

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE
REORGANIZATION MEETING
January 8, 2018
9:00 a.m.

1. The Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 9:00 a.m. on the above date.

2. The Township Clerk called the meeting to order and led the salute to the flag.

3. The Open Public Meeting Statement was recited by the Clerk:

"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."

4. Township Attorney Kristina P. Hadinger administered the Oath of Office to Committeewoman-elect Sadaf F. Jaffer.

5. Present by ROLL CALL were:

TOWNSHIP COMMITTEE - Mark Conforti, Christine Madrid, Ed Trzaska, Patricia Graham,
Sadaf Jaffer

Also noted as present were the following:

TOWNSHIP ADMINISTRATOR - Donato Nieman

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

6. **ELECTION** of Mayor for 2018

6-1. Committeeman Trzaska nominated Committeeman Conforti for the Office of Mayor. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
Nays - None

6-2. By virtue of the vote, Mark Conforti was elected Mayor of Montgomery Township for 2018.

6-3. Freeholder Mark Caliguire administered the Oath of Office to Mayor Trzaska.

7. **ELECTION** of Deputy Mayor for 2018

7-1. Committeewoman Graham nominated Committeewoman Madrid for the Office of Deputy Mayor. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
Nays - None

7-2. By virtue of the vote, Christine Madrid was elected Deputy Mayor of Montgomery Township for 2018.

7-3. Senator Christopher "Kip" Bateman administered the Oath of Office to Deputy Mayor Madrid.

8. **ADDRESS BY MAYOR MARK CONFORTI**

Mayor Conforti read the following:

"I am known as the numbers persons in the group and so I go into every year wondering what things could possibly go wrong to make life difficult for little towns in New Jersey. This new year brings changes on the State and Federal level causing some concern in New Jersey municipalities' - we have a new governor with his own ideas on taxes, and the Federal government has implemented Tax Reform, which I think is the ultimate oxymoron. We don't yet know how it will affect and if it will affect our property values but for now I will relay that hard work to Michael Pitts, our new CFO. Michael is working with CFOs in other municipalities to create a solution that will provide relief to our residents.

I am optimistic for the year and for the future. Montgomery is and has been a magnet community, which is the reason we and many people moved here. There are three aspects I will highlight, in no particular order - all three are equally important.

1. We have the best municipally-controlled Police Department in the state and one of the best in the country. This is not just by my opinion but has been confirmed by various surveys. Captain Tom Wain leads a great group of officers who do a great job of keeping us all safe without being noticed much. Thank you Tom!
2. Secondly an important number to remember is the number 40, specifically 40%. In the next few years, we will have obtained the goal of preserving about 40% of the acreage in Montgomery for future generations - that's something not many towns can lay claim to - that is all thanks to residents who came long before us who put the Open Space Program in place many years ago.
3. Finally we have one of the highest performing school districts in the State, thanks to the hard work of the board of education.

(Item #8 Cont.)

Some towns can claim one or two of those things, but I can't think of any who can claim all three! So as long as we keep doing our job and administering the town effectively this will continue to be a magnet community for years to come. And we will be able to weather anything the State and Federal friends have to throw at us! I like to keep it brief, so Happy New Year to everybody and I will pass it on to Deputy Mayor Christine Madrid."

9. **ADDRESS BY DEPUTY MAYOR CHRISTINE MADRID**

Deputy Mayor Madrid read the following:

"Good morning everyone. Thank you for coming. Congratulations to Mayor Conforti. I look forward to working with you in this new role. I am so glad that you decided to spend your retirement with us! Reflecting back on 2017, I am proud that we kept spending low, continued to protect public health and safety, and invested in our infrastructure in many areas of town. We paved a lot of roads. The new park signs as well as park improvements were such a great addition as well. I hope they bring more people to our beautiful parks and all that they have to offer.

The Redevelopment Zone near the Village Shopper and the Tiger's Tale, for which the township recently received an award for Excellence in Planning, is moving ahead. I'm really excited about the services that this will provide our residents. I know I'm not the only one still waiting for that Starbucks. Construction in the Belle Mead section of town, approved decades ago, is making progress. And the much anticipated Madison Marquette is ready to go. These projects are all important for services, for revenue, for the loop roads to enhance traffic flow, and for the sense of community they will offer. We want residents to stay in town and to use our local businesses. Importantly, development has been targeted to the commercial areas of town along 206, and balanced with many open space acquisitions- over 200 acres since 2016 alone. Most recently, we preserved more of the Cherry Brook Preserve, largely with funds from our Transco pipeline negotiations. These open space acquisitions are so important to maintaining the rural character of our town, and they will continue to be an important priority for us going forward.

This was a big year for the police department, and I am proud to have taken a big role in shaping the future of one of the most important services that the township provides. We promoted a lot of dedicated and highly qualified police officers to leadership positions, and I'm excited to see what they can all do in their new roles. It was a pleasure working with our command staff to make that happen.

As always, there will be budget challenges as we look to keep taxes as low as possible while providing great service to residents. I am very concerned at the lapse of the 2% cap on police and fire interest arbitration awards and the impact that this will have on our municipal budget. This has been an effective tool for municipalities to control salary costs and to stay within the 2% overall property tax cap, which still remains. I hope that the legislature and our new governor will act to extend the cap so that municipalities retain this important and common sense budget management tool.

With the added challenge of changes to the federal tax code, and the significant impact those changes will have on New Jersey residents, it is especially important for us to not only work to keep taxes low, but to also explore all avenues that might help to mitigate that impact. Ideas have been proposed statewide such as a municipal charity to provide tax credits for donations- an idea worthy of further exploration. We will also look at shop local programs that towns such as Hillsborough offer, where residents can get property tax credits at the time of a purchase at a participating local merchant. Anything that can help to mitigate the impact of these changes on our residents needs to be on the table. We have much work to do, but I look forward to working with our township professionals, my fellow committee members, and members of our community to make it all happen.

Montgomery is truly a special place to raise a family. Being a part of this committee and having a role in shaping that community for my kids and yours is such a wonderful opportunity. I am so grateful and excited to be Deputy Mayor this year and to continue working towards making this community an even better place every day. Thank you."

10. **ADDRESS BY COMMITTEEMAN ED TRZASKA**

Committeeman Trzaska read the following:

"I would like to thank my family for their continued support as I begin my eighth year on the Township Committee. As always, I couldn't do it without them. Our daughter, Maddi, will turn six next month. She helps me stay focused on why we are serving and the importance of protecting the long-term quality of life in Montgomery.

I would like to thank Mark and Christine for serving this year as Mayor and Deputy Mayor. You both have been outstanding partners on the Township Committee and I look forward to working with you again. Also, I would like to welcome Sadaf to the team, it's always great to work with someone new.

Over the past several years, we have accomplished a lot for Montgomery, including holding the line on budget spending, reducing township debt, making local government more open and transparent than ever, saving residents millions in electricity costs, moving forward with significant investments in our roads and police department, and preserving more than 700 acres of additional open space.

(Item #10 Cont.)

We also concluded 2017 with a remarkable agreement that settles our COAH housing mandate. After years of confusion brought on by poor court decisions and inaction from Trenton, we approved a plan that will protect Montgomery for the next decade. Better yet, it only requires us to approve a small fraction of the housing that special interest groups were originally pushing on us. It was time to take control of our future and that was accomplished.

Looking forward, 2018 will be a productive year. We will conclude our park rehabilitation initiative, which was needed since the equipment at most parks date back to the 1990's. We have already upgraded Montgomery Veterans Park, Mill Pond Park, Woods Edge Park, and Lubas Park and approved a joint project with the Board of Education to rebuild the ten tennis courts next to the Upper Middle School. We have a few more items to address and that work will be completed this summer.

We also remain passionate about protecting our rural character. There is nothing I am prouder of than the open space we have preserved (700+ acres and counting). Montgomery is a special place not only because of what we are, but also because of what we are not. Most of the time, the best thing to do with land is "nothing". Open space protects our quality of life and protects our budgets. There are countless studies that show how development, especially residential, never pays for itself.

Finally, I would like to discuss our municipal building project. After four years of analysis and review, we decided to move forward with a new building on the former Convatec property. This was a big decision, but we could not spend the required \$15 million to upgrade the current building, especially since even at that price tag, the final product would not fully meet our future needs.

We are working with Somerset County on the process and will know our construction options in the next several months. There are many benefits with the new location and building. Our police department's facility will now conform to all state and federal guidelines and be located much closer to our schools. The new building will also include enough space for a brand-new library, which will be run by the county library system.

This is an exciting time for Montgomery and 2018 is going to be a great year. We have a lot of work to do, but I know we will get the job done and make our community an even better place to live.

11. ADDRESS BY COMMITTEEWOMAN PATRICIA GRAHAM

Committeewoman Graham read the following:

"Good Morning and Happy New Year! Thank you all for coming today and a special thanks to all of our honored guests.

I would also like to congratulate Mark on his appointment as Mayor. His appointment is well deserved, as is Christine's appointment as Deputy Mayor. I congratulate her as well. Both Mark and Christine are talented professionals and I look forward to their leadership this year. Of course I also look forward to continuing to work with Ed as well.

I would also like to congratulate Ms. Jaffer on her election to the Township Committee. Welcome. I look forward to working with you.

In their remarks Mark, Christine and Ed have covered many of the highlights of last year and the significant issues facing our town this year. So I will keep my remarks brief.

Budget, of course, remains our most significant challenge each year. Every year we face annual increases in costs over which we have no control -- such as pension and healthcare costs. And we now have the added challenge imposed by the new federal tax code. But, even though our costs increase, it is our obligation to craft a fiscally responsible budget that limits the burden on our taxpayers as much as possible. We will continue to do so.

Another of our most important endeavors -- and an area of special interest for me -- is our continued dedication to the preservation of Montgomery's open space. I believe that the continued acquisition of Montgomery's open space is one of the most significant ways in which Montgomery can control its future and maintain the bucolic character of the town. I have served as liaison to Montgomery's Open Space Committee for several years and I continue to be impressed by the work and dedication of that group. Using Open Space funds, the Township acquired several more tracts of land last year. The three most recent are:

- an additional 35.6 acre tract to expand the beautiful Cherry Brook Preserve;
- a 34.5 acre tract off route 518 in Skillman -- this acquisition was particularly significant because the land is in the sewer service area and was actively being marketed to developers; and
- another 15.5 acre tract in Belle Mead, which was acquired from Kehilot Shalom. This acquisition is the product of years of work by the Open Space Committee, township staff and the Township Committee.

In the coming year, we will continue our work to preserve open space, and to maintain and promote the use of our open space by Montgomery's residents.

(Item #11 Cont.)

Last year I also had the pleasure to serve for the first time as liaison to the Montgomery Veteran's Memorial Committee. That Committee, working with many volunteers, organized several important veterans events last year -- including Our first Township Memorial Day Ceremony in Montgomery Veterans Park, our Veteran's day ceremony, with the addition this year of an educational component and historical reenactors, a special memorial dedication for Lt. Ashley Henderson Huff, and the accomplishment of Montgomery's designation as a Purple Heart Township. It was an honor for me to work with the MVMC last year.

Montgomery is also extremely lucky to have such a high caliber, professional Police Department. The Township works very closely with the Police Department and I appreciate the difficult and dangerous work that our police officers do every day to serve our residents.

Montgomery is a township of volunteers. I continue to be impressed with the many, many residents who dedicate their time and energies to Montgomery's committees and boards and to various projects -- all to make Montgomery and even better place to live. The work of the Board of Health, the Planning and Zoning Boards, the Environmental Development Commission, the Recreation Committee, our firefighters and EMS, our girl scouts and boy scouts and too many other boards, committees and community groups to mention. I feel blessed that so many people care so much about our town and devote their energies for the good of our community. And their dedication shows. As everyone sitting on this dais will tell you, Montgomery is a wonderful place to live.

Finally, I would like to recognize the great talents and skills of our Township Administrator, Donato Nieman, our clerk Donna Kukla and our new CFO, Mike Pitts. They and all Montgomery's Department Heads and staff keep the Township running smoothly and efficiently to serve the residents of our town. I am grateful for the opportunity to work with all our talented professionals. And of course I greatly appreciate the wise counsel and hard work of our excellent Township Attorney, Kris Hadinger.

I am grateful for the opportunity to continue to serve on the township Committee and I look forward to the year ahead."

12. **ADDRESS BY COMMITTEEWOMAN SADAF F. JAFFER**

Committeewoman Jaffer read the following:

"Dear Friends, Neighbors, and Community Members,

It is an honor to be sworn in as a Montgomery Township Committee member. Montgomery is a wonderful place, and I have the utmost respect for the professionals who work to make our lives better every day. I look forward to cooperating with my fellow Township Committee members as we continue to improve our community.

As a Township committee member, I will aim to serve all community members with honesty and openness. I will strive to champion diverse perspectives, civic engagement, and environmental stewardship. In a time of many challenges, it is imperative that we protect and safeguard our community.

When I was first considering running for elected office, some were surprised I wanted to get involved and expressed a wariness about politics. It is important that we stop discussing politics as a shadowy arena and understand that our elected officials are neighbors who are representing us at various levels of government--whether here in Montgomery, Trenton, or Washington DC--and we should hold them to that standard. I have had the privilege to meet many inspiring elected officials and I am grateful for their mentorship. I hope that constituents will feel comfortable coming to me with their questions and concerns. I also hope that those who haven't yet will consider getting more involved in the Montgomery community including by volunteering, serving on boards and commissions, or running for office themselves. A robust democracy depends on educated, engaged, and informed citizens.

In the current political climate, it is easy to become discouraged or complacent. I find great wisdom in the words of Martin Luther King, Jr. who said "Human progress is neither automatic nor inevitable [...] Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals."

I look forward to working with the dedicated people of Montgomery Township and know we will do great things together for the benefit of our community."

13. Mayor Conforti suggested that a break be taken.

14. The meeting reconvened.

15. APPOINTMENTS BY TOWNSHIP COMMITTEE

OFFICE	TERM	
Township Attorney	1 yr.	Kristina P. Hadinger (Mason, Griffin & Pierson)
Labor/Special Projects/Conflict Counsel/ Tax Litigation	1 yr.	Richard Flaum, Lisa Fittipaldi and Martin Allen (DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer)
	1 yr.	Andrea Kahn (McManimon & Scotland)
	1 yr.	Tom Cafferty (Gibbons PC)
Township Planners - Planning & Zoning	1 yr.	Michael Sullivan (Clarke Caton Hintz)
Bond Counsel	1 yr.	Michael Gluck (Gluck Walrath, LLP)
Auditor	1 yr.	Robert Swisher (Suplee, Clooney & Co.)
Traffic Engineer	1 yr.	Joseph A. Fishinger, Jr. (NV5)
Environmental Engineer	1 yr.	James Cosgrove (Kleinfelder, Inc.)
Special Projects Engineer	1 yr.	Remington, Vernick & Vena
Landscape Architect	1 yr.	Richard Bartolone
Consulting Engineer	1 yr.	Menlo Engineering Associates
Consulting Engineer	1 yr.	Van Cleef Engineering
Consulting Engineer	1 yr.	Crew Engineers, Inc.
Consulting Engineer	1 yr.	Maser Consulting, PA
Consulting Engineer	1 yr.	BANC3 Engineering
Consulting Engineer	1 yr.	_____
Consulting Engineer	1 yr.	Princeton Hydro
Codifier of Township Ordinances	1 yr.	Coded Systems Corporation
Financial Advisor	1 yr.	Public Financial Management
Appraiser	1 yr.	Valuation Consultants, Inc.
Appraiser	1 yr.	Sockler Realty Services
Appraiser	1 yr.	Bettina D. Scholk, Appraisal & Consulting
Appraiser	1 yr.	Mark Tinder
Surveyor	1 yr.	Jeff Baldwin (JT Surveying)
Surveyor	1 yr.	Van Cleef Engineering
Surveyor	1 yr.	_____
Tax Map Official	1 yr.	_____
Affordable Housing Administrative Agent	1 yr.	Community Grants, Planning & Housing
Township Physician (Medical Services)	1 yr.	Montgomery Medical Associates
Risk Management Consultant	1 yr.	Howe Insurance Group
Municipal Housing Liaison	1 yr.	Lori Savron
Deputy Township Clerk	1 yr.	Margaret Crawford
Assessment Search Official	1 yr.	Donna Kukla
Tax Search Official	1 yr.	Michael Pitts
Flood Search Official	1 yr.	Gail Smith
Conservation Easement Officer	1 yr.	Joseph Palmer
Fire Marshal	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Steven Milne
Fire Prevention Inspector	1 yr.	Richard Dziminski
Fire Protection Inspector	1 yr.	Roy Mondi
Fire Protection Inspector	1 yr.	John Hall
Clean Communities Coordinator	1 yr.	Arthur Villano
Recycling Coordinator	1 yr.	Arthur Villano
Americans w/Disabilities Compliance Coordinator	1 yr.	Donato Nieman
Affirmative Action Compliance Official	1 yr.	Donato Nieman
Court (concurrent with Hillsborough's term):		
Municipal Court Judge	3 yrs.	Judge John Richardson
Primary Prosecuting Attorney	1 yr.	Frank Blandino
DWI Special Prosecutor	1 yr.	William Fox

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OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Public Defender	1 yr.		Francesco Taddeo
Alternate Public Defender	1 yr.		Matthew Moench
Dog Canvasser	1 yr.		Jennifer LaStella
Airport Advisory Committee			
5 Mile Radius	3 yrs.	Diggan	Tony Diggan
Board of Fire Prevention			
Business Representative	1 yr.	<u>Vacant</u>	
Board of Health			
Regular Member	3 yrs.	Bucci	William Bucci
Alternate II	2 yrs.	Naini	Sean Naini
Board of Improvement Assessors			
Regular Member	2 yrs.	Bucci	William Bucci
Regular Member	2 yrs.	Lockwood	Colleen Lockwood
Central Jersey Health Insurance Fund			
Commissioner	3 yrs.	Nieman	Donato Nieman
Alternate	3 yrs.	Novak	Tamarah Novak
Emergency Management			
Coordinator	3 yrs.	Devlin	Sean Devlin
Emergency Services Coordinating Committee			
OEM Representative	1 yr.	Devlin	Sean Devlin
Police Representative	1 yr.	Gill	James Gill
Chief, Co. #1	1 yr.	Huxley	Jeff Huxley
Chief, Co. #2	1 yr.	Gurzo	George Gurzo
President, EMS	1 yr.	Hill	Scott DellaPeruta
Captain, EMS	1 yr.	Snedeker	Johanna Snedeker
Advisor, Public Safety Tech.	1 yr.	Ferrara	John A. Ferrara
Fire District #1	1 yr.	Karsay	Tom Karsay
Fire District #2	1 yr.	Laughlin	Toby Laughlin
Staff Liaison, Health Officer	1 yr.	Carey	Stephanie Carey
Joint Insurance Fund			
Commissioner	1 yr.	Pitts	Michael Pitts
Alternate	1 yr.	Novak	Tamarah Novak
Special Fund Commissioner	1 yr.	Nieman	Donato Nieman
License Appeals Board			
Regular Member	1 yr.	Kennedy	Richard Kennedy
Regular Member	1 yr.	Karsay	Richard Karsay
Regular Member	1 yr.	Miller	Jim Miller
Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission			
Citizen-At-Large	1 yr.	Riggs	Tom Riggs
Citizen-At-Large	1 yr.	Dileo	Jacqui Dileo
Citizen-At-Large	1 yr.	Powell	Katherine Powell
Citizen-At-Large	1 yr.	Choudhary	Fahreen Choudhary
Citizen-At-Large	1 yr.	Blodgett	Paul Blodgett
Citizen-At-Large	1 yr.		Lori Huff
Montgomery High School	1 yr.	Grossman	Christine Grossman
Montgomery School District	1 yr.	Gaylord	Corie Gaylord
Montgomery Upper Middle School	1 yr.	Lachenauer	Stefanie Lachenauer
Board of Education Representative	1 yr.	Chenette	Minkyo Chenette
Local Civic Organization	1 yr.	Arons	Michael Arons
Police Department Liaison	1 yr.	Wain	Capt. Thomas Wain
Open Space Committee			
Regular Member	4 yrs.	Boynton	Steven Boynton
Planning Board			
Class III	1 yr.	Conforti	Ed Trzaska
Raritan & Millstone Rivers Flood Control Commission			
Township Committee Member	1 yr.	Trzaska	Ed Trzaska
Alternate I	1 yr.	Roberts	Sarah Roberts
Alternate II	1 yr.	DeRochi	Steve DeRochi
Recreation Committee			
Regular Member	3 yrs.	Treichler	Peter Treichler
Alternate I (exp. 12/31/19)	3 yrs.	Camper	Rich Smith
Sewer Committee			
Mayor	1 yr.	Trzaska	Mark Conforti

(Item #15 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Shade Tree Committee			
Regular Member	1 yr.	Koplik	Larry Koplik
Regular Member	1 yr.	Coleman	Paul Blodgett
Regular Member	1 yr.	Stein	Irene Stein
Regular Member	1 yr.	Pandey	Rashmi Pandey
Regular Member	1 yr.	Waltz	John Waltz
Regular Member	1 yr.	Haren	Ed Heebner
Regular Member	1 yr.	Violette	Ann Violette
Sustainable Montgomery's "Green Team"			
Regular Member	1 yr.	Sarle	Richard Sarle
Regular Member	1 yr.	Reece	Mary Reece
Regular Member	1 yr.	Kaganowicz	Greg Kaganowicz
Regular Member	1 yr.	Roberts	Sarah Roberts
Regular Member	1 yr.	Salton	Jeff Salton
Regular Member	1 yr.	Gartenberg	Debbie Gartenberg
Regular Member	1 yr.	Derby	Frank Derby
Regular Member	1 yr.	Jacob	Michelle Jacob
Regular Member	1 yr.	Rathmill	Scott Rathmill
Veterans Memorial Advisory Committee			
Regular Member	3 yrs.	Rosen	Harel Rosen, Md
Regular Member	3 yrs.	Weingart	Dale Weingart
Advisor	1 yr.	Caliguire	Mark Caliguire
Advisor	1 yr.	Trzaska	Ed Trzaska
Advisor	1 yr.	Devine	Tom Devine
Advisor	1 yr.	Hyncik	William Hyncik, Jr.
Advisor	1 yr.	Zimmerman	Karen Zimmerman
Advisor	1 yr.	Gartenberg	Nancy Gartenberg
Advisor/Police Dept. Liaison	1 yr.	Jaeger	Christopher Jaeger
Zoning Board of Adjustment			
Regular Member	4 yrs.	Kristjanson	Dave Kristjanson
Regular Member	4 yrs.	Fedun	Matt Fedun
Regular Member	4 yrs.	DeRochi	Steve DeRochi
Regular Member (exp. 12/31/19)	4 yrs.	O'Brien	Mark Lubitz
Regular Member (exp. 12/31/20)	4 yrs.	Campeas	Rich Smith
Regular Member (exp. 12/31/20)	4 yrs.	Post	Justin Kabis
Alternate I	2 yrs.	Tuosto	Xiaoyi Wu
Alternate II (exp. 12/31/18)	2 yrs.	Wu	Tony Lopez Lopez
Alternate III	2 yrs.	Lopez Lopez	John Sudol
Alternate IV	2 yrs.	<u>vacant</u>	Hitesh Patel

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

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
 Nays - None

16. TOWNSHIP COMMITTEE APPOINTMENTS - LIAISONS/REPRESENTATIVES

OFFICE	TERM	APPOINTMENT
Somerset Co. Solid Waste Advisory Council	1 yr.	Donald Matthews
Somerset Co. Community Dev. Comm.	1 yr.	Sarah Roberts
Somerset Co. Community Dev. Comm., Alt.	1 yr.	Lori Savron
Sourland Planning Smart Growth Steering Committee Liaison	1 yr.	Sarah Roberts
Sourland Planning Smart Growth Steering Committee, Alternate	1 yr.	Alan Bien

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

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
 Nays - None

17. MAYORAL APPOINTMENTS WITH CONSENT OF TOWNSHIP COMMITTEE

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Agricultural Advisory Committee			
Regular Member	3 yrs.	McAlpin	David McAlpin
Regular Member	3 yrs.	Pariso	Penny Pariso
Economic Development Commission			
Regular Member	3 yrs.	Schwarcz	Alicia Schwarcz
Regular Member	3 yrs.	Tiwari	Shreesh Tiwari

17-1. Committeewoman Graham moved the adoption of the foregoing appointments. The motion was seconded by Deputy Mayor Madrid and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
 Nays - None

18. MAYORAL APPOINTMENTS

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Central Jersey Transportation Forum			
Representative	1 yr.	Smith	Gail Smith
Alternate	1 yr.	Nieman	Donato Nieman
Alternate	1 yr.	Savron	Lori Savron
Economic Development Commission			
Advisor	1 yr.		Rajyalakshmi Nimmagadda
Environmental Commission			
Regular Member	3 yrs.	Kaganowicz	Greg Kaganowicz
Regular Member	3 yrs.	Salton	Jeff Salton
Alternate I	2 yrs.	Derby	Frank Derby
Alternate II (exp. 12/31/18)	2 yrs.	Willson	Scott Rathmill
Advisor	1 yr.	Donnay	Susann Brown
Sustainable Montgomery's "Green Team"			
Advisor	1 yr.	Willson	Scott Rathmill
Advisor	1 yr.	Donnay	Susann Brown
Advisor	1 yr.	Derby	Frank Derby
Advisor	1 yr.	Le	Thuy Anh Le
Landmarks Commission			
Class C	4 yrs.	Matthews	Donald Matthews
Class C	4 yrs.	Willis	Candy Willis
Alternate I	1 yr.	Chughati	Nauman Chughati
Alternate II	1 yr.	Derby	Frank Derby
Local Emergency Planning Council			
OEM Coordinator	1 yr.	Devlin	Sean Devlin
Deputy OEM Coordinator	1 yr.	Ferrara	John A. Ferrara
Montgomery Twp. School District	1 yr.	Wells	Annette Wells
Johnson & Johnson	1 yr.	Connolly	Michael Connolly
Chief, Fire Company #1	1 yr.	Huxley	Jeff Huxley
Chief, Fire Company #2	1 yr.	Gurzo	George Gurzo
Captain, Montgomery EMS	1 yr.	Snedeker	Johanna Snedeker
Mayor	1 yr.	Trzaska	Mark Conforti
Montgomery Township Engineer	1 yr.	Smith	Gail Smith
Montgomery Twp. Fire Subcode Off.	1 yr.	Mondi	Roy Mondi
Montgomery Twp. Health Officer	1 yr.	Carey	Stephanie Carey
Montgomery Twp. Recreation Director	1 yr.	Zimmerman	Karen Zimmerman
Montgomery Twp. Public Works Superintendent	1 yr.	Villano	Arthur Villano
Open Space Committee			
Advisor	1 yr.	Roberts	Sarah Roberts
Advisor	1 yr.	Burkman	Kevin Burkman
Advisor	1 yr.	Rao	Ranjana Rao
Advisor	1 yr.		Patricia Camp
Planning Board			
Class I	1 yr.	Trzaska	Mark Conforti
Class II	1 yr.	DeRochi	Steve DeRochi
Class IV	4 yrs.	Matthews	Donald Matthews
Class IV, Walter Raymond (exp. 12/31/18)	4 yr.	Davis	Dave Campeas
Class IV	4 yrs.	Wilson	Tom Wilson
Alternate II	2 yrs.	Chang	Chris Conry
Recreation Committee			
Advisor	1 yr.		Benton Camper, Jr.
Shade Tree			
Advisor	1 yr.	Roberts	Sarah Roberts
Advisor	1 yr.	Zak	Ewa Zak
Advisor	1 yr.	Blane	Michelle Blane

19. MAYORAL APPOINTMENTS - LIAISON/REPRESENTATIVES

OFFICE	TERM	APPOINTMENT
Somerset Co. Community Dev. Comm.		
Regular Member	1 yr.	Ed Trzaska
Alternate	1 yr.	Donato Nieman
Delaware & Raritan Canal Commission		
Regular Member	1 yr.	Clem Fiori
Somerset County Solid Waste Advisory Council		
Regular Member	1 yr.	Larry Koplik
Somerset County Cultural & Heritage Commission		
Regular Member	1 yr.	Jessie Havens

20. TOWNSHIP COMMITTEE LIAISONS AND REPRESENTATIVES

OFFICE	RETIRING OFFICER	NEW APPOINTMENT
Board of Education	Conforti	Christine Madrid
Board of Fire Prevention	Smith	Christine Madrid
Board of Health	Graham	Patricia Graham
Budget & Finance	Trzaska	Christine Madrid
Budget & Finance	Conforti	Mark Conforti
Economic Development Commission	Graham	Patricia Graham
Emergency Services Coordinating Comm.	Conforti	Mark Conforti
Environmental Commission/Sustainable Montgomery	Conforti	Sadaf Jaffer
Landmarks Commission	Madrid	Christine Madrid
Liaison to Library Advisory Board	Madrid	Ed Trzaska
Montgomery/Rocky Hill		
Municipal Alliance/Youth Services	Madrid	Christine Madrid
Open Space Committee	Graham	Patricia Graham
Recreation Committee	Smith	Ed Trzaska
Sewer Committee	Smith	Mark Conforti
Shade Tree Committee		Sadaf Jaffer
Somerset County Multi-Jurisdictional		
Hazard Mitigation Committee	Trzaska	Mark Conforti
Transportation Advisory Committee	Trzaska	Ed Trzaska
Veterans Memorial Committee	Graham	Patricia Graham
Wastewater Management Plan Committee	Smith	Ed Trzaska
Wildlife Management Committee	Madrid	Sadaf Jaffer
Zoning Board of Adjustment	Conforti	Mark Conforti

21. PUBLIC COMMENT

21-1. Brett Borowski, York Drive, wished everyone a Happy New Year and extended congratulations to all. He was happy to hear such optimism from Mayor Conforti and he agreed with a lot of it.

22. MAYORAL AUTHORIZATION TO PERFORM MARRIAGES - Deputy Mayor

BE IT AUTHORIZED That the Deputy Mayor may solemnize marriage ceremonies in the absence of the Mayor.

23. CONSENT AGENDA - All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration.

A. RESOLUTION #18-1-1 - PROFESSIONAL SERVICES RESOLUTION

WHEREAS, There exists a need to acquire the following professional services for 2018 without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law":

- (1) Bond, General, Labor/Special Projects/Conflict Counsel Legal Services and Tax Appeal Litigation Support; and
- (2) Auditing Services; and
- (3) Environmental and Traffic Engineering Services; and
- (4) Professional Planning Services; and
- (5) Appraisal Services; and
- (6) Landscape Architect; and
- (7) Municipal Finance Services.

WHEREAS, The Montgomery Township Purchasing Agent has determined and certified in writing that the value of the services over the course of the contracts is anticipated to exceed \$17,500.00; and

WHEREAS, The New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of professional services contracts without competitive bidding; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available for the aforesaid services in accordance with the amounts set forth in the 2017 Temporary Budget, with performance of said services after March 31, 2018 being subject to the Township's amendment of the 2018 Temporary Budget, and/or adoption of the final 2018 Budget.

(CONSENT AGENDA Item A 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 proper agreements with Gluck Walrath, LLP as Township Bond Counsel; Kristina P. Hadinger of Mason, Griffin & Pierson as Township Attorney; Richard Flaum, Lisa Fittipaldi and Martin Allen of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, Tom Cafferty of Gibbons, PC, and Andrea Kahn of McManimon and Scotland as Labor/Special Projects/Conflict Counsel/Tax Appeal Litigation Support; Suplee Clooney as Township Auditor; James Cosgrove of Kleinfelder, Inc. as Environmental Engineer; Joseph A. Fishinger, Jr. of NV5 as Traffic Engineer; Mike Sullivan of Clarke Caton Hintz as Township Planner; Valuation Consulting, Sockler Realty Services, Bettina D. Scholk, Appraisal & Consulting, and Mark Tinder as Appraisers; and Richard Bartolone as Landscape Architect; and Public Finance Management as Municipal Finance Services.
- (2) These contracts are awarded for a period of one year, for the amounts set forth in each contract, and without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.
- (3) These contractors have completed and filed with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying they have not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavit, and the executed Agreements shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.
- (6) Performance of services under the terms of these contracts, and payment for the services, after March 31, 2018 is subject to the amendment of the 2018 Temporary Budget and/or adoption of the final 2018 Budget, and certification of availability of funds by the Chief Financial Officer

B. RESOLUTION #18-1-2 - PETTY CASH CHECKS

BE IT RESOLVED That the Chief Financial Officer be authorized to draw checks, one in the amount of \$1,000 to the Township Clerk, custodian of the Township Clerk's Petty Cash Funds.

C. RESOLUTION #18-1-3 - DEPOSITORY FOR TOWNSHIP MONIES

BE IT RESOLVED That the depositories for the funds of the Township of Montgomery for the year 2018 shall be any bank licensed to do business in the State of New Jersey and who holds a Governmental Unit Deposit Protection Act Certificate.

D. RESOLUTION #18-1-4 - OFFICIAL SIGNATURES

BE IT RESOLVED That the Township officers authorized to sign the Township checks are Mark Conforti, Mayor; Michael Pitts, Chief Financial Officer; Donna Kukla, Township Clerk.

E. RESOLUTION #18-1-5 - OFFICIAL SIGNATURE - Assistant Chief Financial Officer

BE IT RESOLVED That the Assistant Chief Financial Officer, Dale Melville, is hereby authorized to sign Township checks in 2018 in the absence of the Chief Financial Officer.

F. RESOLUTION #18-1-6 - DEPUTY SIGNATURES

BE IT RESOLVED That Christine Madrid, Deputy Mayor is hereby authorized to sign Township checks in 2018 in the absence or inability to serve of the Mayor and that Margaret Crawford, Deputy Township Clerk is authorized to sign Township checks in the year 2018 in the absence or inability to serve of the Township Clerk.

G. RESOLUTION #18-1-7 - AUTHORIZATION TO ESTABLISH INTEREST ON TAX DELINQUENCIES AND TAX SALES

WHEREAS, N.J.S.A. 54:4-67 permits the Township Committee to establish by resolution the rate of interest to be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became due and payable; and

WHEREAS, Chapter 75, P.L. 1991, now permits the governing body to establish a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year; and

(CONSENT AGENDA Item G Cont.)

WHEREAS, The Township Committee of the Township of Montgomery finds it to be in the best interests of the Township to establish said penalty.

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

1. Pursuant to N.J.S.A. 54:4-67, the Township Committee of the Township of Montgomery reaffirms that the following interest shall be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became payable: 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment. The term "delinquent" as used herein shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.
2. In addition, the Township Committee hereby fixes as a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year an additional sum of 6% of the amount of the delinquency.
3. This resolution shall take effect immediately.
4. A certified copy of this resolution shall be furnished by the Township Clerk to the Tax Collector.

H. **RESOLUTION #18-1-8 - GRACE PERIOD FOR DELINQUENT TAXES**

BE IT RESOLVED That the Tax Collector is hereby authorized to waive the interest charge on delinquent taxes where payment is received within 10 days after the due date and that any installment received after the expiration of this grace period bear interest from the due date.

I. **RESOLUTION #18-1-9 - LEGAL NEWSPAPER**

BE IT RESOLVED That the newspaper for legal municipal advertising and notice in 2018 shall be the Courier News.

J. **RESOLUTION #18-1-10 - ADEQUATE NOTICE OF MEETINGS**

BE IT RESOLVED By the Township Committee of the Township of Montgomery that:

- (1) The Township Clerk is hereby authorized and directed to cause adequate notice to be given of every meeting of this body to be held during 2018, EXCEPTING only those meetings that are:
 - (a) Shown on the duly adopted and disseminated 2018 schedule of meetings and revisions thereof;
 - (b) Limited to matters of urgency, and as to which this body authorizes a meeting without adequate notice, as provided by Section 4b of the Open Public Meeting act; or
 - (c) Limited only to consideration of items as to which the public may be excluded pursuant to Section 7b of the Open Public Meetings Act.
- (2) The adequate notice required under paragraph 1 of this resolution shall be substantially in the following form:

NOTICE OF MEETING
MONTGOMERY TOWNSHIP COMMITTEE
BELLE MEAD, NJ
Date: _____

Notice is hereby given that the Township Committee will hold a meeting on (date) at (time) at (location). The agenda for said meeting, to the extent known, and a statement whether or not formal action may be taken as to items on the agenda, are as follows:

- (3) Said notice, at least 48 hours in advance of the meeting shall be:
 - (a) Prominently posted at the Municipal Building.
 - (b) Mailed, emailed, telephoned or hand delivered to the officially designated newspapers.
 - (c) Filed in the Office of the Township Clerk.
 - (d) Mailed to those persons who as of that time have requested and paid the charge for the same.

(CONSENT AGENDA Cont.)

K. RESOLUTION #18-1-11 - FIXED CHARGE FOR MEETING NOTICE

BE IT RESOLVED By the Township Committee of the Township of Montgomery:

- (1) A charge of \$12.00 is hereby fixed to cover the cost of providing the 2018 schedule of regular meetings.
- (2) Said charge shall abate at the rate of \$1.00 for each full calendar month that shall have elapsed between the calendar year and the date such request is submitted.
- (3) Payment of such charge shall accompany said request and shall be payable to this body or such public agency as this body shall from time to time designate.
- (4) All such requests for notices shall terminate as of midnight on December 31, 2018.
- (5) Notwithstanding the foregoing, requests from news media (other than the newspapers to which notice is required to be given without charge pursuant to Sections 13, 4a and 3d of the Open Public Meetings Act) shall be honored free of charge.

L. RESOLUTION #18-1-12 - TOWNSHIP COMMITTEE MEETING SCHEDULE

BE IT RESOLVED That the following is established as a schedule of meetings of the Township Committee to be held during the year 2018 said meetings to be open to the public and publicized in accordance with the Open Public Meetings Act. All meetings will begin at approximately 7:00 p.m., unless otherwise noted. Except as otherwise noted the location shall be the Township Municipal Building, 2261 Van Horne Road, Belle Mead, NJ.

January	8	July	5
	18		19
February	1	August	2
	15		16
March	1	September	6
	15		20
April	5	October	4
	19		18
May	3	November	1
	17		15
June	7	December	6
	21		20

January 3, 2019, 7:00 p.m., Reorganization Meeting

In accordance with the dictate of the Open Public Meetings Act, a copy of this resolution shall be immediately:

- (a) Posted on the Municipal Bulletin Board and shall remain so posted for the year 2018.
- (b) Sent to the officially designated newspapers.
- (c) Filed in the Office of the Township Clerk.
- (d) Sent to those persons who have requested and paid the charges for copies of the schedule and revisions thereto and shall be promptly sent to those persons who hereinafter make such request and prepay such charges.

M. RESOLUTION #18-1-13 - STATE CONTRACT PURCHASING

BE IT RESOLVED That the Township Purchasing Agent be authorized to purchase goods and services from firms having contracts with the State of New Jersey, and that a list of said firms be kept on file in the Purchasing Department and the contract numbers be listed on the appropriate Township vouchers for reference purposes.

N. RESOLUTION #18-1-14 - AUTHORIZING ISSUANCE OF SOCIAL AFFAIRS PERMITS

BE IT RESOLVED That the Township Clerk and Police Captain/Director or his designee are hereby authorized to endorse applications for Social Affairs Permits to the Director of the Division of Alcoholic Beverage Control, said applications to be in conformance with NJAC 13:2-5.1(d).

O. RESOLUTION #18-1-15 - PROVISIONS FOR MAKING OF OFFICIAL CERTIFICATES OF SEARCHES AS TO MUNICIPAL IMPROVEMENTS AUTHORIZED BUT NOT ASSESSED

BE IT RESOLVED That provision is hereby made for the making of official certificates of searches as to municipal improvements authorized by ordinance of the Township of Montgomery, but not assessed, affecting any parcel or tract of land in said Township in that a future assessment will be made thereon pursuant to such ordinance, and, further, the Township Clerk is hereby designated as the person who shall make such certificates.

P. RESOLUTION #18-1-16 - DESIGNATION OF OFFICIAL TO MAKE SEARCHES AS TO UNPAID MUNICIPAL LIENS AND TO CERTIFY THE RESULTS THEREOF

The Township Committee of the Township of Montgomery hereby designates the Chief Financial Officer to make examinations of official records as to unpaid municipal liens and to certify the results thereof.

(CONSENT AGENDA Cont.)

Q. RESOLUTION #18-1-17 - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE NOTES

BE IT RESOLVED That the Chief Financial Officer of the Township of Montgomery is hereby authorized to sell and issue Bond Anticipation Notes of the Township pursuant to all bond ordinances that have been finally adopted by the Township Committee; and

BE IT FURTHER RESOLVED That all Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to such ordinances, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of NJSA 40A:2-8(s). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to such ordinance is made. Such report must include the amount, description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

R. RESOLUTION #18-1-18 - AUTHORIZING THE SIGNING OF CERTAIN CHECKS IN THE ABSENCE OF TOWNSHIP COMMITTEE AUTHORIZATION

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

The Mayor, Chief Financial Officer and Township Clerk of the Township of Montgomery are hereby authorized to sign, in the absence of Township Committee authorization, checks from current funds for payroll and payment to the Central Jersey Health Insurance Fund, as needed. In addition, such officials are hereby authorized to sign, as needed, checks from the Dog Tax Fund payable to the State of New Jersey, Department of Health, in accordance with the Statutes of the State of New Jersey and regulations thereunder. The Chief Financial Officer shall, forthwith, prepare vouchers in support of such checks and shall present the same to the Township Administrator for inclusion on the agenda of the next regularly scheduled Township Committee meeting for the consideration and approval of the Township Committee.

S. RESOLUTION #18-1-19 - PLEDGING COMPLIANCE WITH REQUIREMENTS OF THE INTERNAL REVENUE CODE OF 1986 IN ORDER TO PRESERVE TAX EXEMPTION OF INTEREST ON MUNICIPAL OBLIGATIONS AND AUTHORIZING DESIGNATION AND QUALIFICATION OF BONDS WHERE APPLICABLE FOR FAVORABLE TAX TREATMENT FOR CERTAIN FINANCIAL INSTITUTIONS

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

Section 1. The Township hereby covenants that the representatives of the Township will take or will refrain from taking all actions within their control that are necessary upon the advice of Bond Counsel to assure that interest on the obligations of the Township is exempt from federal income taxation under the Internal Revenue Code of 1986.

Section 2. The Chief Financial Officer of the Township is hereby authorized to execute any necessary documents to indicate that the Township has covenanted to take all actions necessary to assure that interest on the obligations of the Township will be exempt from federal income taxation.

Section 3. The appropriate representatives of the Township are hereby authorized to take all necessary actions to assure that interest on the obligations of the Township will remain exempt from federal income taxation.

Section 4. The Chief Financial Officer of the Township is authorized to execute the necessary documents on behalf of the Township to designate and to qualify municipal obligations of the Township where applicable for exemption from the loss of the interest expense deduction for bank indebtedness incurred to purchase or to carry tax-exempt obligations.

Section 5. This resolution will take effect immediately.

T. RESOLUTION #18-1-20 - RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY PROVIDING CERTAIN AUTHORIZATION TO THE TOWNSHIP'S TAX ASSESSOR (SETTLEMENT OF APPEALS; COMMENCEMENT OF APPEALS)

WHEREAS, Ryan Riccio, the Township's Tax Assessor, is a certified tax assessor (CTA) as recognized by the State of New Jersey, and possesses certain training and experience as municipal tax assessor; and

WHEREAS, The Tax Assessor has the statutory responsibility under N.J.S.A. 54:4-23 to -36 to set assessments for properties in the Township, and to maintain the accuracy and equality of the Township's real property assessments; and

(CONSENT AGENDA Item T Cont.)

WHEREAS, It is in the best interests of the citizens of the Township to provide the Tax Assessor and Tax Appeal Counsel with certain authority to address and resolve tax appeals.

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

1. The Tax Assessor and Tax Appeal Counsel be and hereby is authorized to resolve and settle any tax appeal filed with and/or heard by the Somerset County Tax Board without further action of the Township Committee.
2. The Tax Assessor and Tax Appeal Counsel be and hereby is authorized to determine when tax appeals, cross appeals, complaints and counterclaims should be pursued on behalf of the Township, and accordingly has the authority to consult with and direct the Township's Attorney, or any special tax counsel as the case may be, to file such pleadings with either the County Tax Board or the Tax Court, without further action of the Township Committee.
3. The Tax Assessor and Tax Appeal Counsel be and hereby is authorized to resolve and settle tax appeals pending before the New Jersey Tax Court. The Tax Assessor shall first present any proposed settlement of a New Jersey Tax Court appeal which will result in a refund, or credit, of real property taxes to the Township Committee for approval by formal resolution.

U. **RESOLUTION #18-1-21 - AUTHORIZATION TO ISSUE DUPLICATE TAX SALE CERTIFICATES**

BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey that, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector is authorized to issue duplicate tax sale certificates in the event of loss or destruction of the original certificate, the fee for issuance of each duplicate being \$100.00.

V. **RESOLUTION #18-1-22 - CONCERNING PROPERTY TAX REFUNDS AND DELINQUENCIES**

WHEREAS, N.J.S.A. 40A:5-17.1 authorizes a municipality to designate a municipal employee to process property tax refunds in amounts less than \$10.00, and further authorizes a municipality to designate an employee to cancel property tax refunds or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey, that Michael Pitts, Tax Collector, is herewith authorized to (a) process, without further action by the Township Committee, any property tax refunds in amounts less than \$10.00 and (b) process, without further action by the Township Committee, the cancellation of any property tax refunds or delinquencies in amounts less than \$10.00.

W. **RESOLUTION #18-1-23 - PROVIDING THE CASH MANAGEMENT PLAN FOR THE TOWNSHIP OF MONTGOMERY FOR THE YEAR 2018**

BE IT RESOLVED By the Township Council of the Township of Montgomery County of Somerset for the year 2018, the following shall serve as the cash management plan.

The Chief Financial Officer is directed to use this cash management plan as a guide in depositing and investing the Township of Montgomery's funds.

The depositories for the funds of the Township of Montgomery for the year 2018 shall be any bank licensed to do business in the State of New Jersey and who holds a Government Unit Deposit Protection Act (GUDPA) Certificate.

All warrants and checks for the disbursement of money shall be made by the Mayor, Chief Financial Officer and Township Clerk. In the absence of the Chief Financial Officer the Assistant Chief Financial Officer will be considered an authorized signature. In the absence of the Mayor the Deputy Mayor will be considered an authorized signature. In the absence of the Township Clerk the Deputy Township Clerk will be considered an authorized signature.

The Chief Financial Officer and/or Assistant Financial Officer are empowered to invest cash funds as bank balances will allow from time to time in order to realize revenue. The above stated officers are authorized to transfer funds electronically for the purpose of investments.

The following are authorized as suitable investments:

(CONSENT AGENDA Item W Cont.)

- Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).
- Certificates of deposit in GUDPA approved banking institutions.
- Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
- Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1(e).
- Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
- Bonds or other obligations of the local unit or school district of which the Town is a part.
- Any other obligations with maturities not exceeding 397 days, as permitted by the State Division of Investments.
- Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey Cash Management Fund.
- Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).
- New Jersey Asset & Rebate Management Program.
- New Jersey CLASS

There are no approved security brokers/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgement that they have seen and reviewed the cash management plan.

This document shall constitute the cash management policy of the Township of Montgomery.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationships to the Township Administrator and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

This document shall constitute the cash management policy of the Township of Montgomery.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationships to the Township Administrator and to the Local Finance Board or Local Ethics Board as applicable.

X. **RESOLUTION #18-1-24 - PROVIDING FOR THE DEFERRAL OF LOCAL DISTRICT SCHOOL TAXES OF THE TOWNSHIP OF MONTGOMERY FOR THE YEAR 2017**

WHEREAS, The Township Committee of the Township of Montgomery, County of Somerset, under the provisions of statutes, wishes to defer Local District School Taxes for the year 2017; and

WHEREAS, The unpaid portion of the Local District School Tax on December 31, 2017 may be deferred to the extent of not more than 50% of the school year July 1, 2017 to June 30, 2018 levy, providing no requisition has been made for such amount or any portion of such amount; and

WHEREAS, The Deferred Local District School Taxes for the year 2017 may not exceed 50% of the school year July 1, 2017 to June 30, 2018 levy of \$79,224,719 resulting in a deferred amount not to exceed \$39,612,359.50. This amount represents an increase over the maximum Deferred Local District School Taxes for the year 2016 of \$38,519,341.50.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that Local District School Taxes unpaid by December 31, 2017 be deferred to the amount not exceeding \$39,612,359.50, and this amount representing an increase over the prior year maximum Deferred Local District School Taxes in the amount of \$1,093,018; and

BE IT FURTHER RESOLVED, That two (2) certified copies of this resolution shall be forwarded to the Director of the Division of Local Government Services.

(CONSENT AGENDA Cont.)

Y. **RESOLUTION #18-1-25 - AUTHORIZING THE TOWNSHIP OF MONTGOMERY TO CONDUCT A SELF EXAMINATION OF THE 2018 BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Montgomery has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges.
 - b. Deferred charges and statutory expenditures.
 - c. Cash deficit of preceding year.
 - d. Reserve for uncollected taxes.
 - e. Other reserves and non-disbursement items.
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relation to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth,
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Z. **RESOLUTION #18-1-26 - REDEMPTION OF TAX SALE CERTIFICATES #2004-02, #2010-02, #2017-01 AND #2017-04**

BE IT RESOLVED That a refund in the amount of \$14,358.71 be given to Berkshire Investments I, LLC, 13 Berkshire Drive, West Windsor, NJ 08550 for the redemption of Tax Sale Certificate #2004-02 on Block 4001, Lot 44.01.

BE IT FURTHER RESOLVED That a refund in the amount of \$1,321.11 be given to Ernestine Gamble, 7 Releer Ave, Apt A, Somerset, NJ 08873 for the redemption of Tax Sale Certificate #2010-02 on Block 4001, Lot 44.01.

BE IT FURTHER RESOLVED That a refund in the amount of \$8,670.72 be given to Natu Patel, 505 Hoagland Court, Hillsborough, NJ 08844 for the redemption of Tax Sale Certificate #2017-01 on Block 5018, Lot 205.2 CONDO.

BE IT FURTHER RESOLVED That a refund in the amount of \$2,612.56 be given TFS Cust Fig Cap Inv NJ13 LLC, P.O. Box 54472, New Orleans, LA 70154 for the redemption of Tax Sale Certificate #2017-04 on Block 5026, Lot 9.06 CONDO.

(CONSENT AGENDA Cont.)

AA. **RESOLUTION #18-1-27 - RELEASE OF PERFORMANCE GUARANTEE - Mountaintop Properties, LLC - Rain Garden**

WHEREAS, Mark Herrmann, Assistant Township Engineer, has certified on December 8, 2017 that the rain garden at 105 Harlingen Road has been completed to the satisfaction of the Engineering Department and recommends the release of the performance guarantee.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee that the performance guarantee in the amount of \$10,000.00 (cash) be released to Mountaintop Properties, LLC.

BE IT FURTHER RESOLVED That a maintenance guarantee is not required.

BB. **RESOLUTION #18-1-28 - AUTHORIZING EXECUTION OF AN AGREEMENT TO CONTRACT FOR COPY AND PRINT SERVICES WITH THE COUNTY OF SOMERSET, NEW JERSEY**

WHEREAS, Various Somerset County municipalities are desirous of contracting for copy and print services; and

WHEREAS, The County of Somerset is desirous of providing copy and print services to various municipalities in accordance with the terms of agreements, copies of which are on file with the Township Clerk; and

WHEREAS, The Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) authorizes and empowers the County of Somerset and various municipalities to enter into such agreements.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee does hereby authorize the Mayor and Clerk to execute agreements, as prepared by County Counsel and on file with the Township Clerk, to contract for the copy and print services to Montgomery Township as described in said agreements, during the calendar year January 1, 2018 through December 31, 2018.

23-1. Committeewoman Graham moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
 Nays - None

24. **RESOLUTION #18-1-29 - 2018 TEMPORARY BUDGET**

WHEREAS, NJSA 40A:4-19 provides that temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, The date of this resolution is within the first thirty days of 2017; and

WHEREAS, The total appropriations in the 2017 Budget, less appropriations for Capital Improvement Fund, Debt Service and Public Assistance are as follows:

General	\$23,145,986.13
Sewer Utility	\$4,346,975.00

WHEREAS, 26.25% of the total appropriations in the 2017 Budget, less appropriations for the Capital Improvement Fund, Debt Service and Public Assistance in the said 2017 Budget is as follows:

General	\$6,044,347.61
Sewer Utility	\$1,141,080.94

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Finance Officer for his record.

2018
 TEMPORARY BUDGET

	AMOUNT
Mayor and Committee	
Salaries & Wages	\$5,512.50
Other Expenses	1,194.38
Committee Expenses	
Other Expenses	13,125.00
Administrative & Executive	
Salaries & Wages	67,331.25
Other Expenses	10,001.25
Municipal Clerk	
Salaries & Wages	65,493.75
Other Expenses	12,495.00
Newsletter	
Other Expenses	1,312.50
Financial Administration	
Salaries & Wages	107,625.00
Other Expenses	15,185.63
Audit	
Other Expenses	9,450.00

(Item #24 Cont.)

	AMOUNT
Network Operations	
Salaries & Wages	19,425.00
Other Expenses	16,819.89
GIS	
Salaries & Wages	15,881.25
Other Expenses	11,418.75
Assessment of Taxes	
Salaries & Wages	29,793.75
Other Expenses	5,538.75
Collection of Taxes	
Salaries & Wages	9,712.50
Other Expenses	5,932.50
Legal Services & Costs	
Other Expenses	98,437.50
Engineering Services & Costs	
Salaries & Wages	117,337.50
Other Expenses	12,534.38
Public Buildings & Grounds	
Salaries & Wages	30,318.75
Other Expenses	32,287.50
Planning Board	
Salaries & Wages	50,006.25
Other Expenses	11,038.13
Revision of Master Plan	
Other Expenses	23,362.50
Zoning Board of Adjustment	
Salaries & Wages	31,893.75
Other Expenses	2,100.00
Landmarks Commission	
Other Expenses	1,706.25
Veterans Committee	
Other Expenses	577.50
Environmental Commission	
Other Expenses	1,312.50
Economic Development	
Other Expenses	295.31
Insurance	
Group Insurance for Employees	772,481.96
Other Insurance Premiums	129,543.75
Workers Compensation Insurance	66,937.50
Disability Fund	
Other Expenses	\$ 19,950.00
Deferred Compensation	
Other Expenses	47,512.50
Fire Hydrant Service	
Other Expenses	168,918.75
Aid to Volunteer Ambulance Co.	
Other Expenses	8,531.25
Uniform Fire Safety	
Salaries & Wages	42,787.50
Other Expenses	3,228.75
Police	
Salaries & Wages	1,018,762.50
Other Expenses	130,344.38
Emergency Management Services	
Other Expenses	2,205.00
Emergency Services Committee	
Other Expenses	124.69
Community Services Act	
Other Expenses	23,887.50
Shade Tree Commission	
Other Expenses	2,887.50
Road Repairs & Maintenance	
Salaries & Wages	234,412.50
Other Expenses	212,966.25
Vehicle Maintenance	
Other Expenses	176,137.50
Public Works	
Salaries & Wages	29,596.88
Other Expenses	13,991.25
Board of Health	
Salaries & Wages	109,462.50
Other Expenses	10,237.50
Animal Control	
Salaries & Wages	14,175.00
Other Expenses	1,312.50
Recreation	
Salaries & Wages	75,600.00
Other Expenses	9,410.63
Kid Connection	
Salaries & Wages	15,750.00
Adult School	
Salaries & Wages	45,937.50
Other Expenses	64,771.88

(Item #24 Cont.)

	AMOUNT
Summer Camp	
Salaries & Wages	21,000.00
Other Expenses	3,937.50
Maintenance of Parks	
Salaries & Wages	125,343.75
Other Expenses	20,940.94
Senior Center	
Salaries & Wages	1,181.25
Other Expenses	27,720.00
Solid Waste	
Other Expenses	21,131.25
Recycling Program	
Other Expenses	52,500.00
Construction Code	
Salaries & Wages	174,037.50
Other Expenses	7,455.00
Electricity	
Other Expenses	52,500.00
Telephone	
Other Expenses	29,058.75
Water	
Other Expenses	13,125.00
Natural Gas/Heating	
Other Expenses	21,000.00
Gasoline	
Other Expenses	100,537.50
Street Lighting	
Other Expenses	15,750.00
Social Security System	
Other Expenses	248,325.00
Municipal Court	
Other Expenses	40,425.00
Environmental Health Services	
Other Expenses	131.25
Pre school	
Salaries & Wages	313,293.75
Other Expenses	40,482.75
Camp Kid	
Salaries & Wages	13,912.50
Other Expenses	2,546.25
PERS	
Other Expenses	182,385.00
PFRS	
Other Expenses	189,262.50
Welfare/Administration	
Other Expenses	26.25
Municipal Library	
Other Expenses	17,718.75
Celebration of Public Events	
Other Expenses	4,725.00
Municipal Alliance	5,171.29
Municipal Alliance - Match	1,292.82
Supplemental Fire Grant	934.24
Recycling Tonnage Grant	4,639.16
Safe Corridors/Passage Grant	3,536.02

Total 2018 Temporary Appropriations for Operating Purposes **\$6,044,347.61**

Sewer Utility

Salaries & Wages	259,875.00
Other Expenses	881,205.94

Total 2018 Temporary Appropriations for Sewer Utility **\$1,141,080.94**

Operating Fund

Debt Service	
Payment of Bonds and Unfunded Debt	1,960,000.00
Interest on Bonds & Notes	530,000.00
Green Trust Program	
Other Expenses	132,000.00

Sewer Utility Fund

Debt Service	
Payment of Bonds and Unfunded Debt	325,600.00
Payment - NJEIT	1,737,500.00
Interest - NJEIT	379,000.00

24-1. Deputy Mayor Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
 Nays - None

25. ORDINANCE #18-1563 - Providing for 3.5% CAP - Introduction

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

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2018 BUDGET AND
TO ESTABLISH A CAP BANK PURSUANT TO NJS 40A:4-45.14

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 January 18, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

25-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Madrid and carried on the following:

ROLL CALL - Ayes - Jaffer, Graham, Trzaska, Madrid, Conforti
Nays - None

26. MUNICIPAL BUILDING OPENING ON SATURDAY FOR TAX PRE-PAYMENTS

Deputy Mayor Madrid asked if there were a lot of people who came to pre-pay their 2018 taxes when the Municipal Building was open on Saturday, December 30, 2017. Chief Financial Officer Pitts answered that there were between 70 and 100 people and that the Township overall received approximately \$16 million in pre-payments.

Administrator Nieman stated that he had received a number of compliments on how courteous and well run the office was. He stated that this included the Finance office and staff from other offices who volunteered to assist.

ADJOURNMENT was at 9:50 a.m. on a motion by Committeeman Trzaska. The motion was seconded by Deputy Mayor Madrid and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk