

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
April 7, 2016

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 Graham, Committeemembers Madrid and Conforti
Deputy Mayor Trzaska and Committeeman Smith were absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

ASSISTANT CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

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

4. **EAGLE SCOUT PRESENTATION - Andrew Chiang**

Andrew Chiang explained his project that was sponsored by Montgomery Emergency Medical Services. The objective of the project is to survey houses in Montgomery Township that do not comply with Township ordinances regarding house numbering. In addition, the visibility of house numbers at night and in poor condition will be considered. Not only do these particular houses not comply with Township ordinances, but it poses a safety risk for members of the community as it lengthens the emergency services response time. The project will be to fundraise money, if needed, to purchase reflective house numbers and to communicate with homeowners and assist them by affixing the numbers to the sides of their mailboxes or to the homes. He stated that he would be asking Home Depot and Lowes to donate the materials and he might ask the sponsors for some funding. He also wanted to contribute his own savings, and might ask for donations from the parents of the troop.

5. **PROCLAMATION - Arbor Day 2016**

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, This year marks the 144th Anniversary of Arbor Day; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Montgomery Township has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways;

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby proclaims April 15, 2016 as ARBOR DAY in the Township of Montgomery, and urges all citizens to support efforts to protect our trees and woodlands and to support our Township's urban forestry program; and

BE IT FURTHER RESOLVED That the Governing Body urges all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

- 5-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

6. **RESOLUTION - Montgomery Baseball League's 50th Anniversary**

WHEREAS, In 1966, the Montgomery Baseball League started offering a first class youth baseball program to the young people of Montgomery and Rocky Hill; and

Whereas, Due to the tremendous growth and expansion of the League, a world class McKnight Baseball Complex was developed thanks to the generous efforts of volunteers, sponsors and families; and

WHEREAS, The Montgomery Baseball League is 100% volunteer run and is privately funded through registration fees, sponsorships and fundraisers; and

WHEREAS, On July 2014, the McKnight Baseball Complex was the site of the first-ever official Special Olympics Baseball game featuring two teams of athletes ranging in age from 16 to 40; and

(Item #6 Cont.)

WHEREAS, The Montgomery Baseball League is also the proud supporter of an annual college scholarship program which provides assistance to qualified and deserving baseball player college applicants; and

WHEREAS, On April 9, 2016, the Montgomery Baseball League will celebrate their Golden Glove Anniversary of outstanding youth baseball.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby extend its sincere gratitude to the Board, Coaches, Volunteers, Players and their Families for their continued dedication and support and congratulates the Montgomery Baseball League on 50 years of outstanding youth baseball.

6-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried unanimously.

7. **PROCLAMATION - Recognizing National Public Health Week 2016**

WHEREAS, The week of April 4-10, 2016, is National Public Health Week, and the theme is "Healthiest Nation 2030"; and

WHEREAS, Since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public's health; and

WHEREAS, Good health requires making healthy choices that improve our health, setting an example for our family and friends; as well as supporting efforts to improve the factors that affect everyone's health and limit the ability for many people to make healthy choices; and

WHEREAS, It is only when we come together that we are strong enough to create the healthiest nation in one generation.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery joins with Montgomery Township Health Department in celebrating National Public Health Week 2016 and its focus on building safe, healthy communities.

7-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

8. **GENERAL EXPENSES FOR SOMERSET COUNTY LIBRARIES**

Jessie Havens, Ludlow Avenue, gave a brief summary of why they were appearing tonight.

George Dorer, Grist Mill Drive, presented a brief power point presentation of the Somerset County Library System comparative analysis. He stated that the "median" Montgomery household pays approximately \$280.00 per year in library taxes. County library cards for non-residents are \$200.00 per year. The Somerset County Library System spends more per capita on salaries than any other County library studied, and almost more than any municipal library studied. The questions to ponder are: 1. Are residents getting value from Somerset County Library System participation?; 2. Can the Somerset County Library System become more efficient?; and 3. Are there beneficial alternatives to Somerset County Library System participation? The steps for the Township would be: 1. A query to Somerset County Library System on why they are so expensive; 2. Review the Somerset County Library System response; and 3. Develop options.

Mayor Graham suggested that they speak to Somerset County Freeholder Mark Caliguire about this information.

9. **HEALTH PRESENTATION**

Health Officer Stephanie Carey presented some highlights of the 2015 Montgomery Township Local Health Report. The Board of Health is very proud of their accomplishments in 2015 such as:

- The launch of the Health Department's regional shared services health education initiative;
- The expansion of the Chronic Disease Self-Management and Diabetes Self-Management program;
- The hiring of a staff public health nurse to increase response capacity;
- The launch of the "Gaining Ground for Public Health Accreditation" site;
- The Community Forum and Stakeholder involvement resulting in the Montgomery Township Health Department Strategic Plan;
- The award of Accreditation Support Initiative funding from the National Association of County & City Health Officials;
- New shared services initiative with Rocky Hill Borough;
- The launch of the Walking School Bus initiative with Hopewell Borough;
- The adoption of the Isolation and Quarantine ordinance for Infectious Disease Control in Hopewell Borough and Montgomery Township.

Also were the following animal care accomplishments:

- SAVE Animal Shelter opening to serve as regional animal care facility;
- Grand opening of the new Montgomery Dog Park; and
- The adoption of a cat licensing ordinance to improve rabies control.

(Item #9 Cont.)

Ms. Carey spoke on how a robust employee wellness program controls healthcare costs. She stated that Montgomery's efforts are recognized as a model program by the Central Jersey Health Insurance Fund and Healthier Somerset/Robert Wood Johnson-Somerset. She explained that Montgomery's policy is to create a culture of wellness.

Ms. Carey listed the following Montgomery Township Health Department's Strategic Priorities:

- to improve community health by advocating for sustainable, health lifestyle choices to help people maintain a healthy weight;
- to engage the community to prevent and reduce impact of infectious and chronic disease;
- to improve access to mental health and substance abuse prevention and treatment resources, including tobacco, while reducing stigma;
- the administrative priorities of protecting the health of people and the environment through regulatory enforcement;
- building and maintaining the Health Department's human capital and organizational structure;
- to develop sustainable revenue streams to support critical services;
- to demonstrate commitment to transparency, accountability and improved outcomes by preparing to submit for Public Health Accreditation by July 1, 2016. Ms. Carey stated that Montgomery Township Health Department is on track to be only the third Health Department in New Jersey to receive this distinction.

Ms. Carey discussed the Employee Wellness Program and requested that the following be inserted into the Township's Personnel Policy.

Policy:

It is the Policy of the Township of Montgomery to support a "Culture of Wellness". The Township supports Employee Wellness because motivated, healthy employees are the vitality of a workplace and a benefit to our organization's fiscal health. The goals of this program include:

- Improving employee health, productivity, and quality of life.
- Reducing missed workdays due to chronic illness.
- Reducing absenteeism, employee turnover, and healthcare costs.
- Reducing cost of benefits and insurance.

Elements of our Culture of Wellness Include:

- Smoke-free municipal campuses.
- Support of emotional wellness through our Employee Assistance Program.
- Support of a robust Employee Wellness program under the technical guidance of our Health Department to reduce risk factors for chronic disease.

Mayor Graham congratulated Ms. Carey on a job well done. She reminded the Governing Body that the Health Department does get money for these shared services with other municipalities.

Committeeman Conforti stated that Montgomery Township's Health Department has been at the forefront of the shared services initiative.

10. **PUBLIC COMMENT**

10-1. Alan Wirsul, Ridgeview Drive, explained that he had an opportunity to visit three of the road projects that were going to be undertaken. He stated that it was explained to him that the Township was given a grant for the Bridgepoint Road Reconstruction project and asked where the grant came from. Administrator Nieman explained that the New Jersey Department of Transportation awarded this particular grant. Mr. Wirsul stated that he realized that the bid for this was still being looked at, but it was suggested that along the Bridgepoint Road area the Township was going to be repairing sidewalks also. He walked that sidewalk and he noted only two areas which needed repairs. He spoke about a new project that was close to Bridgepoint Road and asked if the Township could use the funds dedicated to road work in that new development for future use, as he didn't feel the road was in that bad of shape. Administrator Nieman stated that the Planning Board Resolution for that project required the developer to post money for traffic calming and road improvements in the Montfort Drive area. Mr. Wirsul stated that the roads in his neighborhood are deteriorating substantially and asked if they could be repaired. He also mentioned that he felt the funds for the Montfort Road repairs and improvements should be held in escrow for future use when there are problems further down the road. Administrator Nieman said he would have to look at the Planning Board resolution. Attorney Hadinger stated that generally speaking the developers can only be required to provide funds for the areas that their projects are impacting. Mr. Wirsul also spoke about the plans for the Route 206/518 intersection and the plans for the renovation of the current Municipal Building.

11. **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 #16-4-87 - REDEMPTION OF TAX SALE CERTIFICATE #2015-07**

WHEREAS, The Township received payment for the redemption of Tax Sale Certificate #2015-07 in the amount of \$1,936.46.

BE IT RESOLVED That a refund in the amount of \$1,936.46 be given to U.S. Bank for BV001 Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #2015-07 on Block 7006 Lot 6.

<u>Tax Lien Redemption</u>	
Certificate Amount	\$ 84.94
Subsequent Charges	\$1,159.17
Interest Amount	\$ 37.35
Recording Fee	\$ 43.00
Search Fee	\$ 12.00
Premium	\$ 600.00
TOTAL	\$1,936.46

B. **RESOLUTION #16-4-88 - REDEMPTION OF TAX SALE CERTIFICATE #2015-05**

WHEREAS, The Township received payment for the redemption of Tax Sale Certificate #2015-05 in the amount of \$6,808.08.

BE IT RESOLVED That a refund in the amount of \$6,808.08 be given to Natu Patel, 505 Hoagland Court, Hillsborough, NJ 08844 for the redemption of Tax Sale Certificate #2015-05 on Block 5024 lot 22.04 CONDO.

<u>Tax Lien Redemption</u>	
Certificate Amount	\$1,316.84
Subsequent Charges	\$1,032.95
Interest Amount	\$ 76.95
Redemption Fee	\$ 26.34
Recording Fee	\$ 43.00
Search Fee	\$ 12.00
Premium	\$4,300.00
TOTAL	\$6,808.08

C. **RESOLUTION #16-4-89 - REDEMPTION OF TAX SALE CERTIFICATE #2015-13**

WHEREAS, The Township received payment for the redemption of Tax Sale Certificate #2015-13 in the amount of \$6,841.37.

BE IT RESOLVED That a refund in the amount of \$6,841.37 be given to U.S. Bank for BV001 Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #2015-13 on Block 30002 Lot 38.

<u>Tax Lien Redemption</u>	
Certificate Amount	\$ 737.69
Subsequent Charges	\$2,435.44
Interest Amount	\$ 198.49
Redemption Fee	\$ 14.75
Recording Fee	\$ 43.00
Search Fee	\$ 12.00
Premium	\$3,400.00
TOTAL	\$6,841.37

D. **RESOLUTION #16-4-90 - REDEMPTION OF TAX SALE CERTIFICATE #2015-21**

WHEREAS, The Township received payment for the redemption of Tax Sale Certificate #2015-21 in the amount of \$8,581.76.

BE IT RESOLVED That a refund in the amount of \$8,581.76 be given to U.S. Bank for BV001 Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #2015-21 on Block 37004 Lot 6.57.

E. **RESOLUTION #16-4-91 - ENDORSING SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION**

WHEREAS, The Mandatory Source Separation and Recycling Act, PL 1987, c.102 has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

(CONSENT AGENDA Item E Cont.)

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED By the Township Committee of Montgomery that Montgomery Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Arthur Villano to ensure that the application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

F. **RESOLUTION #16-4-92 - 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 January 1, 2016 to December 31, 2016.

G. **RESOLUTION #16-4-93 - APPROVAL OF AN AGREEMENT FOR RESERVATION OF REMAINING SEWER CAPACITY - Estates at Montgomery (formerly Belvedere Homes) (Block 6001, Lots 39 and 40, 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 Fleet Montgomery, LLC related to remaining capacity in the Pike Brook Sewage Treatment Plant for Estates at Montgomery (formerly Belvedere Homes) (Block 6001, Lots 39 and 40, Phase II).

H. **RESOLUTION #16-4-94 - AUTHORIZING VETERANS MEMORIAL FUNDING**

WHEREAS, Resolution #12-05-125, adopted on May 17, 2012, requested the approval of the Director of the Division of Local Government Services to establish a Dedicated Trust By Rider for the Montgomery Veterans Memorial; and

WHEREAS, This request was approved by the Director of the Division of Local Government Services on September 18, 2012; and

WHEREAS, Uncommitted Appropriations in the amount of \$1,439.16 from the 2015 Budget for the Veteran's Committee are available.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby approves the transfer of \$1,439.15 from the 2015 Veterans Committee Unappropriated Funds to the Montgomery Veterans Memorial Dedicated Trust to assist in the protection, preservation, maintenance, and improvement of the Montgomery Veterans Memorial.

11-1. Committeewoman Madrid moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Conforti and carried on the following:

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

12. **MAYORAL APPOINTMENT - Board of Health**

Advisor - Sean Naini 1 year Term expiring 12/31/16

13. **RESOLUTION #16-4-95 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, The 2016 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2016 Budget being adopted, in order to maintain operations until such time as the Township Budget is in place; and

WHEREAS, N.J.S.A. 40A:4-20 provides for approval of emergency temporary appropriations prior to the Municipal Budget being adopted, by a confirming vote of two-thirds of the full governing body.

NOW, THEREFORE, BE IT RESOLVED, By confirmation of two-thirds of the full governing body, that the Chief Finance Officer is authorized to increase the temporary emergency appropriations as follows:

CURRENT	AMOUNT
Mayor and Committee	
Salaries & Wages	\$6,000.00
Committee Expenses	
Other Expenses	10,000.00
Administrative & Executive	
Salaries & Wages	65,000.00
Municipal Clerk	
Salaries & Wages	63,000.00
Financial Administration	
Salaries & Wages	110,000.00
Other Expenses	15,000.00
Network Operations	
Salaries & Wages	19,000.00

(Item #13 Cont.)

GIS	
Salaries & Wages	12,000.00
Assessment of Taxes	
Salaries & Wages	28,000.00
Other Expenses	3,000.00
Collection of Taxes	
Salaries & Wages	9,000.00
Other Expenses	5,000.00
Legal Services & Costs	
Other Expenses	95,000.00
Engineering Services & Costs	
Salaries & Wages	93,000.00
Planning Board	
Salaries & Wages	48,000.00
Zoning Board of Adjustment	
Salaries & Wages	30,000.00
Insurance	
Group Insurance for Employees	300,000.00
Liability Insurance	100,000.00
Workers Compensation Insurance	6,100.00
Disability Fund	
Other Expenses	(73,000.00)
Deferred Compensation	
Other Expenses	41,000.00
Uniform Fire Safety	
Salaries & Wages	33,000.00
Police	
Salaries & Wages	900,000.00
Other Expenses	85,000.00
Road Repairs & Maintenance	
Other Expenses	150,000.00
Public Works	
Salaries & Wages	29,000.00
Board of Health	
Salaries & Wages	97,000.00
Animal Control	
Salaries & Wages	14,000.00
Recreation	
Salaries & Wages	72,000.00
Kid Connection	
Salaries & Wages	15,000.00
Maintenance of Parks	
Salaries & Wages	100,000.00
Construction Code	
Salaries & Wages	130,000.00
Social Security System	
Other Expenses	200,000.00
Municipal Court	
Other Expenses	24,000.00
Pre School	
Other Expenses	20,000.00

Sewer Utility Fund

Long Term Disability	
Other Expenses	\$1,700.00
Employee Group Insurance	
Other Expenses	\$100,000.00
Deferred Compensation	
Other Expenses	\$17,000.00
Social Security	
Other Expenses	\$20,000.00
Sewer C - All Plants	
Salaries & Wages	\$150,000.00

13-1. Attorney Hadinger explained that this Resolution would need to be adjourned, as it needs a 2/3 vote of the full Governing Body.

14. **RESOLUTION #16-4-96 - AUTHORIZATION TO RATIFY AGREEMENT - PBA, Local 355**

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Township Clerk are hereby authorized and directed to execute a collective bargaining agreement with the PBA, Local 355 for a four year period effective January 1, 2016 to December 31, 2019.

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

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

15. **RESOLUTION #16-4-97 - RESOLUTION AUTHORIZING AMENDMENT TO PROJECT AGREEMENT WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM**

WHEREAS, The New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, The Township of Montgomery has previously obtained a grant of \$5,450,000.00 from the State to fund the following project: 1813-96-004 - Open Space Acquisition 5; and

WHEREAS, The State and the Township of Montgomery intend to increase Green Acres funding by \$875,000.00; and

WHEREAS, The applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

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

1. The Township Administrator of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Open Space Acquisition 5.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$6,325,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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

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

16. **ORDINANCE #16-1513 - 2016 Sewer Capacity Charges and 2016 Sewer Service Rates - Public Hearing**

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

AN ORDINANCE AMENDING CHAPTER XII SEWER AND WATER OF THE
CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ESTABLISH
2016 SEWER CAPACITY CHARGES AND 2016 SEWER SERVICE RATES.

B-1. Mayor Graham opened the hearing to the public.

B-2. Alan Wirsul, Ridgeview Road, asked if there were any plans for installing sewer in the River Road area. Administrator Nieman stated that there were no plans that he was aware of.

B-3. Committeeman Conforti 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 April, 2016 and that notice thereof be published in an official newspaper as required by law.

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

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

17. ORDINANCE #16-1514 - No Parking, Mid-Block Crosswalk - Princeton Avenue - Public Hearing

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

AN ORDINANCE AMENDING SCHEDULE I OF CHAPTER VII, "NO PARKING," AND SCHEDULE XXII OF CHAPTER VII, "MID-BLOCK CROSSWALKS," OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO PROHIBIT PARKING ON PRINCETON AVENUE AND TO ESTABLISH A MID-BLOCK CROSSWALK AT PRINCETON AVENUE AT THE VAN HORNE PARK CONNECTOR PATHWAY.

B. Mayor Graham opened the hearing to the public. There being no comment, Committeeman Conforti 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 April, 2016 and that notice thereof be published in an official newspaper as required by law.

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

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

18. ORDINANCE #16-1515 - 2016 Salary and Wages - Introduction

A. Mayor Graham 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 2016.

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 April 21, 2016 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

18-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried on the following:

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

19. APPROVAL OF MINUTES

The Regular Session minutes of March 17, 2016 were approved as printed.

20. 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.

20-1. Committeeman Conforti moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

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

21. **PROHIBITION OF DEER FEEDING**

Health Officer Stephanie Carey stated that the Board of Health has received complaints about nuisances associated with large populations of deer congregating around places where residents are feeding the deer in their backyard. There are traffic safety issues, concerns about Lyme disease from deer ticks, deer droppings, and damage to vegetation. The Township already has an ordinance in place that prohibits feeding deer in parks and on public property, but no prohibition on feeding deer on private property. She explained that the Municipality of Princeton does have such an ordinance. There is a request for the Montgomery Township Board of Health to adopt such an ordinance. That being said, most of the Animal Control ordinances and the current deer feeding ordinance are under the Township Code as opposed to the Board of Health Code. She questioned whether the Township Committee wants such an ordinance and which venue is the most appropriate for it. The Board of Health is waiting for further instructions from the Township Committee.

Mayor Graham asked if the feeding of deer, which would bring a large number of the animals, would fall under the public health nuisance code. Ms. Carey explained that it would be quite a stretch to put it under that code.

Attorney Hadinger asked if Ms. Carey had heard from the Environmental Commission or the Wildlife Management Committee. Administrator Nieman stated that the Environmental Commission supports the prohibition.

Committeeman Conforti questioned where most towns having such an ordinance placed it, whether it was a Municipal ordinance or a Board of Health ordinance. Attorney Hadinger stated that she was not certain but it did fit under the Police section of Montgomery Township's Code. Any enforcement would be on a complaint basis.

Mayor Graham asked for Wildlife Management Committee input. Township Clerk Kukla stated that the Wildlife Committee Chair would be doing a presentation at the April 21, 2016 Township Committee meeting and that would be something to ask him at that time.

Police Director Robert Palmer stated that he lives in a neighborhood where this is occurring. He noted that there has been an incredible increase in the congregation of deer in a residential neighborhood of one acre lots causing the destruction of residential landscaping and creating massive amounts of deer droppings. Also the distribution of feeding materials will draw rodents to the area.

Committeewoman Madrid stated that she was generally in favor of such an ordinance, but would like Wildlife Management Committee comments.

18. **COMMITTEE AND SUBCOMMITTEE REPORTS**

18-1. **ENVIRONMENTAL COMMISSION**

Administrator Nieman attended the Environmental Commission meeting which was held at the Stony Brook Watershed building, because the Environmental Commission wanted to see a lead certified, truly sustainable building. He reported that the Earth Day celebration is scheduled for April 17, 2016 at the Reading Boulevard Baseball Complex from Noon to 3:00 p.m.

18-2. **SITE PLAN/SUBDIVISION COMMITTEE**

Mayor Graham attended the Site Plan/Subdivision Committee meeting. They reviewed the architectural details of some of the buildings in the Country Club Meadows, Belle Mead Plaza, and Pike Run Plaza development before they go to the Planning Board for final approval.

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

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
 - Pending affordable housing litigation and advice of counsel relative thereto;
 - Potential acquisition of property with public funds.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

19-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

20. Meeting reconvened in Open Session and **ADJOURNMENT** was at 8:35 p.m. on a motion by Committeewoman Madrid. The motion was seconded by Committeeman Conforti and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk