

AGENDA FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
April 7, 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. **NEW JERSEY LOCAL GOVERNMENT WEEK**

WHEREAS, local government is the government closest to most citizens and the one that most directly impacts its residents on a daily basis. It is essential that residents understand how their local government operates, the services it provides, and the importance of active involvement; and

WHEREAS, NJ Local Government Week, sponsored by the New Jersey State League of Municipalities, is a week-long celebration to raise awareness about the importance of municipal government and its daily impact on residents; and

WHEREAS, Montgomery has over 135 employees who are directly responsible for keeping our town growing in a fiscally responsible direction, providing excellent public safety resources, offering recreation opportunities for residents of all ages, maintaining town infrastructure, and practicing responsible sustainable efforts; and

WHEREAS, Montgomery Township employees are dedicated to providing exceptional customer service to residents, businesses, and visitors; and

WHEREAS, Local government shapes quality of life in more direct ways than state and federal government, and the quality of life in Montgomery continues to be very high because of the township's great personnel.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Montgomery Township Committee, hereby join the New Jersey State League of Municipalities and do hereby proclaim April 3-9, 2022 as NJ Local Government Week.

2. **NATIONAL PUBLIC HEALTH WEEK**

WHEREAS, the week of April 4-10, 2022, is National Public Health Week, and the theme is "Public Health is Where You Are"; and

WHEREAS, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public's health; and

Whereas, public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the COVID-19 pandemic, measles, natural disasters and disasters caused by human activity; and

WHEREAS, public health action, together with scientific and technological advances, has played a major role in reducing and, in some cases, eliminating the spread of infectious disease, and in establishing today's disease surveillance and control systems.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery Township Committee, do hereby proclaim the week of April 4-10, 2022, as National Public Health Week 2022 in Montgomery Township and call upon the people of Montgomery to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health and supporting great opportunities to adopt preventive lifestyle habits in light of this year's theme, "Public Health is Where You Are."

- 3. **COVID-19 REPORT - Devangi Patel**
- 4. **PUBLIC COMMENT**
- 5. **PRINCETON ELKS PRESENTATION** - Ellen Robbins
- 6. **2022 BUDGET PRESENTATION** - CFO Michael Pitts
- 7. **RESOLUTION 22-4-92 - 2022 MUNICIPAL BUDGET - Introduction**

BE IT RESOLVED that the statements of revenue and appropriations shall constitute the local budget for the year 2022.

BE IT RESOLVED that a summary of said budget shall be published in an official newspaper as required by law together with a notice fixing May 5, 2022 at approximately 7:00 p.m. as the date and time when budget will be considered for final adoption.

NOW THEREFORE, BE IT RESOLVED that the governing body of the Township of Montgomery does hereby approve the budget for the year 2022.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

- 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 #22-4-93 - 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>
Joseph & Gina Boulos	2017	7012/18	\$ 15.50
Empire Title & Abstract, LLC	2017	6001/40.09	\$ 4,589.99
Key Settlements, Inc.	2017	7005/1	\$ 218.53
John DiDomizio	2017	4002/14	\$ 75.71
John DiDomizio	2017	4006/4	\$ 65.32
John DiDomizio	2017	4008/14	\$ 48.99
Shreepal & Rena Shah	2020	6001/8.13	\$ 4,385.89
31 Reading Blvd.	2017	4001/31.04	\$ 3,901.65
Closing USA, LLC	2021	7032/38	\$ 5,895.13
Community Options, Inc.	2021	7003/1	\$ 8,349.52
Richard & Diane Gaisor	2021	4070/43	\$ 7,186.85
Goodeed Title Agency, Inc.	2021	3003/1	\$ 2,821.21
Ram & Sireesha Vemireddy	2021	4001/44.11	\$ 4,227.56

B. **RESOLUTION #22-4-94 - REDEMPTION OF TAX SALE CERTIFICATE #21-00007**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00007 in the amount of \$73,072.33;

BE IT RESOLVED That a refund in the amount of \$73,072.33 be given to Ram Tax Lien Fund LP, 4450 Cedar Glen Court, Moorpark, CA 93021 for redemption of Tax Sale Certificate #21-00007 on Block 8001 Lot 30.

Tax Lien Redemption

Certificate Amount	\$ 2,708.56
Redemption Penalty	\$ 28.06
Interest	\$ 70.71
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 70,200.00
TOTAL	\$ 73,072.33

C. **RESOLUTION #22-4-95 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR MONTGOMERY PROMENADE TEMPORARY PARKING**

WHEREAS, Madison Marquette/CGEM LLC has requested that the Township cancel the approvals and permits with respect to Zoning Board of Adjustment Case BA-10-06; and

WHEREAS, Acting Township Engineer Mark Herrmann has recommended that since Madison Marquette/CGEM LLC will not proceed with the project, the guaranteed improvements will not be considered and the performance guarantee can be released.

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond in the amount of \$15,097.50 (Bond #0474583 in the amount of \$13,587.75 and \$1,509.75 cash) be released to Madison Marquette/CGEM LLC, 2001 Pennsylvania Avenue NW, 10th Floor, Washington DC 20006.

BE IT FURTHER RESOLVED that no maintenance bond is required, the inspection escrow account BA=10-06 can be closed, and the funds returned upon payment of any current charges. No improvements will be accepted by the Township.

D. **RESOLUTION #22-4-96 - AUTHORIZING EXTENSION OF CONCESSION AGREEMENT WITH MONTGOMERY BASEBALL LEAGUE**

WHEREAS, Resolution #20-5-109 adopted on May 7, 2020 authorized a two year Concession Agreement with Montgomery Baseball League with the option to renew said Agreement for two additional years.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee hereby approves the extension of the Concession Agreement for an additional two years expiring in 2024.

E. **RESOLUTION #22-4-97 - APPROVAL OF AGREEMENT WITH SOMERSET COUNTY LIBRARY COMMISSION AND SOMERSET COUNTY BOARD OF COUNTY COMMISSIONERS**

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute an agreement with the Somerset County Library Commission and Somerset County Board of County Commissioners agreeing to admit the Township's new library into the Somerset County Library System.

F. **RESOLUTION #22-4-98-APPROVAL OF SHARED SERVICES AGREEMENT FOR MUTUAL POLICE AID**

WHEREAS, the County provides various services and functions which require the use of municipal police officer; and

WHEREAS, the county uses additional trained police personnel including municipal police personnel for such programs and services as assistance and training at the Somerset County Police Academy; Somerset County Organized Crime and Narcotics Task Force; Somerset County Emergency Response Teams which include S.W.A.T. Team and Crisis Negotiation Team, Dive Rescue Team, the Somerset County Vehicular Homicide Task Force, Collision Analysis and Reconstruction Team and Arson Task Force; Special Event Teams for events such as the Far Hills Race and Professional Golf Tournaments; and any duly created and established Task Force by the County Prosecutor that operates and functions under the supervision and direction of the County Prosecutor to those municipalities; and

WHEREAS, the Township of Montgomery is willing to provide municipal police officers on an "as available" basis for use by the Somerset County Prosecutor's Office on a "as needed" basis subject to the terms and conditions of the agreement. The Township of Montgomery desires to have the Police Department participate in the Agreement and authorizing the appropriate authority to sign the Agreement.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Montgomery that the Mayor and Clerk are hereby authorizing this agreement between the County and the Township of Montgomery.

G. **RESOLUTION #22-4-99 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Greenwood House - Battle of the Bands**

BE IT RESOLVED by the Montgomery Township Committee as follows:

1. Greenwood House has requested approval of the Township Committee to conduct a Battle of the Bands at Princeton Airport on May 12, 2022; and
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
 - a. This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
 - b. This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
4. The organizers will obtain the required health certificates from the Township Health Department.
5. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

H. **RESOLUTION #22-4-100 - APPROVAL OF OUTDOOR ASSEMBLY PERMIT - Fitted Visions LLC Northeast Nissan Skyline Meet 2022**

BE IT RESOLVED by the Montgomery Township Committee as follows:

1. Fitted Vision LLC has requested approval of the Township Committee to conduct the Northeast Nissan Skyline Meet 2022 at Princeton Airport on June 5, 2022; and

2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
 - a. This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
 - b. This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
4. The organizers will obtain the required health certificates from the Township Health Department.
5. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments.

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

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

9. **RESOLUTION #22-4-101 - AUTHORIZATION TO RATIFY AGREEMENT** - Montgomery Township Superior Officers Association

BE IT RESOLVED By the Montgomery Township Committee that the Mayor and Township Clerk are hereby authorized and directed to execute a collective bargaining agreement with the Montgomery Township Superior Officers Association for a four-year period effective January 1, 2021 to December 31, 2024.

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

10. **RESOLUTION #22-4-102 - AUTHORIZING MOVING SERVICES THROUGH NEW JERSEY STATE CONTRACT #T-0877**

WHEREAS, exemption from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A. 40A:11012; and

WHEREAS, the Township of Montgomery has determined the following State Contract #T-0877 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 04-215-55-901-1472G & 04-215-55-901-1494G.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery that the following purchase for moving services at a not to exceed amount of \$48,559.50 for the period of May 1, 2022 through May 1, 2023 be authorized through the utilization of the New Jersey State Contract to:

Simonik Transportation & Warehousing Group, LLC
 120 Mt. Holly Bypass,
 Units 5-7
 Lumberton, New Jersey 08048

Motion _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Singh				
Huang				
Schuldiner				
Bell				
Keenan				

11. **RESOLUTION #22-4-103 - AWARD OF BID - Sewer Excavation and Repair Services**

WHEREAS, the following bids for Sewer Excavation and Repair Services were received and publicly opened on March 25, 2022:

<u>BIDDER</u>	<u>YEAR 1</u>	<u>PER HOUR RATE</u>	<u>YEAR 2</u>
Frank Galbraith & Son Excavation and Demolition, LLC	\$ 89.00 \$117.00	Laborer Foreman	\$ 91.00 \$119.00
Stilo Excavation	\$110.00 \$119.00	Laborer Foreman	\$113.00 \$122.00
Waters & Bugbee	\$130.00 \$145.00	Laborer Foreman	\$140.00 \$155.00
ADS Contractors, LLC	\$170.00 \$170.00	Laborer Foreman	\$180.00 \$180.00

WHEREAS, it is the recommendation of the Purchasing Agent and Director of Wastewater Operations that Frank Galbraith & Son Excavation be awarded the bid; it being the lowest responsible bidder; and

WHEREAS, there exists an accounts #08-215-55-901-1575B and 08-215-55-901-1610B which will fund this item; and

WHEREAS, the contract will not exceed \$100,000.00 in the first year and \$100,000.00 in the second year; 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.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the contract for the Sewer Excavation and Repair Project is hereby awarded to Galbraith & Son Excavation and Demolition LLC, 831 Raritan Road, Scotch Plains, NJ 07076. This contract is for a two (2) year period, with the option to renew for three (3) one (1) year terms.

BE IT FURTHER RESOLVED that the Purchasing Agent is hereby authorized to sign said contracts.

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 March 17, 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				
Bell				
Huang				
Schuldiner				
Keenan				

COMMITTEE CORRESPONDENCE

COMMITTEE REPORTS

NEW & UNFINISHED BUSINESS

Flooded Properties
Lease Agreement with Princeton Elks - Food Bank

ADMINISTRATOR'S REPORT

Illegal Dumping Update
Grants Update

UPCOMING MEETINGS

April 21
• Community Solar Presentation

May 5
• Rabies Awareness Month

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 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), Block 34001 Lot 40 (Jefferson), Block 28010, Lot 57 (Horowitz) for open space, conservation, recreation, and municipal purposes;
 - Personnel matter;
 - Attorney guidance to appropriate authority on Police matters.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

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

Motion _____ Second _____ Favor _____ Opposed _____ Abstain _____

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