

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
December 18, 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, Deputy Mayor Sugden, Committeemembers Trzaska and Madrid  
Committeewoman Graham was 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. **PROCLAMATION HONORING DONATO NIEMAN**

WHEREAS, Civic dedication is a measure of character and achievement, and therefore is central to every healthy community; and

WHEREAS, During his years of service to Montgomery and other communities, Donato Nieman has gained over 35 years of Public Sector experience in various capacities as a Purchasing/Personnel Officer and Assistant Township Manager for Franklin Township, and Township Administrator in Branchburg, South Brunswick, and Montgomery; and

WHEREAS, The International City and County Managers Association recently honored Donato Nieman for his 30 years of service as a Municipal Manager and Township Administrator; and

WHEREAS, Donato has given his utmost to the people of Montgomery, who in turn have benefited by his commitment to, knowledge of, and love for this community; and

WHEREAS, Donato Nieman has set a standard for excellence in public service with his determination, professionalism and good humor; and

WHEREAS, Donato continues to share his expertise with various organizations such as the International City and County Managers Association, the New Jersey Municipal Managers Association, the Somerset County Municipal Managers Association, the Bloomsburg University Alumni Board of Trustees, and the Rutgers University School of Public Affairs and Public Administration Alumni Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED That we the members of the Montgomery Township Committee, on behalf of the people of Montgomery, express our heartfelt appreciation for Township Administrator Donato Nieman's many contributions to Montgomery, and extends warmest wishes on this 18<sup>th</sup> day of December 2014.

- 4-1. Deputy Mayor Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

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

- 4-2. Mayor Smith stated that thirty years as a Township Administrator is quite a milestone. In February of 1999, Mr. Nieman came to Montgomery, hired by then Mayor Donald Matthews, and that started his career here. Before that he served as Township Administrator first in Branchburg then in South Brunswick. He gave a short background of Mr. Nieman. Mr. Nieman works very hard and is also a great storyteller. Mayor Smith stated that Mr. Nieman has groomed an excellent staff, at every level.

- 4-3. Donato Nieman stated that he was touched that so many of the people who work with him, came to support him. He could not do his job without the support of a great staff. He thanked the Governing Bodies that he has worked for, past and present, because they have allowed him to do his job well and to bring the best employees and professionals into this organization. He stated that Montgomery was one of the best communities in which to work. He also stated that he could not have done any of this without the support of his wife and sons.

- 4-4. Louise Wilson, former Mayor, remarked that she couldn't agree more with the words of Mayor Smith regarding the staff. She was thankful for everything Mr. Nieman has done in and for Montgomery Township.

- 4-5. Donald Matthews, former Mayor, agreed with everything Mayor Smith and Ms. Wilson stated.

- 4-6. Committeeman Trzaska commented that he gained a true respect for Mr. Nieman and his staff before, during and after Superstorm Sandy.

(Item #4 Cont.)

- 4-6. Joe Novak, former employee, spoke of his time working for the Township and the amount of respect he had for Mr. Nieman.
- 4-7. Deputy Mayor Sugden stated that he felt the Township was very fortunate to have Mr. Nieman and the excellent staff working for the residents of Montgomery Township.

5. **PROCLAMATION HONORING GIRL SCOUT KRISTIN YOUNGBERG**

WHEREAS, The prestigious Girl Scout Gold Award has been earned by Kristin Youngberg; and

WHEREAS, This award is the highest honor earned in Girl Scouting; and

WHEREAS, To qualify for the Gold Award, a Girl Scout must complete not only a significant service project, but also complete numerous other leadership, career and service prerequisites, all of which demand efficient organizational, time management and leadership skills; and

WHEREAS, The Gold Award represents the culmination of many years of service and work that benefit the community; and

WHEREAS, Kristin's project benefited our Montgomery Senior Center with the addition of a retractable sunshade to the patio pergola and the construction of a regulation size bocce court, a horseshoe pit, life-sized checker game, eight 8-foot planter boxes filled with bright and colorful flowers and much more; and

WHEREAS, Kristin invested approximately 100 hours designing, organizing, planning, and executing her ambitious Gold Award project; and

WHEREAS, Kristin accepted the challenge and worked diligently to complete her project and achieve her Gold Award, exhibiting excellence in leadership qualities reflecting the highest personal standards and civic values.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee takes great pride in congratulating Kristin Youngberg on her accomplishments and wishes her continued success in the future.

- 5-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

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

- 5-2. Kristin Youngberg explained her Girl Scout Gold Award project of a retractable sunshade on the patio pergola and the construction of a regulation size bocce court, a horseshoe pit, life-sized checker game, and eight 8-foot planter boxes filled with bright and colorful flowers. She thanked the following volunteers and sponsors: Lisa and Kent Youngberg; Charlie Nankivell; George Jarvis; JB, Chandler and Bennett Turner; Katie Hadinger; Andrew, Matthew and Amanda Youngberg; Girl Scout Troop 33; Montgomery/Rocky Hill Rotary; Lowe's in Hillsborough; Belle Mead Farmer Co-Op; Gibraltar Rock; Dutchtown Nursery; Blooms at Belle Mead; Jays Landscaping; Belle Mead Garage; Girl Scout Troop 1061; and The Dance Factory. She gave a special thanks to the following people for their support: Denise Crowley; Karen Zimmerman; Elyse Rufolo; John Snyder; the Montgomery Township Committee; Katie Windham and Girl Scout Heart of New Jersey. She presented each of the Township Committee with a package of Girl Scout cookies.

6. **GIRL SCOUT GOLD AWARD PROJECT PROPOSAL - Aayushi Doshi**

Aayushi Doshi explained that her Gold Award project proposal consisted of installing interpretative signs in the kiosks located in Van Horne Park. The signs in these kiosks will provide information on the origin and history of the park, including information such as the vegetation and animal life in the park. These kiosks are located along the walking trail. This project will be thoroughly researched and will be approved by the Township's Landmarks Commission, who will ensure the authenticity of the content of the information on the signs. She explained that she would be working with both Montgomery Township and Rocky Hill Borough on this project, since the park is co-owned by both. Her project will cost \$520.00 and would be completely self-earned through fund raising.

- 6-1. Committeewoman Madrid moved the approval of this Girl Scout Gold Award project. The motion was seconded by Committeeman Trzaska and carried unanimously.

7. **POLICE REPORT**

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

- 60 motor vehicle accidents;
- 24 arrests;
- 4 burglaries;
- 4 thefts;
- 4 criminal mischief;
- 6 domestic violence.

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

- 77 motor vehicle accidents;
- 21 arrests;
- 5 burglaries;
- 4 thefts;
- 4 criminal mischief;
- 3 domestic violence.

8. **PUBLIC COMMENT**

Mayor Smith opened the public comment portion of the meeting. There being no public comment, Mayor Smith closed this portion of the meeting.

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 #14-12-263 - 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>
5024	13	Sudhi & Vidya Lalitha Radhakrishnan	\$ 832.62
7021	50 QFARM	Staats Farm Road Developers, LLC	\$2,998.06
28005	48	Robert & Cheryl Gesregan	\$ 250.00
37003	6.787CONDO	Core Logic Real Estate Tax Services	\$ 960.59

B. **RESOLUTION #14-12-264 - CANCEL OUTSTANDING UNPAID CHECKS**

WHEREAS, There exists outstanding unpaid checks on the books of the Township of Montgomery; and

WHEREAS, The checks are all over two years old and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED That the following checks be cancelled:

<u>CURRENT FUND</u>		<u>SEWER FUND</u>	
55269	- \$1,710.34	3071	- \$ 72.37
55334	- \$ 776.73	3582	- \$ 308.00
56345	- \$ 200.00	4807	- \$ 260.54
56456	- \$1,581.72	6469	- \$2,250.00
57016	- \$ 170.00	8967	- \$2,742.10
58126	- \$ 50.00	9325	- \$ 114.16
58191	- \$ 35.00	9492	- \$ 200.00
58221	- \$ 225.00	9961	- \$1,642.05
58288	- \$ 150.00	10097	- \$ 105.50
59053	- \$ 43.54	10697	- \$ 263.46
59216	- \$1,749.00	11245	- \$ 95.42
59226	- \$ 183.20	11420	- \$8,100.00
		12528	- \$ 6.43

  

<u>TRUST FUND</u>		<u>OPEN SPACE</u>	
4568	- \$165.07	1001	- \$ 60.00
4605	- \$690.00	1059	- \$378.00
4714	- \$522.50	1074	- \$843.75
4978	- \$125.00	1103	- \$993.75
5023	- \$224.98	1197	- \$ 58.76
5185	- \$224.98	1225	- \$ 45.67
5365	- \$155.55	1242	- \$ 89.97

C. **RESOLUTION #14-12-265 - CANCELLATION OF GRANT RECEIVABLES AND GRANT APPROPRIATIONS**

WHEREAS, The Montgomery Township independent auditors Suplee, Clooney & Company recommends an ongoing review of outstanding grant receivable and grant reserve balances for possible cancelation; and

WHEREAS, There are grants were the funding has never been received and no appropriations have ever been spent; and

WHEREAS, There are grant appropriations remaining were the funding has been received, but either the grant appropriations were not spent or were spent and incorrectly recorded; and

(CONSENT AGENDA Item C Cont.)

WHEREAS, There are grants were the funding appropriations were incorrectly entered during the 2014 Budget preparation; and

WHEREAS, There are grants were the funding is no longer available and no appropriations were either not spent or were spent and incorrectly recorded.

NOW, THEREFORE, BE IT RESOLVED, That the following Grant Receivables and Grant Appropriations be canceled.

**Grant Receivables**

Municipal Alliance	\$	794.26
Historic Preservation Grant - Maplewood	\$	26,450.00

**Grant Appropriations**

Municipal Alliance	\$	794.26
Historic Preservation Grant - Maplewood	\$	26,800.00

**D. RESOLUTION #14-12-266 - AUTHORIZING ACCESS AND USE AGREEMENT BETWEEN THE TOWNSHIP OF MONTGOMERY AND MONTGOMERY TOWNSHIP BOARD OF EDUCATION - Swimming Pool**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute an Access and Use Agreement between the Township of Montgomery and the Montgomery Township Board of Education with respect to use of the swimming pool located at Montgomery High School. The term of the agreement shall be from July 1, 2015 to June 30, 2016.

**E. RESOLUTION #14-12-267 - APPROVAL OF AN AGREEMENT FOR RESERVATION OF REMAINING SEWER CAPACITY - Springpoint at Montgomery, Inc.**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute an agreement for reservation of remaining sewer capacity with Springpoint at Montgomery, Inc. related to remaining capacity in the Stage II Sewage Treatment Plant for Springpoint at Montgomery, Block 23001, Lot 16, subject to the Borough of Rocky Hill's approval.

**F. RESOLUTION #14-12-268 - APPROVAL OF AN AGREEMENT FOR RESERVATION OF REMAINING SEWER CAPACITY - Orchard Residential (aka Montgomery Ridge) Phase II**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Clerk are hereby authorized to execute an agreement for reservation of remaining sewer capacity with K. Hovnanian Companies related to remaining capacity in the Skillman Village (formerly NPDC) Sewage Treatment Plant for Orchard Residential (aka Montgomery Ridge) Phase II, Block 28001, Lot 5.01, subject to Township Attorney approval as to form and content.

**G. RESOLUTION #14-12-269 - AUTHORIZING PURCHASE OF A WALK-BEHIND MOWER FOR MONTGOMERY PARKS DIVISION THROUGH NEW JERSEY STATE CO-OP MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION**

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

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS 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 in Account Number 04-216-55-901-1443E.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of walk-behind mower at a not to exceed amount of \$5,083.40 be authorized through the utilization of the New Jersey State Co-op to:

Cammps Hardware  
2168 Route 206  
Belle Mead, NJ 08502

**H. RESOLUTION #14-12-270 - AUTHORIZING PURCHASE OF A UTILITY/PAINT MACHINE JD GATOR FOR MONTGOMERY PARKS DIVISION THROUGH NEW JERSEY STATE CO-OP MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION**

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

WHEREAS, The Township of Montgomery has determined the following cooperative pricing system identifier MRESC #65MCESCCPS 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 in Account Number 04-216-55-901-1443E.

(CONSENT AGENDA Item H Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a utility/paint machine JD gator at a not to exceed amount of \$8,968.64 be authorized through the utilization of the New Jersey State Co-op to:

Cammps Hardware  
2168 Route 206  
Belle Mead, NJ 08502

I. **RESOLUTION #14-12-271 - RELEASE OF ESCROW FEE - John Stewart von Oehsen - Street Opening Permits #12-R-12 and #13-R-08**

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WHEREAS, George Remboske, Assistant to the Township Engineer, has recommended the release of the cash escrow fee to John Stewart von Oehsen because all work has been satisfactorily completed with respect to a street opening permits at Block 31003, Lot 23 (77 Colfax Road).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$2,165.00 (\$185.00 for permit #12-R-12 and \$1,980.00 for permit #13-R-08) be released to John Stewart von Oehsen, Princeton Land Design, P.O. Box 1251, Princeton, NJ 08542.

J. **RESOLUTION #14-12-272 - APPROVAL OF 2015 RECYCLING AGREEMENT WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS**

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WHEREAS, Pursuant to its duly approved Solid Waste Management Plan and amendments thereto, the County of Somerset has established a mandatory countywide recycling program; and

WHEREAS, The duly approved Solid Waste Management Plan and amendments thereto call for the execution of agreements by and between Somerset County and municipalities located within the County; and

WHEREAS, The Township of Montgomery desires to participate in the recycling program; and

WHEREAS, The execution of a contract with Somerset County for the provision of recycling services pursuant to N.J.S.A.13:1E-99.14 is, pursuant to N.J.S.A. 40A:11-5(2), an exception to the public bidding requirements established by the Local Public Contracts Law; and

WHEREAS, The Chief Finance Officer has certified the extent to which funds for this contract are available pursuant to the temporary budget (Somerset County Mandatory Recycling Program).

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County that the Mayor and Clerk are hereby authorized to execute an agreement with Somerset County for the provision of recycling services for a one-year term beginning January 1, 2015 through and including December 31, 2015.

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, Trzaska, Sugden, Smith  
Nays - None  
Absent - Graham

10. **RESOLUTION #14-12-273 - RESOLUTION TO RENEW MEMBERSHIP IN CENTRAL JERSEY HEALTH INSURANCE FUND**

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WHEREAS, A number of public entities in the State of New Jersey have joined together to form the CENTRAL JERSEY HEALTH INSURANCE FUND, hereafter referred to as "the FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, The FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

WHEREAS, The statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND; and

WHEREAS, The Township Committee of the Township of Montgomery, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

(Item #10 Cont.)

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Renew membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED That the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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

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

11. **RESOLUTION #14-12-274 - AUTHORIZING PURCHASE OF A 2015 CHEVY TAHOE SSV FOR MONTGOMERY POLICE DEPARTMENT THROUGH THE CRANFORD CO-OPERATIVE PURCHASE AGREEMENT**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through the Cranford Co-operative Purchase Agreement per N.J.S.A.40A:11-11; and

WHEREAS, The Township of Montgomery has determined the following Cranford Police Vehicle Co-op identifier 47-CPCPS has provided the Township with the most competitive price for these items/services;

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this Project in Account Number 04-216-55-901- -1472A.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase for a 2015 Chevy Tahoe SSV with additional equipment at a not to exceed amount of \$34,227.00 be authorized through the utilization of Cranford Police Vehicle Co-op to:

Mall Chevrolet  
75 Haddonfield Road  
Cherry Hill, NJ 08002

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, Sugden, Smith  
Nays - None  
Absent - Graham

12. **RESOLUTION #14-12-275 - AUTHORIZING PURCHASE OF A LENOVO COMPUTER FOR MONTGOMERY POLICE DEPARTMENT THROUGH 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 NJSC #B27168 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 as follow: Account Number 04-216-55-901-1443A for \$538.40; Account Number 04-216-55-901-1416A for \$259.45; Account Number 01-201-25-240-2-054 for \$1,070.13.

(Item #12 Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a Lenovo Computer at a not to exceed amount of \$1,867.98 be authorized through the utilization of the New Jersey State Contract to:

GovConnection, Inc.  
7503 Standish Place  
Rockville, MD 20855

- 12-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

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

13. **RESOLUTION #14-12-276 - AUTHORIZING PURCHASE OF 2014 FORD POLICE INTERCEPTOR UTILITY VEHICLE AND EQUIPMENT PLUS INSTALLATION FOR MONTGOMERY POLICE DEPARTMENT THROUGH 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 identifiers NJSC #82925, #81336, and #81165 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 in Account Number 04-216-55-901-1472A.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a 2014 Ford police interceptor utility vehicle and equipment at a not to exceed amount of \$32,905.56 be authorized through the utilization of the New Jersey State Contract to:

Winner Ford  
250 Haddonfield-Berlin Rd.  
Cherry Hill, NJ 08034

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

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

14. **RESOLUTION #14-12-277 - AUTHORIZING PURCHASE OF COMPUTER EQUIPMENT FOR MONTGOMERY POLICE DEPARTMENT THROUGH 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 NJSC #WN88ABZ 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 in Account Number 04-216-55-901-1443A.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of computer equipment at a not to exceed amount of \$5,461.60 be authorized through the utilization of the New Jersey State Contract to:

Dell  
1 Dell Way  
Round Rock, TX 78682

- 14-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

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

15. **RESOLUTION #14-12-278 - AUTHORIZING PURCHASE OF A MOBILE-VISION FLASHBACK 3 VEHICLE UPGRADE AND A MOBILE-VISION OFFICE BACKEND UPGRADE FOR MONTGOMERY POLICE DEPARTMENT THROUGH 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 identifiers NJSC #A81311 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 as follows: in Account Number 04-216-55-901-1443A for \$20,000.00; Account Number 04-261-55-901-1471B for \$15000.00; Account Number 02-213-41-775-2-778 for \$21,762.89; Account Number 01-201-25-240-2-054 for \$28.25.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a mobile-vision flashback 3 vehicle and a mobile-vision office backend upgrade at a not to exceed amount of \$56,791.14 be authorized through the utilization of the New Jersey State Contract to:

L-3 Mobile Vision  
90 Fanny Rd.  
Boonton, NJ 07005

15-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

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

16. **RESOLUTION #14-12-279 - AUTHORIZING PURCHASE OF CAMERA EQUIPMENT AND UPGRADES FOR MONTGOMERY POLICE DEPARTMENT THROUGH 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 identifiers NJSC #A81311 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 as follows: in Account Number 04-216-55-901-1472a for \$7,400.00.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of camera equipment and upgrades at a not to exceed amount of \$7,400.00 be authorized through the utilization of the New Jersey State Contract to:

L-3 Mobile Vision  
90 Fanny Rd.  
Boonton, NJ 07005

16-1. Deputy Mayor Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

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

17. **RESOLUTION #14-12-280 - AUTHORIZING PURCHASE OF 2015 JEEP PATRIOT FOR MONTGOMERY ENGINEERING DEPARTMENT THROUGH 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 NJSC #A83011 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 in Account Number 04-216-55-901-1472B.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that the following purchase of a 2015 Jeep Patriot at a not to exceed amount of \$18,703.25 be authorized through the utilization of the New Jersey State Contract to:

Hetrich Fleet Services  
1427 Bay Rd.  
Milford, DE 19963

17-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

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

18. **RESOLUTION #14-12-281 - AUTHORIZING PURCHASE OF 2015 FORD EXPLORER K7B 4 DOOR BASE FOR MONTGOMERY HEALTH DEPARTMENT THROUGH 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 NJSC #83012 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 in Account Number 04-216-55-901-1472C.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase of a 2015 Ford Explorer K7B 4 Door Base at a not to exceed amount of \$31,495.00 be authorized through the utilization of the New Jersey State Contract to:

Winner Ford  
250 Berlin Rd.  
Cherry Hill, NJ 08034

18-1. 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, Sugden, Smith  
Nays - None  
Absent - Graham

19. **RESOLUTION #14-12-282 - TRANSFER OF FUNDS**

WHEREAS, There is a need to transfer funds to areas where there are insufficient funds to meet the demands of the Township, and

WHEREAS, There are sufficient funds to be transferred to those accounts as stated to meet the needs of the Township.

NOW, THEREFORE, BE IT RESOLVED, By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58 and N.J.S.A. 40A:4-59 hereby authorizes the Chief Finance Officer to make the following transfers:

FROM	TO	AMOUNT
Legal (O&E)		\$16,000.00
	Buildings & Grounds (O&E)	\$16,000.00
Employee Group Insurance (O&E)		\$50,000.00
	Employee Contribution (O&E)	\$50,000.00

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

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

20. **RESOLUTION #14-12-283 - RESOLUTION AUTHORIZING ENTRY INTO A SUBLEASE WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY PURSUANT TO THE SOMERSET MUNICIPAL BANC PROGRAM TO PURCHASE POLICE VEHICLES AND RELATED EQUIPMENT**

WHEREAS, Under the Somerset Municipal Banc Program ("Program"), various municipalities, educational services commissions and school districts within the County of Somerset ("County") and the County (each a "Participant") may submit a request to the Somerset County Improvement Authority ("Authority") to borrow funds to finance the purchase, through a lease, of certain capital equipment and, if applicable, other personal property ("Equipment"); and

Under the Somerset Municipal Banc Program, the Authority entered into the lease, entitled "Master Lease Purchase Agreement," dated June 17, 2014, ("Authority Lease") with TD Equipment Finance, Inc. ("Lessor"), to permit the Lessor to acquire and lease the Equipment to the Authority in exchange for payment over time; and

WHEREAS, Pursuant to the Authority Lease, the Authority has the right to sublease the Equipment to a Participant in exchange for payment, subject to annual appropriation of said Participant, in an amount sufficient to pay the corresponding payments from the Authority to the Lessor for the Equipment, plus all administrative expenses of the Program; and

WHEREAS, Pursuant to the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto, specifically Section 37 thereof (N.J.S.A. 40:37A-79), the County may for the purpose of aiding the Authority in the planning, undertaking, acquisition, construction or operation of a public facility, guaranty the punctual payment of moneys for the purposes of the Authority (the "County Guaranty"); and

(Item #20 Cont.)

WHEREAS, In order to implement the County Guaranty, and in accordance with the terms of that certain agreement entitled Guaranty Agreement between the County and the Authority (the "County Agreement"), the County intends to appropriate moneys to the Authority to the extent the lease payments made by the Authority to the Lessor are not sufficient; and

WHEREAS, The Township of Montgomery ("Township") has made a request under the Program for financing to purchase three police vehicles and related equipment ("Police Equipment"); and

WHEREAS, The Authority has prepared a sublease, entitled "Sublease Purchase Agreement" ("Participant Lease") to allow the Township to purchase the Police Equipment with payments to be made over a three year period.

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

Section 1. That the Participant Lease, in the form presented at this meeting, is hereby approved, and the Township's Mayor, Administrator, Clerk, and Chief Financial Officer (each an "Authorized Participant Representative") are hereby authorized to execute the Participant Lease, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addresses designated on the Participant Lease, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That any Authorized Participant Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the Participant Lease and for carrying out the sale, issuance and delivery of the Police Equipment, and all related transactions contemplated by this resolution.

Section 3. This Resolution constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Police Equipment prior to the date that the Township incurs obligations under the Participant Lease. The Township reasonably expects to reimburse such expenditures with the proceeds of obligations to be incurred by the Township under the Participant Lease. The principal amount of the Township's obligation for the Police Equipment is \$120,725.74, with the total amount of the Township's obligation under the Participant Lease (principal plus \$3,546.44 interest) to be \$124,272.18.

Section 4. A copy of the Participant Lease is available for review at the office of the Township Clerk during normal business hours.

Section 5. This resolution shall become effective immediately.

- 20-1. 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, Sugden, Smith  
Nays - None  
Absent - Graham

21. **RESOLUTION #14-12-284 - RESOLUTION AUTHORIZING THE PROVISION OF A LOAN PURSUANT TO THE TOWNSHIP OF MONTGOMERY AFFORDABILITY ASSISTANCE PROGRAM FOR THE TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED 1024 MCKINLEY COURT MONTGOMERY, NEW JERSEY**

WHEREAS, Applicant 2014-4 ("Tenant") will be renting 1024 McKinley Court, Montgomery Township ("Property"), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant has requested a loan through Montgomery Township's Affordability Assistance Program to pay for a security deposit for the Property; and

WHEREAS, the Township's Affordable Housing Administrative Agent, Community Grants Planning and Housing, has reviewed the Tenant's application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested loan for a security deposit will be paid directly to the landlord, M&G McKinley Investments, LLC, by the Township; and

WHEREAS, the Township is willing, pursuant to the Affordable Assistance Program, to extend a loan to the Tenant in the amount of eight hundred and ninety-two dollars (\$892.00); and

WHEREAS, the funding for the loan will be from the Montgomery Township Affordable Housing Trust Fund.

(Item #21 Cont.)

NOW THEREFORE BE IT RESOLVED on this 18th day of December, 2014, by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that:

1. The Mayor and Clerk are hereby authorized, pursuant to the Township's Affordability Assistance Program, to enter into an Agreement with Tenant and provide Tenant with a loan to be used to pay a security deposit for the Property.
2. The Mayor, Administrator, Clerk, Township Attorney, CFO, and such other staff and officials as may be appropriate are authorized to take such steps as may be reasonably required to implement this resolution, including issuance of the loan amount.

21-1. 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, Sugden, Smith  
Nays - None  
Absent - Graham

22. **APPROVAL OF MINUTES - December 4, 2014**

The minutes of December 4, 2014 were approved as printed.

23. **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.

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

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

24. **REQUEST FOR WAIVER OF CONSTRUCTION SEQUENCE AGREEMENT - Springpoint at Montgomery**

Attorney Hadinger explained that this request came out of the Planning Board's approval of the Springpoint at Montgomery project. The Planning Board had recommended that the Township dispense with the need for a Construction Sequence Agreement or Developer's Agreement on the project. The staff is agreeable with the recommendation as long as the developer is required to meet with the Township Engineer in advance of the project to come up with a list of sequence, without a formal agreement.

24-1. Committeeman Trzaska moved the adoption of the foregoing request for waiver of Construction Sequence Agreement. The motion was seconded by Deputy Mayor Sugden and carried unanimously.

25. **CUSTOMER SERVICE MOBIL APP & PHONE & WEB RESOURCE**

Mayor Smith explained that Princeton started a customer service app. He stated that it was a good idea and should be looked at further in the near future.

26. **PLANNING BOARD**

Mayor Smith reported on a recent Planning Board meeting. There were three (3) applications which made adjournment close to 11:00 p.m. He felt this was definitely a good meeting. One discussion was about the signs at the Baker car dealership.

27. **JANUARY 6 REORGANIZATION MEETING**

Attorney Hadinger explained that there might be a need to take substantive action on the COAH front at the Reorganization meeting.

**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:

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Donna Kukla, Township Clerk