

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
August 7, 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: Deputy Mayor Sugden, Committeemembers Trzaska, Graham and Madrid
Mayor Smith was absent

Also present were:

TOWNSHIP ATTORNEY - Victoria Britton, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

DEPUTY TOWNSHIP CLERK - Margaret Crawford

2. Deputy Mayor Sugden 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. Deputy Mayor Sugden led the Salute to the Flag.

4. **EAGLE SCOUT PROCLAMATION** - Aidan Connolly, Noah Dunzik, Sean Griffin

WHEREAS, The prestigious rank of Eagle Scout with the Boy Scouts of America has been earned by Aidan Connolly, Noah Dunzik and Sean Griffin; and

WHEREAS, The standards established for this honor are high and very difficult to achieve;

WHEREAS, Those who have worked diligently to achieve this rank have exhibited excellence in leadership and a deep commitment to their community.

NOW, THEREFORE, BE IT RESOLVED That, with great pride, the Montgomery Township Committee congratulates Aidan Connolly, Noah Dunzik and Sean Griffin on this remarkable achievement and extends its sincere wishes for continued success.

- 4-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.
- 4-2. Noah Dunzik explained that for his Eagle Scout project consisted of planning and building an attractive wooden outdoor enclosure for storing trash bins at the Montgomery United Methodist Church. He raised approximately nine hundred dollars to complete the project and overcame many planning obstacles, such as moving the location multiple times for a variety of reasons.
- 4-3. Aidan Connolly stated that his Eagle Scout project involved working with Montgomery EMS to survey houses in the north east section of the town, looking for the display of reflective house numbers on mailboxes. He explained that there is a Township ordinance requiring such house numbering. Any houses without appropriate numbering were offered free numbers, and if desired, he installed them.
- 4-4. Sean Griffin stated that his Eagle Scout project was to collect various toiletry items and distribute these items to teens at a juvenile home in Somerset County. The items will be used to help the teens to get back on their feet and feel better about themselves.

5. **GIRL SCOUT GOLD AWARD PRESENTATION**

Cara Schiksnis explained her Girl Scout Gold Award project, which involved working with the Township and the Montgomery Friends of Open Space at the Rock Mill Preserve on Grandview Road. This included clearing the trail, installing trail markers, and writing a trail description of njtrails.org, which could also be used for a future kiosk at the site. She plans on installing ten 10x12" metal interpretative signs that will highlight the unique environment of the Sourland Mountains. She stated that she raised half of the \$700.00 cost of the project, and the Montgomery Township Open Space Committee and the Montgomery Friends of Open Space have agreed to pay \$185.00 each towards the final cost of the project. She asked that the Township approve the project.

- 5-1. Committeewoman Graham moved the approval of the Girl Scout Gold Award project presented by Cara Schiksnis. The motion was seconded by Committeeman Trzaska and carried unanimously.

6. **EAGLE SCOUT PRESENTATION** - Rohan Dang

Rohan Dang explained his Eagle Scout project, which involved measuring and marking the walking trails in Montgomery Park and Van Horne Park. He planned on marking the trails every 1/10 mile with colored trail markers and stakes, and creating a map for people to refer to when using these parks. He stated that he was going to reach out to different businesses to see if they would help with materials and donations. Committeewoman Graham suggested that Mr. Dang visit neighboring businesses for donations.

- 6-1. Committeeman Trzaska moved the approval of the Eagle Scout project presented by Rohan Dang. The motion was seconded by Committeewoman Madrid and carried on the following:

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

7. **CENTRAL JERSEY TRANSPORTATION FORUM PRESENTATION**

Bill Neary of the Central Jersey Transportation Forum, and Jesse Buerk, of the Delaware Valley Regional Planning Commission presented a "Vision for a Prosperous and Sustainable Future". This presentation was predominately about the traffic problems in the Central Jersey region and planning for the future. He spoke about the Route 1 corridor, between New Brunswick and Trenton, and the role that plays with the traffic on roads such as Route 206. Part of the problem is suburban sprawl, the lack of mass transportation and the lack of connection from where people live to where they work and shop. They presented a draft resolution for the Governing Body to consider at an upcoming meeting.

8. **PUBLIC COMMENT**

8-1. Walter Beadling, Thornton Way, asked about the impact on the school system and traffic Flows from the Country Club Meadows development. He attended the last school board meeting and confirmed at that meeting that the school population in Montgomery is down 600 students from its peak. He figured that there would be approximately 300 students added, kindergarten through 12th grade, to the system when the development is completed. He stated that the Board of Education said they were not aware that the development was going to be built. Deputy Mayor Sugden stated that the plans were not made available until just recently because of the on-going litigation. Mr. Beadling stated that he would be going to upcoming Board of Education meetings to find out why their budgets keep going up when the number of students is decreasing. He next questioned the impact on traffic. He spoke about the current problems with the Route 206 corridor through Montgomery and asked if the Governing Body would think about widening the road, even though it was not a popular idea. Committeeman Trzaska reminded everyone that this would be a State project, but the Township could advocate for it. Committeewoman Graham explained that the choice in this development was either a large office complex or a housing development. Mr. Beadling also suggested opening up the Belle Mead Train station again. Administrator Nieman stated that he had just spoken to Freeholder Palmer about this and he was in favor of working on trying to get this done.

8-2. Mary Penney, Skillman resident and representative of Montgomery Friends of Open Space, asked about the presentation given by the Central Jersey Transportation Forum. Administrator Nieman explained that the CJTF was looking at regional transportation issues along the Route 1 corridor, and they believe that the only way to resolve some of the traffic issues on Route 206 is to make Route 1 move more quickly. Ms. Penney encouraged the Township Committee to look at transportation alternatives such as mass transit, instead of widening Route 206. Administrator Nieman explained that the Township has tried to get more busses to run along Route 206 for numerous years, but New Jersey Transit does not have the funding to make this happen. She spoke about the local Farmer's Market and how people would like to walk there from some of the neighborhoods or from the ShopRite shopping center, but the light is much too short for them to cross Route 206, and asked if there was something the Township could do to lengthen the timing of the light at that area to allow people to cross. Administrator Nieman stated that the State had retimed all of the lights on Route 206 for optimal traffic flow. He said he would contact someone at New Jersey Department of Transportation about retiming that light.

9. **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 #14-8-175 - ACCEPTANCE OF DONATION - Lisa Youngberg**

BE IT RESOLVED That the Montgomery Township Committee hereby accepts a donation of used office furniture from Lisa Youngberg to the Montgomery Township Health Department, valued at approximately \$250.00.

B. **RESOLUTION #14-8-176 - AUTHORIZING A SHARED SERVICES AGREEMENT WITH WEST WINDSOR TOWNSHIP - Health Education Services**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute a Shared Services Agreement with the West Windsor Health Department to provide Health Education Services from September 1 2014 to December 31, 2015 is hereby approved.

C. **RESOLUTION #14-8-177 - AUTHORIZING A SHARED SERVICES AGREEMENT WITH SOMERSET COUNTY - Fairview Road and Bridge**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute a Shared Services Agreement with the County of Somerset for the replacement of County Bridge No. C0301 on Fairview Road and the reconstruction of Fairview Road.

D. **RESOLUTION #14-8-178 - SUPPORTING THE NOMINATION OF EWA ZAK FOR THE GOVERNOR'S ENVIRONMENTAL EXCELLENCE AWARD**

WHEREAS, Ewa Zak served on the Township's Shade Tree Committee since its inception in 1986 and is responsible for the creation of Montgomery's Arboretum; and

WHEREAS, In recognition of her excellent service to the community, the membership of the Shade Tree Committee wishes to nominate Ewa for the Governor's Environmental Excellence Award.

NOW, THEREFORE BE IT RESOLVED That the Montgomery Township Committee hereby supports the submission of this application honoring Ewa Zak's service.

(CONSENT AGENDA Cont.)

E. **RESOLUTION #14-8-179 - SUPPORTING THE NOMINATION OF EWA ZAK FOR THE COMMUNITY FORESTRY PROGRAM'S "GREEN COMMUNITY ACHIEVEMENT AWARD"**

WHEREAS, Ewa Zak served on the Township's Shade Tree Committee since its inception in 1986 and is responsible for the creation of Montgomery's Arboretum; and

WHEREAS, In recognition of her excellent service to the community, the membership of the Shade Tree Committee wishes to nominate Ewa for the Community Forestry Program's "Green Community Achievement Award".

NOW, THEREFORE BE IT RESOLVED That the Montgomery Township Committee hereby supports the submission of this application honoring Ewa Zak's service.

F. **RESOLUTION #14-8-180 - SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2014 STATEWIDE CRACKDOWN**

WHEREAS, Impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

WHEREAS, An enforcement crackdown is planned to combat impaired driving; and

WHEREAS, The summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, The State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown*; and

WHEREAS, The project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

WHEREAS, An increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery declares its support for the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown* from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

G. **RESOLUTION #14-8-181 - APPROVAL OF CONSERVATION EASEMENT FOR BELVEDERE HOMES - (Case PB-04-14) Block 6001, Lots 39 and 40**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a Conservation Easement with Belvedere Homes with regard to Block 6001, Lots 39 and 40.

H. **RESOLUTION #14-8-182 - AUTHORIZING CROSS EASEMENT - Block 19001, Lot 8.22 (71 Westbury Court)**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a Cross Easement agreement with Hammond Farms, Inc. with respect to Lot 8.22, Block 19001 subject to the Township Attorney's approval of the Cross Easement agreement.

I. **RESOLUTION #14-8-183 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - Community Forest Green 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 2014, in the amounts listed below, which item is now available as a revenue form the New Jersey Department of the Treasury - State Forestry Services;

Community Forest Green Communities Grant	\$3,000.00
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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 two copies of this document with handwritten ink signature of the Clerk on certification be forwarded to the Division of Local Government Services.

(CONSENT AGENDA Cont.)

J. **RESOLUTION #14-8-184 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) - Hazard Mitigation Grant Program - Energy Allocation Initiative

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 2014, in the amounts listed below, which item is now available as a revenue form the New Jersey Department of Law and Public Safety - Division of State Police - Lifeline / Life Safety Energy Resilience Program;

Hazard Mitigation Grant Program - Energy Allocation Initiative
\$75,000.00

BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That two copies of this document with handwritten ink signature of the Clerk on certification be forwarded to the Division of Local Government Services.

K. **TOWNSHIP COMMITTEE APPOINTMENT - Joint Insurance Fund**

BE IT RESOLVED That Tamarah Novak is hereby appointed Joint Insurance Fund Alternate, 1 year term expiring December 31, 2014.

9-1. 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, Graham, Trzaska, Sugden
Nays - None
Absent - Smith

10. **ORDINANCE #14-1474 - Left Turn Prohibitions at the Montgomery Upper Middle School Southern Driveway Intersection with Burnt Hill Road - Public Hearing**

A. Deputy Mayor Sugden read the title of the ordinance as follows:

AN ORDINANCE AMENDING SCHEDULE XIII OF CHAPTER VII, "NO LEFT TURN," OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ESTABLISH LEFT TURN PROHIBITIONS AT THE MONTGOMERY UPPER MIDDLE SCHOOL SOUTHERN DRIVEWAY INTERSECTION WITH BURNT HILL ROAD.

B. Deputy Mayor Sugden opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 7th day of August, 2014 and that notice thereof be published in an official newspaper as required by law.

10-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

11. **ORDINANCE #14-1475 - 2014 Salary and Wages - Public Hearing**

A. Deputy Mayor Sugden 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 2014.

B. Deputy Mayor Sugden opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 7th day of August, 2014 and that notice thereof be published in an official newspaper as required by law.

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

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

12. **ORDINANCE #14-1476** - LDO - Elimination of Appeals Process from Board of Adjustment to Township Committee - Introduction

A. Deputy Mayor Sugden read the title of the ordinance as follows:

AN ORDINANCE AMENDING CHAPTER XVI LAND DEVELOPMENT OF THE TOWNSHIP OF MONTGOMERY (1984) TO ELIMINATE APPEALS FROM THE APPROVAL OF CERTAIN VARIANCES BY THE ZONING BOARD OF ADJUSTMENT TO THE TOWNSHIP COMMITTEE.

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 September 4, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

12-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

13. **ORDINANCE #14-1477** - LDO - Belle Mead Planned Unit Development - Introduction

A. Deputy Mayor Sugden 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 SECTION 16-3.1 REGARDING "ZONING DISTRICTS", SUBSECTION 16-3.3a. REGARDING "ZONING MAP", A NEW SUBSECTION 16-4.15, ENTITLED "BELLE MEAD PLANNED UNIT DEVELOPMENT", AND A NEW SUBSECTION 16-8.7, ENTITLED "REQUIRED SUBMISSION OF A GENERAL DEVELOPMENT PLAN FOR THE BELLE MEAD PLANNED UNIT DEVELOPMENT"

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 September 4, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

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

14. **APPROVAL OF MINUTES - July 17, 2014**

The minutes of July 17, 2014 were approved as printed.

15. **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.

15-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

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

16. **HEALTH INSURANCE PLAN**

Administrator Nieman stated that when he asked the Governing Body to renew the Township's membership with the Central Jersey Health Insurance Fund, it was with the understanding that he would take a look at the cost and if the increase was not sustainable, he would look elsewhere. He explained that there was a substantial increase due to a number of very serious illnesses, and he determined that it was worthwhile to look at the possibility of going back to the State Health Benefits Plan.

17. **MAILBOXES - Hillside at Montgomery**

Committeewoman Graham mentioned a letter from the homeowners in the Hillside at Montgomery development asking for individual mailboxes instead to the cluster mailboxes installed in the development. She confirmed that there was nothing the Township could do about this situation, that it was between the Post Office and the community.

18. **MUNICIPAL ALLIANCE**

Committeewoman Graham reported that the two chairpeople of the Municipal Alliance, Suni Surapaneni and Jim Vaccarella, have stepped down. Committeewoman Graham asked that the Governing Body consider replacements.

19. **ENVIRONMENTAL COMMISSION AND SUSTAINABLE MONTGOMERY**

Administrator Nieman reported that the Environmental Commission and Sustainable Montgomery are planning on purchasing and installing bike racks in certain areas in town and seeing if New Jersey Transit will allow the bike racks to be installed at bus stops along Route 206. They are also working on buying additional bike helmets for distribution. They would like to team with either the Turkey Trot or possibly Fire Prevention week to have a bike safety event, coordinating it with the Police Department.

ADJOURNMENT was at 8:00 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Madrid and carried unanimously.

Date of Approval:

Margaret Crawford, Deputy Township Clerk