

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
October 5, 2017

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Deputy Mayor Smith, Committeemembers Madrid and Conforti
Mayor Trzaska and Committeewoman Graham were absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

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

4. **PUBLIC COMMENT**

- 4-1. George Dorer, Grist Mill Drive, and Jessie Havens, Ludlow Avenue, congratulated the Governing Body on acquiring the new site for the Municipal complex. They were confident it will alleviate the overcrowding of the current building and provide opportunities for future growth and support of new Township activities. One of the needs to be considered is the inclusion of library services. They questioned if the newly proposed Municipal complex would include a library and if it does, what would that library look like and what services would it offer. They would like to volunteer their services to the Governing Body to determine the community needs, provide an analysis of the ways the needs can be met and provide a recommendation back to the Township with a rationale to meet these needs. This would be approximately a three month initiative, although the time line could be compressed if necessary.
- 4-2. Frank Drift, Sunset Road, spoke about the handling of a building permit that the Township has had for numerous weeks. Mr. Drift stated that the original plan was over the height regulations and he needed a new plan, which he submitted. When his son came in to check on the progress, he was told that the Building Department didn't have anything even though the architect had dropped off the new plans. Then they were told that the Zoning Officer would be out of the office for an extended period of time. He stated that he met with Planning Director Lori Savron, explained his situation, and she signed off on the plan and moved it forward. He stated that if someone is going to be out for an extended period of time, the Township should find a replacement so that things are not put on hold.

Deputy Mayor Smith explained that the way the system is set up is as follows:

Permit applications are received and logged in;
Permit applications make the tracks around the applicable departments;
Permit applications then go to the Construction Department to be reviewed by the various officials.

Deputy Mayor Smith stated that he doesn't know all the specifics of Mr. Drift's case, but the Zoning Officer is out for health reasons and that he had spoken to Administrator Nieman to make sure that if the Zoning Officer was going to be out for an extended period of time, the Township should make sure that these things are covered.

- 4-3. Bill Randolph, Boulder Brook Court, discussed the following:

- The streamlining of government and the reduction of Municipal positions;
- The reduction of bonded debt;
- The increase in the Municipal tax rate;
- The purchase of the Convatec property;
- The proposed Township revaluation.

Administrator Nieman explained that the money spent on the Convatec property was from the Somerset County Improvement Authority. The money from the \$10 million bond would go towards Open Space acquisitions and previous Capital projects. These include road projects and sewer projects.

Deputy Mayor Smith stated that the Governing Body spent a lot of time evaluating this building and the reuse and renovation of it. The cost to redo the present Municipal Building was about the same as a new building. The Township took the time to study the costs of all options. He stated that it was almost a wash, from what the Township pays for the existing Municipal Building in maintenance and electric services to what the new building would cost over the life of the mortgage.

Attorney Hadinger explained that her recollection was the real focus was to have a complete Municipal complex where there could be a library and a meeting area. She stated that there was also the positive of a controlled intersection with Route 206 rather than risking the near misses and actual hits coming in and out of the existing Municipal Building. Administrator Nieman stated that at least four employees were in accidents exiting this building. Committeeman Conforti explained that the option for the Township to acquire the property didn't present itself until another party's offer fell through.

(Item #4-3. Cont.)

In response to Mr. Randolph's remarks about the increase in the tax rate, Deputy Mayor Smith stated that the municipal portion of taxes is 12% of the total tax bill. The School and the County accounts for the rest.

- 4-4. Brett Borowski, York Drive, stated that he agreed with some of the things Mr. Randolph said and he felt the Governing Body was missing some of the perspective of some of the homeowners. First, preserving open space is a way of controlling property. It is also something the homeowners are paying for in their taxes. He stated that the statement that the municipal tax is only 12% is minimizing it, because in his estimation the town is catching up with the County.
5. **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 #17-10-224 - REDEMPTION OF TAX SALE CERTIFICATES #2016-10 AND #2017-07**
- BE IT RESOLVED That a refund in the amount of \$126,614.42 be given to U.S. Bank Cust for Tower DBW VI Trust 2016-1, 50 South 16th Street, Suite 2020, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #2016-10 on Block 15008, Lot 6.01.
- BE IT FURTHER RESOLVED That a refund in the amount of \$2,408.80 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2017-07 on Block 7003, Lot 9.
- B. **RESOLUTION #17-10-225 - REFUND OVERPAID 2017 SEWER CHARGES**
- BE IT RESOLVED That a refund in the amount of \$497.50 be given to Montgomery Hills HOA, 10 Centre Drive, Monroe, NJ 08831 for the overpayment of 2017 sewer charges on Block 37002, Lot 5.21.
- C. **RESOLUTION #17-10-226 - REFUND UNUSED PORTION OF SPECIAL DUTY MONIES**
- BE IT RESOLVED That a refund be given to the following business/company for monies owed by the Township of Montgomery for Private Duty Services:
- Penta Communications
1421 Witherspoon Street
Rahway, NJ 07065
\$425.00
- D. **RESOLUTION #17-10-227 - TEMPORARY ROAD CLOSING - Block Party - Van Zandt Road**
- BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of a portion of Van Zandt Road to accommodate a neighborhood block party scheduled for October 15, 2017 from approximately 1:00 p.m. - 6:00 p.m. The Montgomery Township Police have no objection to the road closing provided that:
- The roadway must be made accessible to emergency vehicles.
- The roadway must be made accessible to traffic originating and terminating on the closed section.
- Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.
- E. **RESOLUTION #17-10-228 - AUTHORIZATION TO SIGN AN AMENDMENT TO SALES AGREEMENT - 601 Corridor, LLC and Lanwin Development Corp.**
- BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Mayor and Clerk are authorized to sign an amendment to the Sales Agreement with 601 Corridor, LLC and Lanwin Development Corp. pertaining to the acquisition of approximately 36.6 acres of vacant land on Cherry Hill Road (Block 34001, Lots 14, 15, 22 and 30) and that said amendment is hereby approved.
- BE IT FURTHER RESOLVED, That, in addition to any other closing documents the Township Administrator, Chief Financial Officer and/or Open space Coordinator are also authorized to sign IRS Form 8283.
- F. **RESOLUTION #17-10-229 - RELEASE OF PERFORMANCE GUARANTEE - Tapestry at Montgomery-Charles Terrace w/o Force Main**
- WHEREAS, The performance guarantee for Charles Terrace was release by Resolution #11-12-281 dated December 1, 2011, with the condition that a maintenance guarantee be posted; and
- WHEREAS, The maintenance guarantee was never posted and the conditions were not met and therefore the performance guarantee remained in place; and
- WHEREAS, The 2 year maintenance period would now be over; therefore, the Township Engineer conducted an inspection of the project, and determined the improvements to be acceptable to the Engineering Department and recommends that the Township Committee consider the release of the posted Performance Guarantee funds held by the Township.

(CONSENT AGENDA Item F Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a performance guarantee in the amount of \$246,181.20 (LOC #2007-7 in the amount of \$221,568.48 and \$24,618.72 cash) be released to Sharbell Building Company, LLC., One Washington Boulevard, Suite 9, Robbinsville, NJ 08691.

BE IT FURTHER RESOLVED That the release of the Performance guarantee shall be conditioned upon the posting of adequate escrow funds and no Maintenance guarantee be required.

G. **RESOLUTION #17-10-230 - 2ND REDUCTION OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF SANITARY SEWERAGE IMPROVEMENTS - Estates at Montgomery, Phase I**

WHEREAS, Gail Smith, Township Engineer, has certified on October 4, 2017 that a performance guarantee for Estates at Montgomery, Phase I, may be reduced; and

WHEREAS, The remaining and partially completed improvements will be adequately covered by a reduced performance guarantee as specified in the Township Engineer's estimate dated October 4, 2017; and

WHEREAS, Construction of the Riverside and Oxbridge WWTP Consolidation Project is expected to begin shortly; and

WHEREAS, The force main for the Oxbridge WWTP portion of the consolidation project will discharge into the sanitary sewer line on Estates Boulevard; and

WHEREAS, This sewer line was constructed as part of Estates at Montgomery Section I; and

WHEREAS, In order to make the force main connection, the Township should accept the sanitary sewerage improvements at this time. The completed sanitary sewerage improvements are acceptable to the Engineering department, with the exception of adjustment of manhole elevations for final paving.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a 2nd reduced performance guarantee amounting to \$355,527.00 reduced from \$836,975.40 be posted as follows:

10% Cash	\$83,697.54
90% Cash, Letter of Credit, or Surety Bond	\$75,327.86

BE IT FURTHER RESOLVED That the reduction in the performance guarantee include the condition that Fleet Montgomery, LLC post a 2-year maintenance guarantee in the amount of 15% of the sanitary sewerage improvements portion of the performance guarantee amount, \$96,688.00:

15% Maintenance Guarantee \$14,503.20

Upon satisfactory completion of this condition, it is recommended that the Township accept the following:

1. **Sanitary Sewerage Improvements** - Sanitary sewerage improvements located as follows:
 - a. Along Estates Boulevard from Manhole #9 at Station 1+64, to Manhole #15 at Station 12+50;
 - b. Along Remy Court from Manhole #13 at Station 0+00, to approximately Station 2+50;
 - c. Through the Pike Brook WWTP property, Block 6001, Lot 19 from Manhole #15 at the end of Estates Boulevard to Manhole #16 to Manhole #17.

The reduced performance guarantee amount for the remaining improvements is sufficient to complete the remaining work and there is adequate engineering escrow posted for inspections.

H. **RESOLUTION #17-10-231 - 2ND REDUCTION OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF SANITARY SEWERAGE IMPROVEMENTS - Estates at Montgomery, Phase II**

WHEREAS, Gail Smith, Township Engineer, has certified on October 4, 2017 that a performance guarantee for Estates at Montgomery, Phase II, may be reduced; and

WHEREAS, The remaining and partially completed improvements will be adequately covered by a reduced performance guarantee as specified in the Township Engineer's estimate dated October 4, 2017; and

WHEREAS, Construction of the Riverside and Oxbridge WWTP Consolidation Project is expected to begin shortly; and

WHEREAS, The force main for the Oxbridge WWTP portion of the consolidation project will discharge into the sanitary sewer line on Estates Boulevard; and

WHEREAS, This sewer line was constructed as part of Estates at Montgomery Section I; and

WHEREAS, In order to make the force main connection, the Township should accept the sanitary sewerage improvements at this time. The completed sanitary sewerage improvements are acceptable to the Engineering department, with the exception of adjustment of manhole elevations for final paving.

(CONSENT AGENDA Item H Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a 2nd reduced performance guarantee amounting to \$285,070.02 reduced from \$604,872.60 be posted as follows:

10% Cash	\$ 28,507.00
90% Cash, Letter of Credit, or Surety Bond	\$256,563.02

BE IT FURTHER RESOLVED That the reduction in the performance guarantee include the condition that Fleet Montgomery, LLC post a 2-year maintenance guarantee in the amount of 15% of the sanitary sewerage improvements portion of the performance guarantee amount, \$43,340.00:

15% Maintenance Guarantee \$6,801.00

Upon satisfactory completion of this condition, it is recommended that the Township accept the following:

1. **Sanitary Sewerage Improvements** - Sanitary sewerage improvements located along Remy Court from approximately Station 2+50 to Manhole No. 2 at approximately Station 11+41;

The reduced performance guarantee amount for the remaining improvements is sufficient to complete the remaining work and there is adequate engineering escrow posted for inspections.

I. **RESOLUTION #17-10-232 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Cherry Valley Cooperative, LLC - Fall Harvest Festival**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Cherry Valley Cooperative, LLC has requested approval of the Township Committee to conduct a Fall Harvest Festival at 619 Cherry Valley Road on October 28, 2017 from 10:00 a.m. to 9:00 p.m.
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.

J. **TOWNSHIP COMMITTEE APPOINTMENT - Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission**

BE IT RESOLVED That Stefanie Lachenauer be appointed Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission Montgomery Upper Middle School member, 1 year term expiring December 31, 2017.

- 5-1. Committeeman Conforti moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Madrid and carried on the following:

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

6. **ORDINANCE #17-1556 - LDO-To Establish Standards for Support Group Facility - Public Hearing**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SECTION 16-4.10a. REGARDING PERMITTED USES IN THE "PPE" PUBLIC PARKS AND EDUCATION DISTRICT AND SUBSECTION 16-6.1 REGARDING CONDITIONAL USES TO ESTABLISH STANDARDS FOR SUPPORT GROUP FACILITY.

- B. The Clerk read the following report from the Planning Board:

"On October 2, 2017 the Planning Board reviewed the above ordinance and found the ordinance substantially consistent with the 2017 Reexamination Report. The Planning Board recommended the ordinance be adopted by the Township Committee."

- C-1. Deputy Mayor Smith opened the hearing to the public.

- C-2. Planning Director Lori Savron stated that this ordinance was initially recommended by the Township Committee.

- C-3. Committeeman Conforti moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

(Item #6 Cont.)

- D. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of October, 2017 and that notice thereof be published in an official newspaper as required by law.

6-1. 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, Smith
Nays - None
Absent - Graham, Trzaska

7. **ORDINANCE #17-1557 - LDO-To Establish an Optional Development Alternative for a "Planned Mixed Use Development" - Public Hearing**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16-3.2 & 16-6.5 REGARDING OPTIONAL DEVELOPMENT ALTERNATIVES, ALL TO ESTABLISH AN OPTIONAL DEVELOPMENT ALTERNATIVE FOR A "PLANNED MIXED USE DEVELOPMENT".

B. The Clerk read the following report from the Planning Board:

"On October 2, 2017 the Planning Board reviewed the above ordinance and found the ordinance substantially consistent with the 2017 Reexamination Report and 2017 Land Use Plan Element. The Planning Board recommended the ordinance be adopted by the Township Committee."

C-1. Deputy Mayor Smith opened the hearing to the public.

C-2. Planning Director Lori Savron stated that this ordinance had been worked on by the Master Plan Committee. It permits the redevelopment of underutilized, abandoned and obsolete land and buildings within the northwest corner of Routes 518 and 206. It is intended to create a mixed use land development that combines commercial, retail, office, residential, market rate and affordable housing. It would also provide traffic relief with the loop road improvements that were recommended in the 2003 Traffic Circulation Plan.

C-3. William King, Rolling Hill Road, stated that he has an interest in continuing the quality of work that he started with Village Shopper III. He commended the Township and the staff for the process, which he felt was very thorough. He focused on the imminent projects that are on tracts a and b. The tract c property owners, who he represents, actually are not developers and have no immediate plans for the property. He wants to make sure everyone is able to participate in the plans in all respects.

C-4. Brett Borowski, York Drive, stated that he thought that the height requirements for apartment buildings was going away and wondered if that was regulated anywhere else.

Mike Sullivan, Township Planner, explained that this was changed in the definitions section because it is very unusual that any ordinance would create a height restriction within the definition of apartments. What they are trying to do is bring the definitions into the world of "normal" zoning definitions. You would then regulate the heights within the individual districts. This ordinance would not include the abandoned gas station.

C-5. Tom Troy, Sharbell Development Corporation President, commended everyone on the final product of this ordinance.

C-6. Committeeman Conforti moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

D. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of October, 2017 and that notice thereof be published in an official newspaper as required by law.

7-1. 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, Smith
Nays - None
Absent - Graham, Trzaska

8. **ORDINANCE #17-1558 - LDO-Development of an Optional Planned Shopping Complex Within Designated Portions of the "HC", "REO-3" & "R-2" Districts - Public Hearing**

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 16-6.5 h. FOR THE DEVELOPMENT OF AN OPTIONAL PLANNED SHOPPING COMPLEX WITHIN DESIGNATED PORTIONS OF THE "HC", "REO-3" & "R-2" DISTRICTS

B. The Clerk read the following report from the Planning Board:

"On October 2, 2017 the Planning Board reviewed the above ordinance and found the ordinance substantially consistent with the 2017 Reexamination Report and 2017 Land Use Plan Element. The Planning Board recommended the ordinance be adopted by the Township Committee."

C-1. Deputy Mayor Smith opened the hearing to the public.

C-2. Planning Director Savron stated that in light of the recent Planning Board actions with respect to the Reexamination Report and Land Use Plan Element, it is appropriate to reintroduce and readopt this Planned Shopping Complex ordinance amendment that was adopted in February, 2017. The zoning ordinance remains unchanged from that last version that was adopted with the exception of a few changes in the beginning. As previously discussed, the changes that have been made in the last go round, were changes to keep it in line with current market conditions and also it does not impact traffic. She pointed out the letter from the Township's Traffic Engineer dated July 27, 2017, that summarized his comments that he provided during the discussions of the amendment. As the project moves towards the Site Plan approval process and the Planning Board process, an updated traffic study would be submitted as part of that review.

C-3. Committeeman Conforti moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

D. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of October, 2017 and that notice thereof be published in an official newspaper as required by law.

8-1. 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, Smith
Nays - None
Absent - Graham, Trzaska

9. **ORDINANCE #17-1559 - Adopting a Redevelopment Plan for Property Located at 980, 966 & 958 State Road (Route 206), also known as Block 34001, Lots 60, 61 & 62 - Public Hearing**

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

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET COUNTY ADOPTING, PURSUANT TO N.J.S.A. 40A:12A-7, A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 980, 966 & 958 STATE ROAD (ROUTE 206), ALSO BEING KNOWN AS BLOCK 34001, LOTS 60, 61 & 62 ON THE MONTGOMERY TOWNSHIP TAX ASSESSMENT MAPS (SOMETIMES REFERRED TO AS THE "MONTGOMERY FIVE" SITE).

B. Deputy Mayor Smith opened the hearing to the public.

B-1. 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 5th day of October, 2017 and that notice thereof be published in an official newspaper as required by law.

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

10. **APPROVAL OF MINUTES**

The Regular Session minutes of September 21, 2017 were approved as printed.

11. **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.

11-1. 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, Smith
Nays - None
Absent - Graham, Trzaska

12. **NOVEMBER MEETING SCHEDULE**

Administrator Nieman stated that the second meeting in November is actually the Thursday of the League of Municipalities convention. He explained that many of the staff would be attending the convention to obtain the necessary CEUs that are required for their jobs. He asked what that Township Committee wanted to do about the meetings. It was decided to wait until October 19 to make any change to the November schedule.

13. **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 subject to be discussed in this session is as follows:
 - Terms and conditions of contract negotiations with Board of Education for Tennis Courts;
 - Potential acquisition of Texaco property with public funds for recreation and Park purposes.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Acquisition of property shall only be authorized by the Township Committee in a public session. No agreement shall be authorized except by action of the Township Committee in open session.

13-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Conforti and carried unanimously.

14. Meeting reconvened in Open Session and **ADJOURNMENT** was at 8:42 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