

AGENDA FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
February 17, 2022
7:00 p.m.

It is the Township Committee's intention to conclude this meeting no later than 11:00 p.m.

ROLL CALL - Keenan (), Bell (), Schuldiner (), Huang (), Singh ()

ALSO PRESENT - Rubinstein (), Nieman (), Kukla ()

MAYOR'S STATEMENT - 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.

SALUTE TO THE FLAG

1. **HONORING TOWNSHIP ENGINEER GAIL SMITH**

WHEREAS, quality public service demands intelligence, skill, energy and commitment to advancing the public good; and

WHEREAS, Gail has demonstrated all of these characteristics and more, working diligently on behalf of Montgomery Township residents during her years as Montgomery's Township Engineer; and

WHEREAS, after 18 years of dedicated service to the citizens of Montgomery Township, Gail Smith will be retiring February 28, 2022; and

WHEREAS, Gail was named 2021 Municipal Engineer of the Year by the New Jersey Society of Municipal Engineers, in recognition of her commitment to the profession of Municipal Engineering and her exemplary service to Montgomery Township; making her the first woman to receive the award, joining 37 men since 1982; and

WHEREAS, Ms. Smith's accomplishments include the environmental remediation of the former North Princeton Development Center that eventually became Skillman Park, and she collaborated with Rutgers University in a pilot study to incorporate the use of pervious concrete into the design of a pathway along Skillman and Burnt Hill Roads.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee honors Gail Smith for her many years of service, experience, and knowledge and extends its best wishes for a well-deserved retirement.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

2. **POLICE COMMENDATIONS**

WHEREAS, on January 13th, 2022, Acting Sergeant Daniel Balinski, Officer Salvatore Intili, Officer John Colucci, and Officer Connor Chapkowski responded to a residence for a report of a person in crisis with a knife who refused to communicate with anyone; and

WHEREAS, over approximately two hours, the Officers were able to safely de-escalate the situation, by slowly building a rapport, convincing the individual to speak with them and peacefully relinquish the knife; and

WHEREAS, the Officers were able to work cooperatively with the individual and their family and convince them to voluntarily seek medical treatment and provided them with information for additional services with our mental health partners.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee hereby expresses the gratitude of the entire Township and recognizes the patience, professionalism, and actions of Acting Sergeant Daniel Balinski, Officer Salvatore Intili, Officer John Colucci, and Officer Connor Chapkowski to resolve the crisis and assist the family in need.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

3. **ENVIRONMENTAL COMMISSION PRESENTATION**

4. **PARKS/RECREATION/OPEN SPACE STEWARDSHIP DEPARTMENT STRUCTURE**

5. **COVID-19 UPDATE - Devangi Patel**

6. **PUBLIC COMMENT - 5 MINUTES PER PERSON**

We respectfully ask members of the public to limit your comments and/or Q&A to 5 minutes.

If you have additional comments or questions, the Mayor, the Township Administrator and possibly other members of the Township Committee will be available after the meeting. You may also submit comments in writing to the Township at the Clerk's office during normal business hours.

Any questions posed to the Township Committee will be answered after the closure of public comment. Any question requiring research or additional information will be answered at a subsequent Township Committee meeting.

7. **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 #22-2-58 - REDEMPTION OF TAX SALE CERTIFICATE #21-00002**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00002 in the amount of \$69,609.65.

BE IT RESOLVED that a refund in the amount of \$69,609.65 be given to Ram Tax Lien Fund LP, 4450 Cedar Glen Court, Moorpark, CA 93021 for redemption of Tax Sale Certificate #21-00002 on Block 5024 Lot 14.

Tax Lien Redemption

Certificate Amount	\$ 2,588.15
Redemption Penalty	\$ 24.32
Interest	\$ 32.18
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 66,900.00
TOTAL	\$ 69,609.65

B. **RESOLUTION #22-2-59 - REDEMPTION OF TAX SALE CERTIFICATE #21-00011**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00011 in the amount of \$4,673.20.

BE IT RESOLVED that a refund in the amount of 4,673.20 given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119.

Tax Lien Redemption

Certificate Amount	\$ 592.11
Redemption Penalty	\$ 11.84
Subsequent Charges	\$ 990.16
Interest	\$ 14.09
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 3,000.00
TOTAL	\$ 4,673.20

C. **RESOLUTION #22-2-60 - REDEMPTION OF TAX SALE CERTIFICATE #21-00014**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00014 in the amount of \$3,856.07.

BE IT RESOLVED that a refund in the amount of \$3,856.07 be given to Christiana T C/F CE1/Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021.

Tax Lien Redemption

Certificate Amount	\$ 775.56
Redemption Penalty	\$ 15.51
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 3,000.00
TOTAL	\$ 3,856.07

D. **RESOLUTION #22-2-61 - REDEMPTION OF TAX SALE CERTIFICATE #21-00015**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00015 in the amount of \$2,488.76.

BE IT RESOLVED that a refund in the amount of \$2,488.76 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119.

Tax Lien Redemption

Certificate Amount	\$ 317.41
Redemption Penalty	\$ 6.35
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 2,100.00
TOTAL	\$ 2,488.76

E. **RESOLUTION #22-2-62 - REDEMPTION OF TAX SALE CERTIFICATE #21-00016**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00016 in the amount of \$6,121.59.

BE IT RESOLVED that a refund in the amount of \$6,121.59 be given to Christiana T C/F CE1/Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021.

CONSENT AGENDA Cont.

Tax Lien Redemption

Certificate Amount	\$ 1,538.51
Redemption Penalty	\$ 30.77
Subsequent Charges	\$ 471.29
Interest	\$ 16.02
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 4,000.00
TOTAL	\$ 6,121.59

F. **RESOLUTION #22-2-63 - REDEMPTION OF TAX SALE CERTIFICATE #21-00018**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00018 in the amount of \$10,273.20.

BE IT RESOLVED that a refund in the amount of \$10,273.20 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119.

Tax Lien Redemption

Certificate Amount	\$ 2,111.54
Redemption Penalty	\$ 42.23
Subsequent Charges	\$ 2,093.72
Interest	\$ 60.71
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 5,900.00
TOTAL	\$ 10,273.20

G. **RESOLUTION #22-2-64 - REDEMPTION OF TAX SALE CERTIFICATE #21-00021**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00021 in the amount of \$2,628.50.

BE IT RESOLVED that a refund in the amount of \$2,628.50 be given to US Bank Cust/PC8Firsttrust Bank, US Bank Global Corp Trust Scvs, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102.

Tax Lien Redemption

Certificate Amount	\$ 1,449.30
Redemption Penalty	\$ 6.04
Interest	\$ 8.16
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 1,100.00
TOTAL	\$ 2,628.50

H. **RESOLUTION #22-2-65 - REFUND 2021 VETERAN DEDUCTIONS**

BE IT RESOLVED that a refund in the amount of \$4,500.00 be given to Stonebridge at Montgomery, 100 Hollinshead Spring Road, Skillman, NJ 08558 for 2021 Veteran Deductions On Block 23001 Lot 16.

LAST NAME	FIRST NAME	VETERAN DEDUCTION	AMOUNT
Christian	Richard	V1	\$250.00
Dawson	Lucille	W1	\$250.00
Erdman	Peter	V1	\$250.00
Hyatt	Robert	V1	\$250.00
Hyde	Kathleen	W1	\$250.00
Jaros	Helen	W1	\$250.00
Johnson	John	V1	\$250.00
Jones	Nancy	W1	\$250.00
Lampariello	Joseph	V1	\$250.00
Mailloux	Heloise	W1	\$250.00
O'Leary	Cornelius	V1	\$250.00
Reicheg	Florence	W1	\$250.00
Rieur	Elizabeth	W1	\$250.00
Rounds	Christa	W1	\$250.00
Sakenfeld	Katharine	W1	\$250.00
Schonewald	Roger	V1	\$250.00
Taggart	Charles	V1	\$250.00
Willis	Sidney	V1	\$250.00

CONSENT AGENDA Cont.

I. **RESOLUTION #22-2-66 - AUTHORIZING REDUCTION #1 OF PERFORMANCE GUARANTEE (#68172625), FOR VILLAGE WALK AT MONTGOMERY PHASE 1A, BLOCK 28005, LOTS 60, 65, 68, AND 69)**

WHEREAS, Gail Smith, Township Engineer, has certified on February 9, 2022 that a performance guarantee posted for Village Walk at Montgomery Phase 1A (Block 28005, Lots 60, 65, 68 and 69) may be reduced; and

WHEREAS, the remaining and partially completed improvements will be adequately covered by a performance guarantee as specified in the Township Engineer's estimate dated February 10, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that a reduced performance guarantee amounting to \$142,952.04, reduced from \$245,171.88, be posted as follows:

10% cash	\$ 14,295.20
90% cash, Letter of Credit, or Surety Bond	\$128,656.84

There is sufficient escrow remaining for inspections.

J. **RESOLUTION 22-2-67 - AUTHORIZING REDUCTION #1 OF SAFETY & STABILIZATION GUARANTEE (#68172625), FOR VILLAGE WALK AT MONTGOMERY PHASE 1A, BLOCK 28005, LOTS 60, 65, 68, AND 69**

WHEREAS, Gail Smith, Township Engineer, has certified on February 9, 2022 that a safety and stabilization guarantee posted for Village Walk at Montgomery Phase 1A (Block 28005, Lots 60, 65, 68 and 69) may be reduced; and

WHEREAS, the remaining and partially completed improvements will be adequately covered by a safety and stabilization guarantee as specified in the Township Engineer's estimate dated February 10, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that a reduced safety and stabilization guarantee amounting to \$17,919.28, reduced from \$33,007.65, be posted as follows:

10% cash	\$ 1,791.93
90% cash, Letter of Credit, or Surety Bond	\$16,127.35

There is sufficient escrow remaining for inspections.

K. **RESOLUTION #22-2-68 - AUTHORIZING MARK HERRMANN TO BE THE AUTHORIZED REPRESENTATIVE FOR THE CHERRY VALLEY WASTEWATER TREATMENT PLANT CONSOLIDATION PROJECT WITH RESPECT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE LOAN**

WHEREAS Montgomery Township intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Cherry Valley Waste Water Treatment Plant Consolidation Project.

NOW, THEREFORE BE IT RESOLVED, that Mark Herrmann be authorized to act as the Authorized Representative to represent in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at the following address: 2261 Van Horne Road, Belle Mead, NJ 08502-0001 and phone number: 908-359-8211.

L. **RESOLUTION #22-2-69 - AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE MUNICIPALITY OF PRINCETON FOR HEALTH EDUCATION SERVICES AND PROMOTION SERVICES**

WHEREAS, the governing bodies of the Township of Montgomery and the Princeton desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for health education and promotion services; and

WHEREAS, a shared services agreement, setting forth the rights and responsibilities of Montgomery Township and the Municipality of Princeton, has been prepared and circulated for approval by the governing bodies of Montgomery and Princeton.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, Somerset County that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with Princeton for health education and promotion services for a 1-year period, beginning January 1, 2022 and ending December 31, 2022.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

CONSENT AGENDA Cont.

7-1. Motion to adopt **CONSENT AGENDA** _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

8. **RESOLUTION #22-2-70 - IN SUPPORT OF THE ABILITY OF MUNICIPALITIES TO ADOPT REGULATIONS TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE FROM THREATS OF FLOODING**

WHEREAS, in recent years, residents have experienced more frequent and severe storms, which have caused increased flooding and flood damage in Montgomery Township and surrounding communities; and

WHEREAS, the increase of flooding events and flood damage threatens the public health, safety, and welfare, imposes economic damages to residents, and taxes municipal services that are forced to respond to increased flooding; and

WHEREAS, pursuant to N.J.A.C. 7:8-1.5(a), municipalities are permitted to impose additional or more stringent stormwater management requirements than the model ordinance promulgated by the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, each municipality has unique situations that may require additional or more stringent regulations in order to be in full compliance with the controlling state and federal statutes, regulations, and permits, and in order to protect their residents from threats of flooding and flooding related damage; and

WHEREAS, Montgomery Township adopted a stormwater management ordinance (#20-1646) on December 17, 2020 that included provisions more stringent than the NJDEP model ordinance; and

WHEREAS, as of February 4, 2021, the Municipal Land Use Law requires all municipalities to incorporate a climate change-related hazard vulnerability assessment into their Master Plan, and flooding is a key component that must be considered; and

WHEREAS, the New Jersey Department of Community Affairs is considering proposed regulations that would curtail a municipality's ability to protect its residents from the threat of flooding and flood related damage.

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

1. The Township Committee supports regulations that provide flexibility to municipalities to adopt additional and/or more stringent stormwater regulations, in order to allow municipalities to protect its residents from threats of flooding and flood damage.
2. The Township Committee opposes the continuation of any Residential Site Improvement Standard regulations that would limit a municipality's ability to establish more protective flood prevention and stormwater management regulations than the model ordinances promulgated by the NJDEP.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

9. **RESOLUTION #22-2-71 - REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS FOR THE CRICKET FIELD DONATION TRUST FUND REQUIRED BY NJS 40A:5-29**

WHEREAS, permission is required of the Director of Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJS 40A:5-29 provides for receipt of donated funds from a cricket club by the municipality to provide for the operating costs to administer this act; and

Item #9 Cont.

WHEREAS, N.J.S.A.40A:4-39 provides the dedicated revenues anticipated from a Cricket Field Donation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose of which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for the Cricket Field Donation Trust Fund pursuant to NJS 40A:5-29.
2. The Clerk of the Township of Montgomery, County of Somerset is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

10. **RESOLUTION #22-2-72 - AWARD OF BID - Fleet Management and Maintenance Services**

WHEREAS, the following bids for Fleet Management & Maintenance Services were received and publicly opened on February 8, 2022:

<u>BIDDER</u>	<u>AMOUNT</u>
First Vehicle Services, Inc.	\$742,379.77
King George Fleet Services, LLC	\$762,939.99

WHEREAS, it is the recommendation of the Purchasing Agent and the Superintendent of Public Works that First Vehicles Services, Inc. be awarded the bid; they being the lowest responsible bidder; and

WHEREAS, it is the intent of the Township of Montgomery to enter a 12 month contract with 4 (four) one-year extension options; and

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

WHEREAS, there exists accounts 01-201-26-315-256, 01-201-26-315-230, 07-201-55-544-256 which will fund this service.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the one-year contract for Fleet Management & Maintenance Services is hereby awarded to First Vehicle Services, Inc., 600 Vine St., Suite 1400, Cincinnati, OH 45202 in the amount of \$742,379.77 for March 1, 2022 through February 28, 2023.

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

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

11. **ORDINANCE #22-1677 - Title 39 - The Goddard School - Public Hearing**

- A. Title: AN ORDINANCE AMENDING SCHEDULE XXI, TRAFFIC REGULATIONS ON PRIVATE PROPERTY, OF CHAPTER VII, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ADD THE PRIVATE PROPERTY OF THE GODDARD SCHOOL AT COUNTY ROAD 518.

Item #11 Cont.

- B. Public Hearing. Motion to close _____ Second _____ Favor _____ Opposed _____
- C. BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be adopted this 17th day of February 2022 and that a notice thereof be published in an official newspaper as required by law.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

12. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for January 20, and February 3, 2022 stand approved.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

13. **PAYMENT OF BILLS - Posted**

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

WHEREAS, the Chief Financial Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills.

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

1. That these bills are hereby authorized for payment; 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.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

COMMITTEE CORRESPONDENCE

Rikki Massand

NEW & UNFINISHED BUSINESS

Township Administrator Search Update

ADMINISTRATOR'S REPORT

UPCOMING MEETINGS - March 3

- International Women's Day (March 8)
- Engineer's Report

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

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session are as follows:
 - Personnel Matter;
 - Potential acquisition of property (Block 25001 Lot 4 (Normile), Block 37003 Lot 7 (Trap Rock), Block 11002 Lot 38 (Harcarik), Block 17008 Lot 1 (Martin) for open space, conservation, recreation purposes.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Agreements and/or acquisition of lands shall only be authorized by the Township Committee in a public session. It is possible at the conclusion of the 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.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

16. **MOTION TO REOPEN THE MEETING TO THE PUBLIC**

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

ADJOURNMENT at _____ p.m. Motion _____ Second _____ Favor _____ Opposed _____