

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
August 6, 2015

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

Also present were:

TOWNSHIP ATTORNEY - Victoria Britton, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

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

4. **POLICE REPORT**

Police Director Palmer reported on the following activities of the Police Department for the month of June, 2015:

-- 48 motor vehicle accidents;
-- 27 arrests;
-- 14 thefts;
-- 1 burglary;
-- 4 criminal mischief;
-- 1 domestic violence.

Police Director Palmer reported on the following activities of the Police Department for the month of July, 2015:

-- 45 motor vehicle accidents;
-- 19 arrests;
-- 5 thefts;
-- 2 criminal mischief;
-- 4 domestic violence.

5. **PUBLIC COMMENT**

- 5-1. Quinn Martin, In-House General Counsel for Bender Enterprises, spoke regarding an issue that arose with regard to APS Contracting. APS Contracting went out of business and is trying to stiff the contractors. He stated that he had been working with the Township's legal counsel to get this situation resolved and get the monies owed to Bender Enterprises by APS Contracting.

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 #15-8-190 - 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>
4068	5	Amit & Chetna Desi	\$4,706.45
37002	1.139	Trident Abstact Title Agency, LLC	\$1,971.82

B. **RESOLUTION #15-8-191 - REFUND OVERPAID 2015 TAXES**

BE IT RESOLVED that a refund in the amount of \$1,817.23 be given to Schoen, Alvin E. Jr. & Mary K., 189 Dutchtown-Harlingen Road, Belle Mead, NJ 08502 for the overpayment of 2015 taxes on Block 15014 Lot 3. Overpayment a result of homeowner being declared a 100% disabled veteran and property taxes being cancelled as of April 22, 2015.

C. **RESOLUTION #15-8-192 - REFUND OVERPAID 2015 SEWER CHARGES**

BE IT RESOLVED That a refund in the amount of \$546.17 be given to Murphy, Denette, 624 Lancaster Court, Belle Mead, NJ 08502 for the overpayment of 2015 sewer charges on Block 37002, Lot 1.047.

D. **RESOLUTION #15-8-193 - APPROVAL OF USE OF TENT - Montgomery FunFest**

BE IT RESOLVED That the Montgomery Township Committee hereby approves the use of the Township tent for the Montgomery FunFest as the Township Recreation Department will be one of the sponsors of the event and the advertising will be provided to the Township. The event will be held on Sunday, September 13, 2015.

(CONSENT AGENDA Cont.)

E. **RESOLUTION #15-8-194 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Montgomery FunFest**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. The Montgomery Business Association has requested approval of the Township Committee to conduct a Montgomery FunFest event at Princeton Airport on September 13, 2015.
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.
4. The organizers will obtain the required health certificates from the Township Health Department.

F. **RESOLUTION #15-8-195 - AUTHORIZATION TO ENTER INTO A CONSTRUCTION SEQUENCE AGREEMENT**
Constructural Dynamics, Inc. (PB-06-10) Block 1001, Lot 45

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a construction sequence agreement with Constructural Dynamics, Inc. with respect to Block 1001, Lot 45.

G. **RESOLUTION #15-8-196 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - Somerset County - Youth Services 2015 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 2015, in the amounts listed below, which item is now available as a revenue from the County of Somerset - Department of Human Services - Office of Youth Services;

Somerset County - Youth Services 2015 Grant	\$5,000.00
---	------------

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

H. **RESOLUTION #15-8-197 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - 2015 Distracted Driving Crackdown - U Drive, U Text, U Pay**

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 2015, in the amounts listed below, which item is now available as a revenue form the Division of Highway Traffic Safety;

2015 Distracted Driving Crackdown - U Drive, U Text, U Pay	\$5,000.00
--	------------

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

(CONSENT AGENDA Cont.)

I. **RESOLUTION #15-8-198 - RESOLUTION DECLARING CERTAIN GENERAL EQUIPMENT AS SALVAGE FOR SALE AND/OR DISPOSAL**

WHEREAS, The Montgomery Township Administrator desires to declare certain property as salvage to be sold and/or disposed of.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby authorize the sale or disposal of the following items:

L.C. Smith Manual Typewriter
Remington Standard Manual Typewriter
Double Wide Trailer (Police Trailer)

J. **RESOLUTION #15-8-199 - RESOLUTION AUTHORIZING THE PROVISION OF A LOAN PURSUANT TO THE TOWNSHIP OF MONTGOMERY AFFORDABILITY ASSISTANCE PROGRAM FOR THE PURCHASER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 830 MCKINLEY COURT**

WHEREAS, Applicant 2015-8 ("Owner") is under contract to purchase 830 McKinley Court, Princeton, NJ 08540, 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 Owner has requested a down payment assistance loan through Montgomery Township's Affordability Assistance Program toward the purchase of 830 McKinley Court, Princeton, NJ 08540; and

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

WHEREAS, The amount of the requested Loan for down payment assistance is \$20,270.00; and

WHEREAS, The Township is willing, pursuant to the Affordable Assistance Program, to extend a Loan to the Owner in the amount of \$20,270.00; and

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

NOW THEREFORE BE IT RESOLVED On this 6th day of August, 2015, by the Township Committee 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 Affordability Assistance Program Repayment Agreement with Owner and provide Owner with a Loan to be used as a down payment toward the purchase of an affordable housing unit located at 830 McKinley Court, Princeton, NJ.
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.

K. **RESOLUTION #15-8-200 - AUTHORIZING THE EXECUTION OF A BUSINESS SERVICE AGREEMENT & HIPPA BUSINESS ASSOCIATE AGREEMENT WITH BENEFIT EXPRESS SERVICES, LLC**

BE IT RESOLVED That the Township Administrator is authorized to execute a Business Service Agreement and HIPPA Business Associate Agreement with Benefit Express Services, LLC to allow for the administration of the Township's Health Services account and Flexible Spending account as required by the Affordable Care Act.

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

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

7. **RESOLUTION #15-8-201 - AMENDING RESOLUTION #15-7-166 - 2015 Salaries for Non-Union Employees**

WHEREAS, Resolution #15-7-166 adopted on July 2, 2015 listed the salary of the Roads Foreman as \$69,287.00.

NOW, THEREFORE, BE IT RESOLVED That based on the employee's performance, the resolution be amended to reflect the following change:

Roads Foreman	Joseph Kane	\$69,287.00	\$72,847.00
---------------	-------------	------------------------	-------------

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

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

8. **RESOLUTION #15-8-202 - RESOLUTION CLARIFYING ADOPTION OF AMENDMENTS TO THE 2015 MUNICIPAL BUDGET AND ADOPTION OF 2015 MUNICIPAL BUDGET, AS AMENDED**

WHEREAS, On May 21, 2015, prior to the public hearing on the 2015 Municipal Budget, the Township's Chief Financial Officer reviewed and read into the record of said meeting the following three amendments to the 2015 Municipal Budget:

1. Page 29 - Item M - Incorrect Number - Was \$1,043,427.49 should have been \$1,043,824.42 as reflected on Page 30.
2. Page 4 - Increased Fees and permits From \$666,000 to \$666,600
3. Page 26 - Increased Capital Imp. Fund From \$299,850.00 to \$300,450.00

WHEREAS, Said amendments did not a new item of appropriation in excess of 1% of the total amount of appropriations, increase or decrease any item of appropriation by more than 10%, or increase the amount to be raised by taxes by more than 5%;

WHEREAS, The Township Committee agreed with and accepted the aforesaid three amendments to the 2015 Municipal Budget, but the minutes of its May 21, 2015 meeting do not reflect that the Township Committee approved the said amendments in a formal manner;

WHEREAS, When the Township Committee adopted the 2015 Municipal Budget, it adopted the budget as though formally amended with the inclusion of the aforesaid three amendments; and

WHEREAS, The Township Committee wishes to clarify the record to reflect that it (1) approved the aforesaid three minor amendments to the 2015 Municipal Budget, and (2) that it approved the 2015 Municipal Budget as amended.

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

1. The Township Committee reaffirms its approval of the following three amendments to the 2015 Municipal Budget:
 1. Page 29 - Item M - Incorrect Number - Was \$1,043,427.49 should have been \$1,043,824.42 as reflected on Page 30.
 2. Page 4 - Increased Fees and permits from \$666,000 to \$666,600.
 3. Page 26 - Increased Capital Imp. Fund from \$299,850.00 to \$300,450.00.
2. The Township Committee reaffirms its approval of the 2015 Municipal Budget, as amended.

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

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

9. **RESOLUTION #15-8-203 - AUTHORIZING THE EXTENSION OF A CONTRACT FOR CHEMICALS FOR THE MONTGOMERY TOWNSHIP WASTEWATER TREATMENT FACILITIES**

WHEREAS, Resolution #14-9-199 adopted on September 4, 2014 awarded a twelve (12) month competitive contract to Main Pool & Chemical Co., Inc. for Aluminum Sulfate, Sodium Bisulfite, Sodium Hydroxide, Sodium Hypochlorite; Univar Chemical for Custom Blend Alkali; and Coyne Chemical Co., Inc. for Citric Acid, with an option to extend said contract for an additional one (1) year; and

WHEREAS, N.J.S.A. 40A:11-15 provides that a contract may include provisions for no more than one two-year or two one-year extensions subject to the following: the contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; no such contract shall be extended so that it runs for more than a total of five consecutive years; and

WHEREAS, Any price change included as part of extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same; and

WHEREAS, The Township Committee finds that the services are being performed in an efficient manner; and

WHEREAS, There exist accounts: 07-201-55-542-232; 07-201-543-55-232; 07-201-55-543-292A; 07-201-55-545-232; 07-201-55-546-232; 07-201-55-547-232; 07-201-55-548-232 which will fund these items; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

(Item #9 Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the contract for chemicals for the Montgomery Township Wastewater Treatment Facilities is hereby extended to August 31, 2016.

Main Pool & Chemical Co., Inc., 110 Commerce Rd., DuPont, PA in the amount of \$55,975.00 for Aluminum Sulfate, Sodium Bisulfite, Sodium Hydroxide, and Sodium Hypochlorite.

Univar Chemical, 5 Steel Road East, Morrisville, PA 19607 in the amount of \$14,580.00 for Custom Blend Alkali.

Coyne Chemical Co., Inc., 3015 State Road, Croydon, PA 19021 in the amount of \$19,828.00 for Citric Acid.

BE IT FURTHER RESOLVED That the Township Administrator and Purchasing Agent are authorized to sign said contracts.

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

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

10. **RESOLUTION #15-8-204 - AWARDING A NON-FAIR AND OPEN CONTRACT FOR FENCING FOR THE MONTGOMERY DOG PARK**

WHEREAS, The Township Committee of the Township of Montgomery has a need to contract for fencing for the Montgomery Dog Park; 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 service is expected to exceed \$17,500 but less than the bid threshold of \$40,000; and

WHEREAS, Proposals were requested and three (3) were received; and

WHEREAS, York Fence Co., 100 Dukes Parkway East, Hillsborough, NJ 08844 has submitted a price quote dated June 5, 2015; and

WHEREAS, There exists accounts 04-215-55-901-1494I (\$25,000.00) and 04-215-55-901-1494C (\$4,335.00) which will fund this item.

NOW THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery authorizes a contract with York Fence Co. in the amount not to exceed of \$29,335.00.

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.

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

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

11. **RESOLUTION #15-8-205 - AWARD OF BID - 2015 Bituminous Materials Delivered**

WHEREAS, the following bid for 2015 Bituminous Materials Delivered was received and publicly opened on July 14, 2015:

BIDDER
Trap Rock Industries, Inc.

WHEREAS, It is the recommendation of the Purchasing Agent and the Superintendent of Public Works that Trap Rock Industries, Inc., be awarded the bid for Category "A" Bituminous Materials Delivered; they being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the contract for 2015 Bituminous Materials Delivered is hereby awarded to Trap Rock Industries, Inc., P.O. Box 419, Kingston, NJ 08528.

(Item #11 Cont.)

BE IT FURTHER RESOLVED That the contract period is for a one year term from August 6, 2015 to August 5, 2016 and may be extended for an additional one year at the sole discretion of the Township of Montgomery.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign said Contracts.

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

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

12. **RESOLUTION #15-8-206 - AUTHORIZING PURCHASE OF AED EQUIPMENT AND ACCESSORIES FOR THE 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 #84690 has provided the Township with the most competitive price for these items; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase as follows: Account Number 04-216-55-901-1461A for \$2,050.65; Account Number 04-216-55-901-1442B for \$3,000.00; Account Number 04-216-55-901-1471B for \$1,949.35; Account Number 04-215-55-901-1493B for \$6,000.00.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the purchase of 10 AED Soft-Case (AED SC) packages and 10 hard sided waterproof carrying cases for the AED's at a not to exceed amount of \$13,000.00 be authorized through the New Jersey State Contract to:

Cardiac Science Corporation
N7 W22025 Johnson Drive
Waukesha, WI 53186

BE IT FURTHER RESOLVED That the cost of said goods was originally \$15,800, less \$2,800.00, the trade-in value of the following 11 Medtronic Physio-Control AED's (model: Lifepak 500):

AED marked - DISPATCH - Serial # 13531113
AED marked - # 1 - Serial # 32278106
AED marked - # 2 - Serial # 32278107
AED marked - # 3 - Serial # 32278108
AED marked - # 4 - Serial # 32278109
AED marked - # 5 - Serial # 13365128
AED marked - # 6 - Serial # 13365127
AED marked - # 7 - Serial # 13365125
AED marked - # 8 - Serial # 13365124
AED marked - # 9 - Serial # 13365126
AED marked - # 10 - Serial # 13365129

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

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

13. **RESOLUTION #15-8-207 - PROFESSIONAL SERVICES AGREEMENT - Viburnum Drive, Spiked Rush Court, Sassafras Court Improvement Project - Engineering Consultants - Menlo Engineering**

WHEREAS, The Township of Montgomery seeks to retain the services of a professional engineer for the Viburnum Drive, Spiked Rush Court, Sassafras Court Improvement Project; and

WHEREAS, There exists a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay to Play Law); and

WHEREAS, The firm of Menlo Engineering has submitted a proposal offering to provide the sought-after service to the Township; and

WHEREAS, It has been determined that the value of these services over the course of the contract is anticipated to exceed \$17,500.00; and

WHEREAS, Menlo Engineering has completed and filed with the Township of Montgomery a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying that Menlo Engineering has not made any prohibited contributions to a candidate committee or municipal committee representing elected officials of the Township of Montgomery; and

WHEREAS, The New Jersey Local Public Contracts Law N.J.S.A. 40A: 11-1 et seq authorizes the award of a contract for "professional services' without competitive bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals.

(Item 13 Cont.)

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Menlo Engineering for the engineering design, permitting and preparation of contract documents (engineering fee plus survey work) for the Viburnum Drive, Spiked Rush Court, Sassafra Court Improvement Project. The terms of the agreement shall be subject to the approval of the Township Attorney.
2. Menlo Engineering shall be paid a not to exceed fee of \$27,200.00 for its services.
3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed agreement shall be placed on file in the office of the Township Clerk.
4. A notice of this action shall be published in the official newspaper as required by law.
5. Performance of services and payment for services are subject to the certification of availability of funds by the Chief Financial Officer.

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

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

14. **RESOLUTION #15-8-208 - ABC LICENSE #1813-31-006-001 - Montgomery Tennis Patrons Association (Nassau Racquet & Tennis Club)**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-31-006-001 for Nassau Racquet & Tennis Club:

- a. The submitted application form is complete in all respects, including the submission of the club member list.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The club maintains all records required by N.J.A.C. 13:2-8.8 (special events open to non-club members) and N.J.A.C. 13:2-8.12 (true books of account for receipts and disbursement).
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-31-006-001 is hereby granted for the year 2015-2016.

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

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

15. **RESOLUTION #15-8-209 - ABC LICENSE #1813-31-005-001 - Princeton BPO Elks #2129**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-31-005-001 for Princeton BPO Elks #2129:

- a. The submitted application form is complete in all respects, including the submission of the club member list.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The club maintains all records required by N.J.A.C. 13:2-8.8 (special events open to non-club members) and N.J.A.C. 13:2-8.12 (true books of account for receipts and disbursement).
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-31-005-001 is hereby granted for the year 2015-2016.

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

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

16. **RESOLUTION #15-8-210 - ABC LICENSE #1813-33-013-001 - ClubCorp NVI, LLC**
(Cherry Valley Country Club)

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-013-001 for Cherry Valley Country Club:

- a. The submitted application form is complete in all aspects.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business.
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-013-001 is hereby granted for the year 2015-2016.

16-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried on the following:

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

17. **RESOLUTION #15-8-211 - ABC LICENSE #1813-31-004-001 - Bedens Brook Country Club**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-31-004-001 for Bedens Brook Country Club:

- a. The submitted application form is complete in all respects, including the submission of the club member list.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The club maintains all records required by N.J.A.C. 13:2-8.8 (special events open to non-club members) and N.J.A.C. 13:2-8.12 (true books of account for receipts and disbursement).
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-31-004-001 is hereby granted for the year 2015-2016.

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

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

18. **RESOLUTION #15-8-212 - ABC LICENSE #1813-33-003-004 -**
Princeton Innkeepers, Inc. (The Tiger's Tale)

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-003-004 for The Tiger's Tale:

- a. The submitted application form is complete in all aspects.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business.
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-003-004 is hereby granted for the year 2015-2016.

18-1. Committeeman Smith moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Trzaska and carried on the following:

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

19. **RESOLUTION #15-8-213 - ABC LICENSE #1813-44-010-002 - North East Wine, Inc.**
(Montgomery Discount Wine Market)

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-44-010-002 for Montgomery Wine Market:

- a. The submitted application form is complete in all aspects.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business.
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-44-010-002 is hereby granted for the year 2015-2016.

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

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

20. **APPROVAL OF MINUTES - July 2, 2015 and July 16, 2015**

The minutes of July 2, 2015 and July 16, 2015 were approved as printed.

21. **PAYMENT OF BILLS**

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

WHEREAS, The Chief Financial 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.
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made.
3. That the proper Township Officials are authorized to sign the checks.

21-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Sugden and carried on the following:

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

22. **TOWN HALL MEETING**

Administrator Nieman reported that Congressman Leonard Lance is going to be holding a Town Hall meeting at the Municipal Building on August 10, 2015 from approximately 5:00 p.m. until 7:00 p.m.

23. **ENVIRONMENTAL COMMISSION**

Township Administrator Nieman stated that the Environmental Commission was looking into the possibility of doing a residential composting program. They also discussed perhaps doing a different kind of Earth Day.

24. 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:
 - Personnel - Interview of Police candidate.
 - Potential acquisition of property with public funds (Block 28005, Lot 60 and Block 11001 Lot 55).
 - Advice of counsel with respect to contractual negotiations.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Any appointment shall only be authorized by the Township Committee in a public session. Acquisition of land shall only be authorized by the Township Committee in a public session. No agreements shall be authorized except by action of the Township Committee.

24-1. Deputy Mayor Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Smith and carried unanimously.

25. Meeting reconvened in Open Session and ADJOURNMENT was at 8:20 p.m. on a motion by Deputy Mayor Trzaska. The motion was seconded by Committeeman Smith and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk