

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
April 5, 2018

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

TOWNSHIP COMMITTEE: Mayor Conforti, Deputy Mayor Madrid, Committeemembers Trzaska, Graham and Jaffer

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Michael Pitts

TOWNSHIP CLERK - Donna Kukla

2. Mayor Conforti stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."

3. Mayor Conforti led the Salute to the Flag.

4. **RESOLUTION SUPPORTING THE 2018 UDrive. UText. UPay. DISTRACTED DRIVING CRACKDOWN - April 1 - 21, 2018**
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WHEREAS, Distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, Distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, Distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, In 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation's roads; and

WHEREAS, In New Jersey distracted driving was listed as a contributing circumstance in nearly 750,000 crashes between 2011-2015; and

WHEREAS, The State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1 - 21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, The national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, A reduction in distracted driving in New Jersey will save lives on our roadways.

NOW, THEREFORE BE IT RESOLVED That the Montgomery Township Committee hereby declares its support for the *Distracted Driving 2018 Crackdown* both locally and nationally from April 1 - 21, 2018 and pledges to increase awareness of the dangers of distracted driving.

- 4-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.

5. **PUBLIC COMMENT**

- 5-1. Brett Borowski, York Drive, complimented a number of staff members, including Township Clerk Donna Kukla; Deputy Township Clerk Marge Crawford; Police Lieutenants James Gill and Tom Frascella for their helpfulness and courteousness.

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

A. **RESOLUTION #18-4-72 - REFUND OVERPAID 2018 TAXES**

BE IT RESOLVED That refunds be given to the following for the overpayment of 2018 taxes:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
3006	28	Matthew M. & Jean M. Robinson	\$3,000.00
7021	3	Casey & Christina Harris	\$4,946.08
31001	172	Dovenmuehle Mortgage, Inc.	\$5,485.84
34002	23	Ming Zeng & Zhongxiang Sun	\$7,102.48

B. **RESOLUTION #18-4-73 - REDEMPTION OF TAX SALE CERTIFICATES #2017-14 AND #2017-22**

BE IT RESOLVED That a refund in the amount of \$87,609.24 be given to Christiana T C/F Firstrust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate #2017-14 on Block 27001, Lot 21.

BE IT FURTHER RESOLVED That a refund in the amount of \$7,156.64 be given to Natu Patel, 505 Hoagland Court, Hillsborough, NJ 08844 for the redemption of Tax Sale Certificate #2017-22 on Block 34023, Lot 4.

(CONSENT AGENDA Cont.)

C. **RESOLUTION #18-4-74 - ACCEPTANCE OF DONATION - Earth Day Fair - Rocky Hill Cleaners**

BE IT RESOLVED that the Montgomery Township Committee hereby accepts the following donation for the Earth Day Fair.

<u>Name</u>	<u>Amount</u>	<u>Check #</u>
Rocky Hill Cleaners	\$200.00	3293

6-1. Attorney Hadinger steps down from the dais.

D. **RESOLUTION #18-4-75 - APPROVAL OF USE OF TENT - Run with Rotary 2018**

BE IT RESOLVED That the Montgomery Township Committee hereby approves the use of the Township tent for the Run with Rotary 2018 road race as the Township Recreation Department will be one of the sponsors of the event and the advertising will be provided to the Township. The event will be held on April 22, 2018.

E. **RESOLUTION #18-4-76 - APPROVAL OF OUTDOOR ASSEMBLY - Run with Rotary 2018**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. The Rotary Club of Montgomery/Rocky Hill has requested approval of the Township Committee to conduct a 5-K race and 1-mile fun walk on April 22, 2018. The events will start on Main Boulevard and finish on Bergen Circle.
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 Township Committee approval.
 - (b) Portions of Main Boulevard, Bergen Circle, Larocque Circle, Morrow Road, and Lake Drive in Somerset County Skillman Park will be closed to vehicular traffic on Sunday, April 22, 2018 beginning at 10:35 a.m.
 - (c) This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
 - (d) Approval of these events is pending clearance by the Police Department, Health Department, Construction Department and Fire Prevention Department as stated below:
 - (1) The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
 - (2) The organizers will obtain the required health certificates from the Township Health Department, if applicable.
 - (3) The organizers will obtain the required open flame and tent permits from the Township Fire Prevention Department.

F. **RESOLUTION #18-4-77 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Montgomery Rodeo**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. The Montgomery Business Association has requested approval of the Township Committee to conduct an Outdoor Assembly/Championship Rodeo on the property of Frank and Noel Drift, Sunset Road, Block 16001, Lot 6Q on June 9 and 10, 2018.
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.
 - (c) Approval of these events is pending clearance by the Police Department, Health Department, Construction Department and Fire Prevention Department as stated below:
 - (1) The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations and shall employ 2 Private Duty Police Officers for the Saturday evening show and 2 Private Duty Police Officers for the Sunday show.
 - (2) The organizers will obtain the required health certificates from the Township Health Department.
 - (3) The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

(CONSENT AGENDA Cont.)

G. **RESOLUTION #18-4-78 - APPROVAL OF OUTDOOR ASSEMBLY PERMITS - Princeton Show Jumping**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Princeton Show Jumping has requested approval of the Township Committee to conduct Outdoor Assemblies for Equestrian Events at 246 Burnt Hill Road, Skillman, NJ 08558 on April 19-22, April 25-29, June 28-July 1, July 5-8, July 24-28, August 22-28, September 19-23, September 26-30, and October 3-7 from 8:00 a.m. to 5:00 p.m. daily.
3. 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 as they are limited to twelve (12) show events per year.
 - (b) These events shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
 - (c) Approval of these events is pending clearance by the Police Department, Health Department, Construction Department and Fire Prevention Department as stated below:
 - (1) The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
 - (2) The organizers will obtain the required health certificates from the Township Health Department, if applicable.
 - (3) The organizers will obtain the required open flame and tent permits from the Township Fire Prevention Department.

H. **RESOLUTION #18-4-79 - CONVEYANCE OF ITEMS FROM CONVATECH PROPERTY TO SOMERSET COUNTY LIBRARY SYSTEM**

BE IT RESOLVED That the following items be conveyed from the ConvaTech Property to the Somerset County Library System:

- 6 Corner work surfaces (42 x 42 x 25)
- 1 Right hand extended corner work surface (60 x 42 x 25)
- 4 Straight work surface (25 x 25)
- 3 Straight work surface (42 x 25)
- 3 Straight work surface (35 x 25)
- 7 Corner bracket
- 13 Shared cantilever bracket
- 1 End panel (25 deep)
- 7 Full height work surface supported pedestal (BBF) (22.625 x 15 x 24.5)
- 3 Universal shelf (42 x 14.75 x 7.5)
- 6 Universal over the case bins with flat fronts (42 x 15.75 x 16.25)
- 2 Universal over the case bins with flat fronts (30 x 15.75 x 16.25)
- 14 Tackable acoustical panel (42 x 65)
- 2 Tackable acoustical panel (35 x 65)
- 2 Tackable acoustical panel (30 x 65)
- 2 Tackable acoustical panel (25 x 65)
- 5 End of run trim
- Acoustical panels (number tbd)
- 4 Work tables
- 1 Conference table and 10 chairs
- 1 Executive desk
- 1 Wooden bookshelf
- 5 Round tables
- 20 Assorted chairs
- 3 Desks
- 10 Desk chairs
- 6 Locker cabinets
- 3 Rack/shelving units

I. **RESOLUTION #18-4-80 - RELEASE OF ESCROW FEE - American Residential Services, LLC Street Opening Permit #17-R-09**

WHEREAS, George Remboske, Assistant to the Township Engineer, has recommended the release of a cash escrow fee to American Residential Services, LLC because all work has been satisfactorily completed with respect to the following street opening permit at Block 7020, Lot 11 (65 Livingston Drive).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$350.00 be released to A.J. Perri #8802, c/o Shelley A. Currie, 1162 Pine Brook Road, Tinton Falls, NJ 07724.

(CONSENT AGENDA Cont.)

J. TOWNSHIP COMMITTEE APPOINTMENT - Veterans Memorial Committee

OFFICE	TERM	NEW APPOINTMENT
Veterans Memorial Committee, Regular Member	3 yr. unexpired term expiring 12/31/19	Dimitra Bairaktaris

6-2. Deputy Mayor Madrid moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Jaffer and carried on the following:

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

7. Attorney Hadinger returns to the dais.

8. MAYORAL APPOINTMENT - Recreation Committee

OFFICE	TERM	NEW APPOINTMENT
Recreation Committee, Advisor	1 yr. term expiring 12/31/18	Kavita Panke

9. RESOLUTION #18-4-81 - AMENDING RESOLUTION #18-3-69 AUTHORIZING THE HIRING OF FRANCESCO TADDEO TO THE POSITION OF MUNICIPAL COURT JUDGE IN THE HILLSBOROUGH/MONTGOMERY/MANVILLE COURT, AT AN ANNUAL SALARY OF \$65,000.00 PER YEAR, EFFECTIVE MARCH 1, 2018

WHEREAS, There is the need for a Municipal Court Judge in the Hillsborough/Montgomery/Manville Court; and

WHEREAS, Resolution #18-3-69 is hereby amended to clarify the term of Judge Taddeo's appointment; and

WHEREAS, The Township Administrator recommends the appointment of Francesco Taddeo as a Municipal Court Judge for a three year term commencing March 1, 2018 and expiring on February 28, 2021 at an annual salary of \$65,000.00 per year; and

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the recommendation of the Township Administrator is hereby accepted and approved.

9-1. 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

10. RESOLUTION #18-4-82 - AUTHORIZING PURCHASE OF JANITORIAL SERVICES THROUGH NEW JERSEY STATE CONTRACT #T-1480

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A. 40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #T-1480 has provided the Township with the most competitive price for these items/services; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account #01-201-26-310-213.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase for janitorial services at a not to exceed amount of \$52,746.00 yearly be authorized through the utilization of the New Jersey State Contract to:

ACCSES-NJ
150 West State Street
Suite 120
Trenton, NJ 08608

10-1. Committeewoman Graham 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

11. **RESOLUTION #18-4-83 - RESOLUTION AUTHORIZING EXECUTION OF CONCESSION AGREEMENT WITH MONTGOMERY BASEBALL LEAGUE**

WHEREAS, The Township of Montgomery is the owner of real property known as Montgomery Veterans Park in Belle Mead, New Jersey, at which it owns a structure which presently houses, among other things, a concession stand and two storage areas; and

WHEREAS, Montgomery Baseball League, a non-profit organization operated by volunteers which offers baseball and softball programs for school-aged children in Montgomery Township, Rocky Hill Borough and neighboring communities, seeks to operate the existing concession stand at Montgomery Veterans Park during its softball events until June 22, 2018, as well as utilize the two storage areas for keeping of softball equipment for a one-year term, collectively referred to herein as the "Property"; and

WHEREAS, The Township seeks to grant Montgomery Baseball League the right of use and occupancy of the Property for the foregoing purposes, subject to the terms and conditions set forth in a Concession Agreement between the parties; and

WHEREAS, Montgomery Veterans Park is designated as funded parkland under the rules of the New Jersey Green Acres Program, N.J.A.C. 7:36-1.1 et seq. and in accordance therewith, the Township has submitted this Concession Agreement to the Green Acres Program, for review and approval; and

WHEREAS, On or about April 2, 2018, the Green Acres Program approved the Concession Agreement with required changes, which have been incorporated into the Concession Agreement that is before the Township Committee at this time; and

WHEREAS, Montgomery Baseball League's use and occupancy of the Property is intended to and will support and promote the use of the funded parkland for recreation purposes; and

WHEREAS, The Township Attorney's Office has opined that this Concession Agreement may be executed without public bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-9.4.

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

1. The Concession Agreement between the Township and Montgomery Baseball League referenced in the "Whereas" clauses above is hereby approved.
2. The Mayor and Township Clerk are hereby authorized and directed to execute said Concession Agreement.
3. A copy of this Resolution and the executed Concession Agreement shall be placed on file in the Office of the Township Clerk.

11-1. Committeewoman Jaffer 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

12. **RESOLUTION #18-4-84 - RESOLUTION AUTHORIZING AMENDMENT TO PROJECT AGREEMENT WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM**

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

WHEREAS, The Township of Montgomery has previously obtained a grant of \$6,325,000.00 from the State to fund the following project: **1813-96-004 - Open Space Acquisition 5**; and

WHEREAS, The State and the Township of Montgomery intend to increase Green Acres funding by \$500,000.00; and

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

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

1. The Township Administrator of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Open Space Acquisition 5.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$6,825,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

12-1. Committeewoman Graham 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

13. **RESOLUTION #18-4-85 - RESOLUTION AMENDING INTRODUCED 2018 MUNICIPAL BUDGET**

WHEREAS, On February 16, 2018, the 2018 Municipal Budget was introduced.

WHEREAS, The below amendment has been made since introduction:

1. Page 29 - Item M - Appropriation amount reduced from \$980,000, amended to \$960,000.

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

WHEREAS, The Township Committee wishes to amend 2018 Introduced Budget to reflect that it approves the aforesaid minor amendment to the 2018 Introduced Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee, the Township Committee reaffirms its approval of the following amendment to the 2018 Introduced Municipal Budget:

1. Page 29 - Item M - Amount Reduced - Was \$980,000 amended to \$960,000.

- 13-1. 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

14. **TOWNSHIP BUDGET PRESENTATION**

Chief Financial Officer Michael Pitts gave a brief presentation of the 2018 Township budget. He stated the following:

- Montgomery continues to be fully compliant with the Levy Cap law;
- Spending and headcount have been reduced - finding ways to do more with less;
- Significantly reduced use of surplus in annual budgets;
- Received a "Perfect Score" from Governor Christie's Best Practices in Local Government program in 2013 and a "Near Perfect" score in 2017;
- In 2018, the Township maintained Moody's Investors credit rating of Aa1;
- The projected spending increases for 2018 are mandated cost increases, such as pensions and statutory and contractual salary increases;
- Efficiencies and cost reductions have been found to help mitigate increases;
- Non-grant spending remains less than 2005 levels;
- State aid to Township remains flat;
- Municipal tax rate up \$0.014 (from \$0.387 to \$0.401);
- There is no reduction to any core services;
- The ongoing activities for 2018 are:
 - o Continue to work on closing the structural budget gap through long-term budget planning;
 - o Continue to revamp the municipal government organizational structure to optimize head count, responsibilities, and efficiencies;
 - o Continue to improve the roads and infrastructure;
 - o Aggressively analyzing new opportunities for consolidation/sharing services.

15. **2018 MUNICIPAL BUDGET**

A. **RESOLUTION #18-4-86 - REGARDING PUBLIC HEARING OF THE 2018 LOCAL MUNICIPAL BUDGET OF THE TOWNSHIP OF MONTGOMERY, STATEMENTS OF REVENUES AND APPROPRIATIONS**

WHEREAS, For at least one week, the complete Municipal Budget as advertised, has been posted in a public place in the Municipal Building; and

WHEREAS, The 2018 Budget has been made available to each and every person requesting the same for at least one week.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee (not less than a majority of the full membership concurring) of the Township of Montgomery in Somerset County, that the Township Committee hereby determines that the 2018 Municipal Budget, Statements of Revenues and Appropriations shall be read by title, and that the conditions of N.J.S.A. 40A:4-8, Sections 1A and 1B, have been satisfied.

- 15-1. 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

B. 2018 MUNICIPAL BUDGET - Public Hearing

- a-1. Committeewoman Graham opened the hearing to the public. The motion was seconded by Committeewoman Jaffer and carried unanimously.
- a-2. Committeeman Trzaska stated that under the State's property tax law, the Township was eligible to take a \$248.00 increase. A lot of municipalities take the maximum every year. Montgomery Township has only used approximately 35% of that allowable amount. The Township always tries to keep it as low as possible and under the tax cap.
- a-2. Brett Borowski, York Drive, highlighted that even though different municipalities may take the full amount of the state tax cap, people are very concerned about taxes. He would find it more helpful to see how the municipal dollar value compares to the County dollar value. He feels this should be uniform throughout the County. He stated that the Kid Connection program should be self-funding as it does not benefit every homeowner the same way. He asked about revenues versus costs for the sewers. Chief Financial Officer Pitts stated that for the past couple of years the Township has been taking in more and is self-liquidating and all of the money stays self-contained to the sewer utility.
- a-3. Nancy Herrington, Township Line Road, expressed her concern about the building of a new municipal building and the consideration of a new library in that complex.

Mayor Conforti stated that this was not part of the budget and the Township will have a presentation on this in the future.
- a-4. Alan Wirsul, Ridgeview Drive, spoke about the difference in salaries and benefit packages for school employees versus municipal employees. He asked if the municipality had considered shared services with the school board, especially snow plowing and the buying of vehicles. Administrator Nieman explained that the Township had asked the Board of Education if they would be interested in availing themselves of the vehicle maintenance services the Township employs. The Board has not shown any interest in the subject. Mr. Wirsul inquired about the health care portion of the budget. Mr. Pitts explained that the budget for health care had actually decreased for 2018.
- b. Committeeman Trzaska moved that the public hearing be closed. The motion was seconded by Committeewoman Graham and carried unanimously.

C. RESOLUTION #18-4-87 - ADOPTION OF THE 2018 MUNICIPAL BUDGET

BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of **\$27,457,333.68** for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(1)	GENERAL REVENUES	
	Surplus Anticipated	\$ 4,325,000.00
	Miscellaneous Revenue Anticipated	7,086,661.41
	Receipts from Delinquent Taxes	625,900.00
(2)	AMOUNT TO BE RAISED BY TAXATION FOR	
	MUNICIPAL PURPOSES	<u>15,419,772.27</u>
	TOTAL REVENUES	\$27,457,333.68
(3)	GENERAL APPROPRIATIONS	
	Within "CAPS"	
	Operations Including Contingent	\$19,077,348.00
	Deferred Charges and Statutory	
	Expenditures - Municipal	2,540,000.00
	Excluded from "CAPS"	
	Operations - Total Operations	
	Excluded from "CAPS"	1,529,586.23
	Capital Improvements	143,399.45
	Municipal Debt Service	2,607,000.00
	Total Deferred Charges	600,000.00
	Reserve for Uncollected Taxes	<u>960,000.00</u>
	TOTAL APPROPRIATIONS	\$27,457,333.68

- 8-1. Committeeman Trzaska 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

15. ORDINANCE #18-1572 - Establishing 2018 Sewer Service Rates - Public Hearing

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

AN ORDINANCE AMENDING CHAPTER XII SEWER AND WATER OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ESTABLISH 2018 SEWER SERVICE RATES.

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

B-2. Brett Borowski, York Drive, stated that he would like to see the differences in the old and new rates so he could compare. Chief Financial Officer explained that the charges for costs of billing, administration and debt service stayed the same. The cost for 1000 gallons or part thereof went up 2.1%.

B-3. Committeewoman Jaffer moved to close the public hearing. The motion was seconded by Committeewoman Graham 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 April, 2018 and that notice thereof be published in an official newspaper as required by law.

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

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

16. ORDINANCE #18-1573 - Code Enforcement Fee Updates - Introduction

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

AN ORDINANCE REGARDING NEW JERSEY UNIFORM CONSTRUCTION CODE ACT FEES AND AMENDING CHAPTER VIII OF THE "CODE OF THE TOWNSHIP OF MONTGOMERY (1984)"

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing April 19, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

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

17. ORDINANCE #18-1574 - 2018 Salary & Wage Amendment - Introduction

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

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 18-1565 ENTITLED "AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND TO PROVIDE FOR ITS ADMINISTRATION IN 2018" TO PROVIDE FOR THE POSITION OF BUILDING MAINTENANCE FOREMAN

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing April 19, 2018 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

17-1. 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

18. APPROVAL OF MINUTES

The Regular Session minutes of March 15, 2018 were approved as printed.

19. **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.

19-1. Committeewoman Jaffer 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

20. **JULY MEETING SCHEDULE**

Attorney Hadinger explained that there are some scheduling issues in terms of the steps that need to be taken to implement the affordable housing program. There are a number of public hearings that will need to be scheduled for ordinances. She stated that one of the regularly scheduled meetings is July 5 and then July 19. Staff is trying to work out the schedules and there may be the need to have a special meeting also. She asked if the July 5 meeting was something they should keep. It was the consensus of the Governing Body to keep the July 5 meeting as scheduled.

21. **ENERGY AGGREGATION UPDATE**

Administrator Nieman stated that Gabel Associates was going out to bid and they wanted to be able to award the bid, if it is successful, at the April 19 Township Committee meeting. The program would then take effect in the summer.

20. **BREAKFAST WITH THE MAYOR**

Mayor Conforti reported on the Breakfast with the Mayor. He stated that it was a good meeting.

21. **COMMITTEE AND SUB-COMMITTEE REPORTS**

21-1. **ENVIRONMENTAL COMMISSION**

Committeewoman Jaffer reported that the Environmental Commission was working on the Earth Day event which will take place on April 22.

21-2. **AFFORDABLE HOUSING SUBCOMMITTEE**

Committeewoman Graham reported on the Affordable Housing Subcommittee. They will be having a few more meetings in the near future.

21-3. **TRANSPORTATION ADVISORY COMMITTEE**

Committeeman Trzaska reported on the Transportation Advisory Committee meeting. The Township's plans for Cherry Valley Road were finalized with Princeton and were sent to the New Jersey Department of Transportation. NJDOT has 60 days to review and hopefully approve them. Once the approval is received, the project will go out to bid and then the work will begin.

21-4. **RECREATION COMMITTEE**

Committeeman Trzaska reported on the Recreation Committee meeting. Hobler Park is being renovated. The new playground is being installed in the near future.

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

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
 - Potential acquisition of property (Block 10001, Lot 7.01 {Driftbuilt, LLC & Picone} with public funds for agricultural, open space, conservation, and other municipal purposes;
 - Advice of counsel regarding Northeast Supply Enhancement Project (Compressor Station 206/Franklin Township);
 - A personnel matter; and
 - Advice of counsel regarding the pending Mt. Laurel/affordable housing litigation, In the Matter of the Application of the Township of Montgomery in Somerset County, implementation of the Township's settlement agreement with Fair Share Housing Center, and upcoming compliance hearing before the court.
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. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation. It is possible that at the conclusion of closed session, the Township Committee will reconvene in open session for the purpose of taking action on some of the matters discussed in closed session.

22-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.

23. Meeting reconvened in Open Session.

24. **RESOLUTION #18-4-88 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY AUTHORIZING THE MONTGOMERY TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO MAKE A DETERMINATION AS TO WHETHER THE REAL PROPERTY DESIGNATED AS BLOCK 28004, LOT 7, AND BLOCK 28005, LOT 66 (TAX ASSESSMENT MAPS REV. 2017) AND GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF STATE ROUTE 206 AND COUNTY ROUTE 518 SHOULD BE DECLARED A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, The Township Committee of the Township of Montgomery is concerned about the conditions real property, or portions thereof, designated as Block 28004, Lot 7, and Block 28005, Lot 66 on the Montgomery Township Tax Assessment Maps rev. 2017), and generally located northwest of the intersection of State Route 206 and County Route 518 (hereinafter and collectively, the "Property");

WHEREAS, The Township Committee is concerned that buildings and other improvements on the Property are substandard, dilapidated and/or obsolescent;

WHEREAS, The Township Committee is concerned that the Property, including buildings previously used for commercial purposes that have fallen into disrepair, has been unused for lengthy periods of time;

WHEREAS, The Township Committee is concerned that the Property contains areas with faulty arrangements or design, and obsolete layouts;

WHEREAS, The Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (hereinafter the "Statute"), provides a mechanism to empower and assist municipalities in efforts to promote redevelopment;

WHEREAS, With the exception of the power of eminent domain (condemnation), the Township Committee is interested in employing the powers and authority vested in municipal governing bodies by the Statute, and seeks a determination as to whether the Property constitutes a "redevelopment area" or "area in need of redevelopment" under the Statute; and

WHEREAS, In accordance with the Statute, the Township Committee wishes to assign the conduct of the investigation into whether the Property constitutes a "redevelopment area" or "area in need of redevelopment" to the Township Planning Board;

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

(Item #24 Cont.)

1. The preamble to this Resolution is incorporated and made a part hereof as if set forth at length herein.
2. The Montgomery Township Planning Board is directed to undertake a preliminary investigation to determine whether the Property constitutes and shall be established as a "Non-Condemnation Redevelopment Area" pursuant to the criteria set forth in the Statute.
3. Upon completion, the preliminary investigation shall be submitted to the Township Committee its review and action.
4. The Township Clerk is directed to provide certified, true copies of this resolution to the Planning Board, Planning Director, Township Planner, Planning Board Attorney, and Township Engineer.

24-1. 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

25. **NORTHEAST SUPPLY ENHANCEMENT PROJECT/FRANKLIN COMPRESSOR STATION**

25-1. **Motion #18-4-1** - Committeewoman Graham moved that the Township join with Franklin Township, South Brunswick Township and the Municipality of Princeton in the submission of a letter to Governor Murphy concerning the proposed Northeast Supply Enhancement Project/Franklin Compressor Station (FERC Docket CP17-101) and the numerous adverse environmental impacts it will cause. Committeewoman Jaffer seconded the motion, which carried unanimously.

ADJOURNMENT was at 8:57 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk