forth in N.J.A.C. 5:97-8.8; and

WHEREAS, the Township wishes to continue said Affordable Housing Affordability Assistance program and affirm its continuing commitment to the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, in Somerset County, New Jersey as follows:

1. The Township reaffirms the establishment and continuity of its Affordable Housing Affordability Assistance program;
2. The expenditure and disbursement of program funds shall only be for housing opportunities contained in the Township's Housing Element and Fair Share Plan and Spending Plan, and all disbursements of program funds shall be in accordance with the "Affordable Assistance Program Policies and Procedures Manual."
3. This program shall remain active for such time as the funds committed to the program shall be available or the program is ended by subsequent resolution of the Township Committee. The Township Committee may commit additional sums to this initiative.
4. This resolution shall be effective as of January 1, 2014.

H. **RESOLUTION #14-5-116 - AUTHORIZING THE BIDDING OF MECHANICAL REPAIR SERVICES FOR MONTGOMERY TOWNSHIP WASTEWATER TREATMENT FACILITIES**

BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby authorizes the Purchasing Agent to solicit and receive bids for mechanical repair services for the Montgomery Township Wastewater Treatment Facilities in accordance with the Local Public Contracts Law.

- 6-1. Committeeman Trzaska moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Madrid and carried on the following:

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

7. **RESOLUTION #14-5-117 - AWARDING NON-FAIR AND OPEN CONTRACT FOR THE CLEANING OF POLICE UNIFORMS**

WHEREAS, The Township Committee of the Township of Montgomery has a need to provide uniform cleaning for the Township Police Department; and

WHEREAS, The Township Committee is permitted to acquire such services through a "non-fair and open" process (as defined by NJSA 19:44A-20.4) meaning the award is made by the Township Committee in its judgment of which provider will best serve the interests of the citizens of Montgomery, and not by a "fair and open" process (as defined by NJSA 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, The contract cost for the cleaning is expected to exceed \$17,500 but less than the bid threshold of \$36,000; and

WHEREAS, Three (3) quotes were requested and two (2) were received; and

WHEREAS, Belle Mead Dry Cleaners, LP, 2162 Route 206 South, Belle Mead, NJ 08502 has submitted a unit price quote and Business Entity Disclosure Certificate; and

NOW THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery authorizes a contract with Belle Mead Dry Cleaners pursuant to the proposal in the amount not to exceed:

\$14,581.00 for June 1, 2014 to December 31, 2014  
\$10,415.00 for January 1, 2015 to May 31, 2015

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in account #01-201-25-240-2-015 and has filed a signed Certificate of Available funds in the office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this award will be published as required by law within ten days of the passage of this Resolution.

- 7-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

8. **RESOLUTION #14-5-118 - AWARDING CONTRACT FOR COLLECTION AND DISPOSAL OF SOLID WASTE FROM VARIOUS MONTGOMERY TOWNSHIP FACILITIES**

WHEREAS, pursuant to a duly advertised Notice to Bidders, in accordance with the New Jersey Local Public Contracts Law, two (2) bids were received on May 7, 2014 for the Collection and Disposal of Solid Waste from Various Montgomery Township Facilities for a term of three (3) years, as follows:

1. Premier Disposal, Inc. \$89,886 total (\$29,962/year)
2. Republic Services of New Jersey, LLC \$93,570 total (\$31,190/year)

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the award be made to the lowest responsive and responsible bidder; and

WHEREAS, the bid submitted by Premier Disposal, Inc. ("Premier") imposes material conditions on its bid prices in connection with the collection and disposal of solid waste from the Public Works Facility, thus rendering Premier's bid materially defective and unresponsive to the Township's specifications for this contract; and

WHEREAS, Republic Services of New Jersey, LLC's ("Republic") bid complies with the Township's specifications for the contract and is the lowest responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this purchase.

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

1. The factual recitals contained in the foregoing WHEREAS clauses are hereby incorporated herein as if fully restated.
2. The bid submitted by Premier Disposal is hereby rejected as unresponsive to the Township's specifications for the Contract for Collection and Disposal of Solid Waste from Various Montgomery Township Facilities.
3. The Contract for Collection and Disposal of Solid Waste from Various Montgomery Township Facilities is hereby awarded to Republic Services of New Jersey, LLC, as the lowest responsive and responsible bidder.
4. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Republic Services of New Jersey, LLC for contract amount of \$31,190 per year, resulting in a total contract amount of \$93,570 for the three-year term. The Township's ability to continue the contract in years two and three of its term shall be subject to the continued availability and appropriation annually of sufficient funds to meet the obligations under the contract.
5. A copy of this Resolution and the agreement shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

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

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

9. **2014 MUNICIPAL BUDGET**

A. **RESOLUTION #14-5-120 - REGARDING PUBLIC HEARING OF THE 2014 LOCAL MUNICIPAL BUDGET OF THE TOWNSHIP OF MONTGOMERY, STATEMENTS OF REVENUES AND APPROPRIATIONS**

WHEREAS, For at least one week, the complete Municipal Budget as advertised, has been posted in a public place, in the Municipal Building; and

WHEREAS, The 2014 Budget has been made available to each and every person requesting the same for at least one week,

NOW, THEREFORE, BE IT RESOLVED By the Township Committee (not less than a majority of the full membership concurring) of the Township of Montgomery in Somerset County, that the Township Committee hereby determines that the 2014 Municipal Budget, Statements of Revenues and Appropriations shall be read by title, and that the conditions of N.J.S.A. 40A:4-8, Sections 1A and 1B, have been satisfied.

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

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

(Item #9 Cont.)

B. REPORT FROM CHIEF FINANCE OFFICER

Chief Financial Officer Walter Sheppard stated that the budget will raise taxes on the average home \$65.19 which is a \$0.013 increase year over year. He explained that following the public hearing is an amendment which would modify that amount from \$65.19 to \$65.23. There are three adjustments, two of which have a zero impact. The other has a \$1,000.00 bottom line impact. This is because the Municipal Alliance is going from a calendar year to a fiscal year.

Attorney Hadinger explained the order of the adoption of the budget.

C. 2014 MUNICIPAL BUDGET - Public Hearing

- a-1. Committeewoman Madrid moved to open the hearing to the public. The motion was seconded by Committeeman Trzaska and carried unanimously.
- a-2. Robert Kress, Meadow Run Drive, stated that while reviewing the budget summaries for the past five years, he noticed some disturbing trends. There are major shortfalls in revenues meeting its expenditures in the State budget. He believes this is going to affect the municipalities in the long run, in monies and grants that are given by the State. While he agrees that the expenditure budget is the same size as in 2005, the real fact is that the assessments are exactly what they were in 2005 also. The real tax increase since 2005 has been approximately 42.2%. He wondered where the money for the structural deficit was going to come from. For the past five years, the Township has used approximately \$18 million from the surplus to carry the budget. He said that the revenue losses from tax appeals are a big part of the problem with the school tax increase. He stated that he sees the Master Plan going out of balance. He spoke of the demand on the schools and services with new construction of residential units, and stated that this was going to cause a problem because the commercial side is not supporting it. He suggested a non-political, blue ribbon committee try to develop a plan to help the Township get out of the budgetary situation. Until the Township builds the roadway system and infrastructure to help ease the burden of traffic issues, there will be no commercial development.

Mayor Smith stated that the deficit is something that the entire Township Committee thinks about and doesn't take lightly. They understand what it is and the magnitude of it. There are some things coming up that will help significantly from a tax revenue standpoint.

- a-3. Walt Beadling, Thornton Way, stated that the burden of paying for the municipal budget and the school budget is being borne by the taxpayers/property owners in the town because of the lack of commercial ratables. Attorney Hadinger explained that there was a loss in State funding which is also a contributing factor. Mr. Beadling reiterated points made by Mr. Kress. He stated that one of the reasons people came to this municipality in the past was for the schools, and now the schools are not rated quite as highly as they once had been. He has, in the past, urged the Governing Body to reduce spending and has not seen it happen.

Mayor Smith stated that the Township spends money on the Police Department, the employees, the Public Works Department and health benefits. These make up a very large percentage of what is spent. The Township is not going to cut Police, Public Works and road repairs. The Township has already cut the employees to a level where it can still maintain service. The Township cannot change the health care benefits. There is very little that can be cut from the budget. He explained that the Township is going to be looking at the vehicle program, whether it would be less expensive to lease instead of buy, etc. The current Municipal Building efficiency was going to be looked at as well.

Committeeman Trzaska mentioned, with regard to the Police Department, they are certainly not hands-off from any consideration or judgment. He reminded that a few years back, the Police Department had 36 or 37 Police Officers, and at present there are 30 Police Officers.

- a-4. Ken Knieser, Oak Ridge Drive, reiterated Mr. Kress' thoughts and ideas.
- b. Committeeman Trzaska moved to close the public hearing. The motion was seconded by Committeewoman Madrid and carried unanimously.

(Item #9 Cont.)

D. **RESOLUTION #14-5-121 - AMENDMENT TO 2014 BUDGET**

WHEREAS, The public hearing on the 2014 budget has been held on April 15, 2014 and advertised: and

WHEREAS, It is desired to amend said approved budget:

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey that the following amendments to the approved budget of 2014 be made:

	FROM	TO
Anticipated Revenues		
1. Surplus Anticipated	\$ 3,180,000.00	\$ 3,180,000.00
Total Surplus Anticipated	\$ 3,180,000.00	\$ 3,180,000.00
3. Miscellaneous Revenues - Section F: Special Items		
Municipal Alliance Grant	\$ 20,770.87	\$ 21,565.13
Total Section F: Special Items	\$ 37,570.87	\$ 38,365.13
4. Subtotal General Revenues (Items 1, 2, 3 & 4)	\$13,998,590.30	\$13,999,384.56
5. Amount to be Raised by Taxes		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$12,348,727.53	\$12,348,992.28
6. TOTAL GENERAL REVENUE	\$26,347,317.83	\$26,348,376.84
7. (E) Deferred Charges and Statutory Expenditures - Municipal within "CAP"		
Public Employees Retirement System	\$ 495,975.00	\$ 544,286.13
Police and Fireman's Retirement System	\$ 681,806.00	\$ 633,494.87
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	\$ 2,034,031.00	\$ 2,034,031.00
8. (H-1)Total General Appropriations for Municipal Purposes within "Caps"	\$19,035,419.00	\$19,035,419.00
(A) Operations - Excluded from "CAPS"		
Municipal Alliance	\$ 20,770.87	\$ 21,565.13
Matching Grants	\$ 6,923.63	\$ 7,188.38
Total Operations - Excluded from "CAPS"	\$ 1,463,217.50	\$ 1,464,276.51
(L) Subtotal General Appropriations (Items (H-1) and (O))	\$25,348,161.50	\$25,349,220.51
(M) Reserve for Uncollected Taxes	\$ 999,156.33	\$ 999,156.33
9. TOTAL GENERAL APPROPRIATIONS	\$26,347,317.83	\$26,348,376.84

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith with the Director of Local Government Services for approval.

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

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
 Nays - None  
 Absent - Graham, Sugden

(Item #9 Cont.)

E. **RESOLUTION #14-5-122 - ADOPTION OF THE 2014 MUNICIPAL BUDGET, AS AMENDED**

BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of \$26,348,376.84 for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(1)	GENERAL REVENUES	
	Surplus Anticipated	\$ 3,180,000.00
	Miscellaneous Revenue Anticipated	10,163,834.56
	Receipts from Delinquent Taxes	655,500.00
(2)	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>12,348,992.38</u>
	TOTAL REVENUES	\$26,348,376.84
(3)	GENERAL APPROPRIATIONS	
	Within "CAPS"	
	Operations Including contingent	\$17,001,388.00
	Deferred Charges and Statutory Expenditures - Municipal	2,034,031.00
	Excluded from "CAPS"	
	Operations - Total Operations Excluded from "CAPS"	1,464,276.51
	Capital Improvements	172,475.00
	Municipal Debt Service	4,559,050.00
	Total Deferred Charges	118,000.00
	Reserve for Uncollected Taxes	<u>999,156.33</u>
	TOTAL APPROPRIATIONS	\$26,348,376.84

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

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

10. **ORDINANCE #14-1465** - Traffic Regulations on Private Property - Tapestry at Montgomery -  
Public Hearing

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

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

10-1. Mayor Smith moved to postpone and carry to the June 5, 2014 meeting. The motion was seconded by Committeewoman Madrid and carried unanimously.

11. **ORDINANCE #14-1466** - EMS Vehicle Lease Amendment - Introduction

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY AMENDING AN AGREEMENT ENTITLED "LEASE MONTGOMERY EMERGENCY MEDICAL SERVICES, INC. 2014 FORD EXPLORER"

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 June 5, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

11-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

12. **APPROVAL OF MINUTES - May 1, 2014**

The minutes of May 1, 2014 were approved as printed.

13. **PAYMENT OF BILLS**

WHEREAS, The Township Committee of the Township of Montgomery has received bills to be paid as listed; and

WHEREAS, The Chief Finance Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills;

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

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Township Officials are authorized to sign the checks.

13-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Madrid, Trzaska, Smith  
Nays - None  
Absent - Graham, Sugden

14. **ROADS TO BE CHIP-SEALED**

Mayor Smith reported that Administrator Nieman and Public Works Superintendent Art Villano spoke to him about fixing the following roads damaged this winter: Cherry Valley Road, Sunset Road, Dutchtown-Zion Road, Burnt Hill Road, Bridgepoint Road, Harlingen Road, Mill Pond Road, Dead Tree Road, Willow Road. Mr. Villano suggested using some of the money that was appropriated for the Cherry Valley Road reconstruction, which will not be done in 2014, to fix the listed roads. It was the consensus of the Township Committee to do these repairs.

Committeeman Trzaska asked that Administrator Nieman talk with Princeton and request that they do the same kind of repairs on their portion of Cherry Valley Road.

15. **RESOLUTION TO CLOSE MEETING TO THE PUBLIC**

BE IT RESOLVED by the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
  - Pending Country Club Meadows litigation and COAH proceedings matters, terms and conditions for settlement thereof, together with advice of counsel regarding these matters.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

15-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried unanimously.

16. Meeting reconvened in Open Session and **ADJOURNMENT** was at 8:39 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Madrid and carried unanimously

Date of Approval:

\_\_\_\_\_  
Donna Kukla, Township Clerk