

AGENDA FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
March 3, 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. This meeting is being held virtually by webcast and simulcast on Comcast Cable Channel 29.

SALUTE TO THE FLAG

1. INTERNATIONAL WOMEN'S DAY

WHEREAS, the history of International Women's Day, though comparatively short is as bold and brilliant as its founders themselves. Long before the Feminist Movement of the 1960s, International Women's Day's genesis goes back to February 28, 1909 in New York with a prophetic focus on women's rights; and

WHEREAS, known originally as "National Woman's Day," it was first proposed by Theresa Malkiel and loosely based on the urban legend commemorating a protest by women garment workers in New York City, on March 8, 1857. One hundred women delegates from 17 countries agreed with the suggestion as a means to continue promoting the rights of women, including suffrage - the right to vote; and

WHEREAS, on March 19, 1911, International Women's Day was officially marked for the first time. More than one million people celebrated in Austria, Denmark, Germany and Switzerland. Women demanded the right to vote, to fight against sex discrimination in the workplace, and to hold public office; and

WHEREAS, in 1913, International Women's Day was recognized in Russia for the first time, where it catapulted to become part of what led to the Russian Revolution in 1917. In 1922, it reached China where March 8 was declared an office "half-day of work" for women in 1949; and

WHEREAS, the demand for women's rights continued to grow, gain support, and shine a much-needed light on the poor conditions under which too many women continued to live. In 1967, the notion of women's rights was taken up by the next generation of feminists who called for equal pay, equal economic opportunity, equal legal rights, reproductive rights, subsidized child care and the prevention of violence against women; and

WHEREAS, the United Nations began celebrating International Women's Day in 1975, which was declared "International Women's Year." In 1977, the United Nations invited members to proclaim March 8th as the UN Day for Women's Rights and World Peace and International Women's Day continues to be celebrated worldwide each year on March 8; and

WHEREAS, we celebrate the advancement of women's rights in all areas of life, with the acknowledgment there is still much progress to be made and work to be done because in many parts of the world women still live in fear and have fewer rights than imaginable; and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery Township Committee hereby recognizes the historical significance and importance of International Women's Day and recognizes and applauds the contributions of so many courageous women - from many nations - throughout the past 100+ years

2. NATIONAL POISON PREVENTION WEEK

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially dangerous medicines, household products and chemicals, environmental contaminants, and other substances; and

WHEREAS, poison control centers across the country will focus the public's attention on the free, life-saving services provided by poison centers as well as educating the public on ways to prevent poisoning exposures; and

WHEREAS, the NJ Poison Control Center, a division of the Department of Emergency Medicine at Rutgers New Jersey Medical School, is instrumental in the medical management and surveillance of poisoning exposures across the state including the use, misuse, and abuse of medications, legal and illicit drugs, environmental contaminants, bioterrorism agents, and common household products and chemicals; and

WHEREAS, the public and medical and emergency service professionals alike can easily access the NJ Poison Control Center's free services through the Poison Help line (1-800-222-1222) or chat (njpies.org); and

WHEREAS, the specialized healthcare professionals at the poison control center (doctors, nurses, and pharmacists) provide 24/7 medical treatment advice and information to callers of all ages; and

Item #2 Cont.

WHEREAS, most reported poison exposures involve children five (5) years old and younger; and

WHEREAS, most poison-related deaths occur in adults; and

WHEREAS, the poison control center's services save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and result in shorter lengths of stay for patients hospitalized for poisoning; and

WHEREAS, the NJ Poison Control Center, in addition to being New Jersey's primary defense against injury and death from unintentional poisoning, continues to play an essential role in the statewide response to the COVID-19 pandemic by assisting over 125,000 callers with COVID-19 information and resources; and

WHEREAS, poison control center experts encourage residents not to guess, wait for symptoms to appear, or waste time searching for medical information online, get immediate help from the poison control center when a potentially dangerous exposure occurs.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Montgomery do hereby proclaim the week of March 20-26, 2022 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

3. **MONTGOMERY EMS PRESENTATION**
4. **CONTAINER FACILITY AND RELATED SERVICES PRESENTATION**
5. **COVID-19 REPORT**
6. **ENGINEER'S REPORT**
7. **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.

8. **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 #22-3-73 - REFUND OVERPAID TAXES**

BE IT RESOLVED that a refund for the overpayment of taxes be given to the following:

<u>Name</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Jocelyn & William Burchfield	2021	31009/90	\$ 3,051.58
Wells Fargo Real Estate Tax Services	2021	24001/14.02	\$28,838.36
Terry Kim & Tiffany Tsang	2022	30002/77	\$ 5,859.15
Haribabu Bandaru & Jyotsna Yenuga	2022	4028/6	\$ 6,168.75

B. **RESOLUTION #22-3-74 - AUTHORIZING APPLICATION AND ACCEPTANCE FOR STRATEGIC PLAN FOR MONTGOMERY-ROCKY HILL MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2022-2023**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

CONSENT AGENDA Cont.

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset.

NOW, THEREFORE, BE IT RESOLVED by the Township of Montgomery, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Montgomery-Rocky Hill Municipal Alliance grant for fiscal year 2022-2023 in the amount of:

DEDR	\$ 6,934.50
Cash Match	\$ 1,733.63
In-Kind	\$ 5,200.87
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Township Committee accepts subsequent award of this grant.

C. **RESOLUTION #22-3-75 - AUTHORIZING RIGHT OF ENTRY AGREEMENT WITH JIM DRIFT FOR THE WEST STREET RIGHT-OF-WAY**

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute a right of way agreement with Jim Drift for the West Street right-of-way subject to approval by the Township Attorney and Engineer.

D. **RESOLUTION #22-3-76 - AWARD OF CONTRACT - Surveying Services**

BE IT RESOLVED that the Montgomery Township Committee hereby approves the award of contract for Surveyor to Harris Surveying at a not to exceed amount of \$40,000.00 in Account #22-288-56-000.

E. **RESOLUTION #22-3-77 - APPOINTING A SAFETY DELEGATE AND AN ALTERNATE SAFETY DELEGATE TO THE MID JERSEY MUNICIPAL JOINT INSURANCE FUND**

BE IT RESOLVED, on this 3rd day of March, 2022 by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the appointment of Laura Pavan as Safety Delegate and Lori Savron as Alternate Safety Delegate for the Township to the Mid Jersey Municipal Joint Insurance Fund be and is hereby authorized.

F. **STAFF APPOINTMENT**

BE IT RESOLVED that John Groeger is hereby appointed Recreation Director effective July 1, 2022.

8-1. Motion to adopt **CONSENT AGENDA** _____ Second _____

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

9. **MAYORAL APPOINTMENTS**

BE IT RESOLVED that the following people are hereby appointed to the Central Jersey Transportation Forum:

Mark Herrmann - Representative, replacing Gail Smith, 1-year appointment expiring December 31, 2022.

Ann Bell - Alternate, replacing Donato Nieman, 1-year appointment expiring December 31, 2022.

CONSENT AGENDA Cont.

10. **RESOLUTION #22-3-78 - AUTHORIZING CONTRACT FOR ELECTRIC VEHICLE CHARGERS AT OTTO KAUFMAN COMMUNITY CENTER THROUGH THE ESCNJ EDUCATIONAL SERVICES COMMISSION OF NJ**

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

WHEREAS, the Township of Montgomery has determined the following cooperative pricing system identifier #ESCNJ 18/19-40 has provided the Township with the most competitive price for this item; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 01-201-20-102-296.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that Electric Vehicle Charging Station at a not to exceed amount of \$12,500.00 be authorized through the utilization of the ESCNJ Educational Services Commission of New Jersey to:

Timothy P. Bryan Electric Co., Inc.
1926 Chestnut Avenue
Trenton, NJ 08611

Motion _____ Second _____

11. **RESOLUTION #22-3-79 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS (TEMPORARY BUDGET INCREASE)**

WHEREAS, the 2022 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2022 Budget being adopted in order to maintain operations until such time as the Township Budget is in place; and

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

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

Current Fund

General Administration		
Other Expenses	\$	10,000
Clerk		
Other Expenses	\$	10,000
Finance		
Other Expenses	\$	10,000
Data Processing		
Salary & Wages	\$	15,000
Master Plan		
Salary & Wages	\$	50,000
Zoning Board		
Salary & Wages	\$	5,000
Group Health Insurance		
Other Expenses	\$	312,000
Shade Tree		
Other Expenses	\$	7,000
Streets & Roads		
Other Expenses	\$	100,000

Utility Fund

Liability Insurance		
Other Expenses	\$	93,000
Workers Comp		
Other Expenses	\$	20,000
Group Health Insurance		
Other Expenses	\$	34,000
Social Security		
Other Expenses	\$	20,000
Bond Interest		
Other Expenses	\$	146,000
NJEIT Loan		
Other Expenses	\$	10,000
Sewer Plants		
Other Expenses	\$	100,000

Motion _____ Second _____

CONSENT AGENDA Cont.

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

12. **RESOLUTION #22-3-80 - PROVIDING FOR THE DEFERRAL OF LOCAL DISTRICT SCHOOL TAXES OF THE TOWNSHIP OF MONTGOMERY FOR THE YEAR 2022**

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 2021; and

WHEREAS, the unpaid portion of the Local District School Tax on December 31, 2021 may be deferred to the extent of not more than 50% of the school year July 1, 2021 to June 30, 2022 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 2021 may not exceed 50% of the school year July 1, 2021 to June 30, 2022 levy of \$86,481,968 resulting in a deferred amount not to exceed \$43,240,984. This amount represents an increase over the maximum Deferred Local District School Taxes for the year 2020 of \$42,374,637.50.

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, 2021 be deferred to the amount not exceeding \$43,240,984, and this amount representing an increase over the prior year maximum Deferred Local District School Taxes in the amount of \$866,346.50; 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.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

13. **ORDINANCE #22-1678 - PROVIDING FOR 3.5% CAP - Introduction**

A. Title: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2022 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 March 17, 2022 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

14. **ORDINANCE #22-1679 - 2022 Salary and Wages - Introduction**

- A. Title: AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, AND TO PROVIDE FOR ITS ADMINISTRATION IN 2022.
- 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 March 17, 2022 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

15. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for February 17, 2022 stand approved.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

16. **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				
Bell				
Huang				
Schuldiner				
Keenan				

COMMITTEE CORRESPONDENCE

Rikki Massand
 Michael Camp

NEW & UNFINISHED BUSINESS

Communications Consulting Services RFP

ADMINISTRATOR'S REPORT

BOARD/COMMITTEE UPDATES

UPCOMING MEETINGS

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

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subject to be discussed in this session is as follows:
 - 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), Block 12001 Lot 20 (Goldstein) for open space, conservation, recreation purposes;
 - Advice of Counsel with regard to affordable housing settlement.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Agreements and/or acquisitions shall only be authorized by the Township Committee at a public session.

Motion_____ Second_____ Favor_____ Opposed_____ Abstain_____

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

Motion_____ Second_____ Favor_____ Opposed_____ Abstain_____

ADJOURNMENT at _____ p.m. Motion_____ Second_____ Favor_____ Opposed_____