

AGENDA FOR  
MONTGOMERY TOWNSHIP COMMITTEE  
March 2, 2023  
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 ( ), Singh ( ), Barragan ( ), Todd ( ), Ahn ( )

**ALSO PRESENT** - Rubenstein Quiroga ( ), Savron ( ), 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. **POLICE UPDATE**

2. **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

3. **PUBLIC COMMENT**

Each speaker will have a maximum of five (5) minutes to speak and should limit comments to matters pertaining to the Township. Additionally, if your comments are similar to comments already made, instead of repeating them at length, we ask that you instead indicate that you join in or support those comments previously made. Groups are asked to select a spokesperson to speak on their behalf.

4. **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 #23-3-78 - REFUND OVERPAID TAXES**

<u>Name</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Wells Fargo Real Estate Tax Services	2019	6001/5.13	\$4,312.69
Two Rivers Title Company, LLC	2022	7028/25	\$ 405.47
Casey and Christina Harris	2023	7021/3	\$ 289.18

B. **RESOLUTION #23-3-79 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH BRANCBURG FOR HEALTH EDUCATION SERVICES**

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

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

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 Branchburg Township for health education services for a one-year period, beginning January 1, 2023 and ending December 31, 2023.
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.

C. **RESOLUTION #23-3-80 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH BRANCBURG TOWNSHIP FOR PUBLIC HEALTH NURSING SERVICES**

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

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

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 Branchburg Township for public health nursing services for a one-year period, beginning January 1, 2023 and ending December 31, 2023.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
2. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

D. **RESOLUTION #23-3-81 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR ROAD OPENING PERMIT 21-R-46 - 8 CHESHIRE LANE - BLOCK 4029, LOT 2**

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of a cash performance guarantee to Balaji Yuvarajan because all work has been satisfactorily completed with respect to Street Opening Permit 21-R-46 at Block 4029, Lot 2 (8 Cheshire Lane).

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash performance guarantee in the amount of \$600.00 be released to Balaji Yuvarajan, 8 Cheshire Lane, Belle Mead, NJ 08502.

E. **RESOLUTION #23-3-82 - AUTHORIZING SUPPLEMENTAL FUNDING REQUEST TO GREEN ACRES**

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 Green Acres loan of \$0 and/or a Green Acres grant of \$7,825,000.00 from the State to fund the following project(s): #1813-96-004 Open Space Acquisition 5; and

WHEREAS, the Township of Montgomery desires to further the public interest by requesting an additional Green Acres loan of \$0 and/or an additional Green Acres grant of \$2,309,271.78 to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; 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, the governing body/board resolves that:

1. Lori Savron or the successor to the office of Township Administrator is hereby authorized to:
  - (a) request such a loan and/or such a grant,
  - (b) provide additional information and furnish such documents as may be required,
  - (c) act as the authorized correspondent of the above-named applicant,
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

F. **RESOLUTION 23-3-83 - AMENDING MUNICIPAL COURT APPOINTMENTS FOR 2023**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the following Municipal Court Officials are appointed to the Hillsborough, Manville, Montgomery and Branchburg Shared Municipal Court for 2023 except as otherwise specified:

<b>Title</b>	<b>Name</b>
Municipal Court Judge	Francesco Taddeo
Municipal Court Administrator	Susan Keeth
Municipal Prosecutor	Kip Bateman
Alternate Municipal Prosecutor	Brian Davis
Alternate Municipal Prosecutor	Kevin Hewitt
Alternate Municipal Prosecutor	Rachel Campbell
Alternate Municipal Prosecutor	Philip George
Alternate Municipal Prosecutor	Dominic DiYanni
Alternate Municipal Prosecutor	John Donnadio
DUI Prosecutor (Hillsborough/Manville/Montgomery)	John Bruder
DUI Prosecutor (Branchburg Only)	Kip Bateman/Alternate Prosecutor
Public Defender (Hillsborough/Manville/Montgomery)	Peter Cipparulo
Public Defender (Branchburg Only)	Scott Mitzner
DUI Public Defender	Scott Mitzner

4-1. Motion to adopt **CONSENT AGENDA** \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

5. **RESOLUTION #23-3-84 - PROFESSIONAL SERVICES AGREEMENT** - Feasibility study - Environmental Resolutions, Inc.

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WHEREAS, the Township of Montgomery seeks to retain professional engineering services to complete a feasibility study to examine potential pedestrian connections to the new Municipal Complex; and

WHEREAS, there exists a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay to Play Law"; and

WHEREAS, the firm of Environmental Resolutions, Inc. has submitted a proposal offering to provide the sought-after service to the Township for a sum not to exceed \$25,250; and

WHEREAS, it has been determined that the value of these services over the course of the contract is anticipated to exceed \$17,500.00; and

WHEREAS, Environmental Resolutions, Inc. has completed and filed with the Township of Montgomery a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying that Environmental Resolutions, Inc. has not made any prohibited contributions to a candidate committee or municipal committee representing elected officials of the Township of Montgomery, along with a Certification Regarding Political Contributions as required by N.J.S.A. 19:44-20.26 and an Affidavit Prerequisite to Execution Agreement Exempt from Public Bidding and in Excess of \$5,000 as required by Subsection 2-22.2 of the Code of the Township of Montgomery (1984) (collectively "Pay-to-Play Forms"); and

WHEREAS, the New Jersey Local Public Contracts Law N.J.S.A. 40A: 11-1 et seq authorizes the award of a contract for "professional services" without competitive bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals; and

WHEREAS, the Chief Financial Officer has provided a certification that sufficient funds are available for payment of this contract under Account #22-288-56-000.

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Environmental Resolutions, Inc. for the feasibility study.
2. Environmental Resolutions, Inc. shall be paid a not to exceed fee of \$25,250.00 for its services.
3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed agreement shall be placed on file in the office of the Township Clerk.
4. A notice of this action shall be published in the official newspaper as required by law.
5. Performance of services and payment for services are subject to the certification of availability of funds by the Chief Financial Officer.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

6. **RESOLUTION #23-3-85 - AUTHORIZATION TO RATIFY AGREEMENT - American Federation of State, County, and Municipal Employees (AFSCME) Local 3383**

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 AFSCME Local 3383 for a four-year period effective January 1, 2023 to December 31, 2026.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

7. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for February 16, 2023 stand approved.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstain \_\_\_\_\_

8. **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
Ahn				
Todd				
Barragan				
Singh				
Keenan				

**COMMITTEE CORRESPONDENCE**

**NEW & UNFINISHED BUSINESS**

- Recreation Fees

**ADMINISTRATOR'S REPORT**

**COMMITTEE REPORTS**

**UPCOMING MEETINGS**

- Stoutsburg Sourland African American Museum Presentation
- Recognizing Marvin Schuldiner
- Environmental Awards Presentation

9. **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:
  - Advice of Counsel with regard to Personnel issue.
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstain \_\_\_\_\_

9-1. **MOTION TO REOPEN THE MEETING IN PUBLIC SESSION**

Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstain \_\_\_\_\_

**ADJOURNMENT** at \_\_\_\_\_ p.m. Motion \_\_\_\_\_ Second \_\_\_\_\_ Favor \_\_\_\_\_ Opposed \_\_\_\_\_