

**MONTGOMERY TOWNSHIP COMMITTEE  
REGULAR MEETING MINUTES  
THURSDAY, FEBRUARY 1, 2024  
7:00 P.M.**

The Regular Meeting of the Township Committee of the Township of Montgomery was called to order by Mayor Singh at 7:00 p.m.

**ROLL CALL:** The following were present: Mayor, Neena Singh; Deputy Mayor, Vincent Barragan (arrived at 7:07 p.m.); Committee Member, Devra Keenan; Committee Member, Patricia Taylor Todd, Esq.; Committee Member, Dennis Ahn (arrived at 7:04 p.m.)

**ABSENT:** None

Also present were: Township Administrator, Lori Savron; Chief Financial Officer, Michael Pitts; Township Attorney, Wendy Rubinstein Quiroga; Township Clerk, Lisa Fania

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**MEETING NOTICE:** Mayor Singh noted that adequate notice of the meeting was provided to the Courier News and Star Ledger, posted on the municipal bulletin board and filed with the Township Clerk as required by law on January 12, 2024.

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**SALUTE TO THE FLAG:** Mayor Singh led the Pledge of Allegiance.

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**PROCLAMATION – BLACK HISTORY MONTH –** Committee Member Taylor Todd read the proclamation into the record.

**WHEREAS,** During Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual and political development; and

**WHEREAS,** In February 1926, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, initiated Black History Week; and

**WHEREAS,** For many years the second week of February, chosen so as to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, was celebrated by African Americans in the United States; and

**WHEREAS,** In 1976, as part of the nation's bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

**WHEREAS,** The observance of Black History Month calls our Nation's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals; and

**WHEREAS,** The Stoutsburg Sourland African American Museum, located in Skillman, is a place that instills the history of the unique culture, experiences, and contributions of the African American community of the Sourland Mountain region dating back to colonial times; and

**WHEREAS,** The Museum's purpose is to create awareness and educate the public about the African American residents who lived in this unique community and rose up from slavery to be men and women whose labor helped create one of the wealthiest areas in New Jersey.

**NOW, THEREFORE,** We the Montgomery Township Committee do hereby proclaim February 2024 as Black History Month in Montgomery Township and urge all citizens to celebrate our diverse heritage and culture.

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## PUBLIC COMMENT

The following members of the public spoke during public comment:

**Ken Reilly**, a resident of the Township, expressed opposition to the installation of any lighting at Mill Pond soccer fields. K. Reilly informed Committee Members that residents were told by Mayor Matthews that “there would not be lighting ever installed at the park.”

Dr. VanBeren, a resident of the Township, spoke about the importance of windmills and inquired what the Township is doing to allow windmills on one-acre properties. Dr. VanBeren offered to leave the research that he has compiled to date. Administrator Savron suggested that Dr. VanBeren forward to the Assistant Planning Director.

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## PUBLIC HEARING – All-Inclusive Playground

Mayor Singh asked for a motion to open the Public Hearing.

Motion by Deputy Mayor Barragan, seconded by Keenan

Motion Unanimously Carried

Director, Parks and Recreation, John Groeger and Assistant Director, Parks and Recreation, Chris Zimmerman, gave a power point presentation about an all-inclusive playground at the Montgomery Township Municipal Center that included the following:

- Montgomery Township Playgrounds
  - Completion of 5-year Capital Project to improve all playgrounds
- Public Engagement
  - January 2023 Survey Results – Active Recreation:
    - All-inclusive playground (154)
    - Multipurpose Turf Field (97)
    - Additional Pickleball Courts (93)
    - Additional Sand Volleyball Courts (63)
    - Additional Cricket Pitches (33)
- Proposed Montgomery Township All-Access Playground
- Map of all Montgomery Township Parks and Playgrounds
- Proposed location of the all-access playground – Montgomery Township Municipal Center and economic benefits to visitors
- Proposed All-Inclusive Playground Concept Plan
- Explanation of Jake’s Law and the Funding Application Process
- The Environmental Impact Assessment Analysis was discussed as well as mitigation measures
- Conceptual Design Cost Estimates
- Proposed activities and equipment for the proposed inclusive playground
- Existing Project Funding
- Identifying the need for an inclusive playground

Committee Member Keenan commented, “Kudos.” Committee Member Keenan explained that this came forward a couple of years ago and that “no stone was left unturned” as for locations throughout the Township. Committee Member Keenan continued that “every area in the town and on this site” has been looked at. Committee Member Keenan spoke in favor of grant funding and emphasized caution regarding the historic cemetery in the vicinity of the proposed site. Committee Member Keenan expressed concern regarding parking in proximity to the playground entrance.

Committee Member Taylor Todd commented, "Thank you for your thoughtful presentation....I am very excited to start this conversation. It is really important to me that Montgomery be safe and accessible for everyone both physically and psychologically. This is an amazing step in that direction." Committee Member Taylor Todd also spoke on the importance of keeping the cemetery safe and beautified.

Committee Member Ahn commented, "This is the perfect spot on the municipal property and works well with everything we are trying to do. Great step forward."

Mayor Singh extended gratitude to the Recreation Committee, Township Administrator, Chief Financial Officer and others that have worked tirelessly to get to this point. Mayor Singh commented, "...This is great. It is very important for the residents to know about the grant funding and that the Township is working hard for everybody."

The following members of the public spoke during Public Comment:

**Rose Sands and her 10-year-old daughter Amber**, residents of the Township since 2013, addressed the Committee in support of the project. R. Sands commented, "...we are here tonight on behalf of the families of children ages two to five. If you have a disability or diagnosis that requires treatment you are spending your time with doctors, teachers, therapists, where it is going to give you the most return for your child, the most opportunity...Amber said her first word at five years old at the top of a slide. She said the word because it was an 'if and then' situation. If she says a word then she is allowed to come down the slide. She went up and down the slide over and over and over. It became highly motivating for her. Every child is different, every child deserves the opportunity to figure out what that motivation is. I can't begin to tell you how many trials and options we tried to get her to talk but once we found it, we did not let it go. So, for those families with children of ages two to five, please give them a free accessible option, please be open minded to the resources that can be ours as a Township that can help children that are coming after Amber. Thank you."

**Drew Dolenti**, a resident of the Township, spoke on how hard it is for him to maneuver on the playgrounds. He also told Committee Members that he was in the video in the presentation.

**Ron Dolenti**, parent of Drew Dolenti and resident of the Township, commented, "It provides true inclusion....for Drew to interact with peers of his age in non-disability environments, not in an educational setting. You are creating opportunities for residents of the town to start creating social relationships that could possibly grow for years where they become more involved with the workings of the municipality because of the bonds they created, and a venue like this that will grow into future friendships and professional relationships. Right now, those opportunities are few and far between. For Montgomery Township to have an opportunity to take a leadership role in this, especially in Somerset County and especially in the State as a whole, it is another feather in our cap to provide us as a beacon of progressiveness, of diversity, equity and inclusion in the Township....and that this is a destination for people to come to and not only learn but look to us as leadership and how we are able to put a project like this together, put it through the planning stages, find the funding, hard work of the people of the Township, then execute it. Then, see the goal of being able to step onto it one day. Thank you."

**Ken Reilly**, a resident of the Township, explained that he was not here for this project but that he was glad that he was. K. Reilly commended John Groeger for the "great presentation, from the scouting of a location, to the thoughtfulness that went into the project as a whole, to the way you are proposing to fund it." K. Reilly commented, "As a taxpayer, I love it. As a member of the community, I think it is something we really, really need. I was fortunate this past summer to do an event at Field of Dreams Park in Toms River. It is this concept on a grand scale. It was really inspiring to be there to see how the children react in this environment. I want to contribute my support to this project. Well done."

Committee Member Ahn extended gratitude to all of the speakers and commented, "Montgomery Township is really trying to embrace what true community is and working together. I think this is an amazing step as well."

Mayor Singh asked for a motion to close the Public Hearing.  
Motion by Deputy Mayor Barragan, seconded by Keenan  
Motion Unanimously Carried

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Resolution #24-2-65. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-2-65.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**RESOLUTION #24-2-65**

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES PROGRAM ENABLING RESOLUTION FOR SUPPLEMENTAL  
FUNDING REQUEST – ALL-INCLUSIVE PLAYGROUND**

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

**WHEREAS**, the Township of Montgomery desires to further the public interest by obtaining funding in the amount of \$750,000, in the form of a \$750,000 matching grant from the State to fund the following project(s): Montgomery Township All-Inclusive Playground at a cost of \$1,500,000; and

**WHEREAS**, the State shall determine if the application 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 such rules, regulations, and applicable statutes, and is willing to enter into an agreement with the State for the above-named project.

**NOW, THEREFORE**, the Township Committee of the Township of Montgomery, County of Somerset, New Jersey resolves that:

1. Lori Savron or the successor to the office of the Township Administrator is hereby authorized to:
    - a. make application for such a loan and/or such a grant,
    - b. provide additional application information and furnish such documents as may be required, and
    - c. act as the authorized correspondent of the above-named applicant;
  2. The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required, in the amount of \$750,000;
  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; and
  5. This resolution shall take effect immediately.
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**ORDINANCES – INTRODUCTION AND FIRST READING**

Mayor Singh read by title Ordinance #24-1716.

**ORDINANCE #24-1716**

**AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY, NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2024 BUDGET AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A 40A:4-45.14**

Mayor Singh asked for a motion to introduce Ordinance #24-1716 on first consideration.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Second reading and public hearing date February 15, 2024.

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**ORDINANCES – PUBLIC HEARING/FINAL ADOPTION**

Mayor Singh read by title Ordinance #24-1715.

**ORDINANCE #24-1715**

**AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY CONCERNING LICENSES FOR TOWING AND STORING OF MOTOR VEHICLES, IN REPLACING CHAPTER 4A OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984)**

Mayor Singh asked for a motion to open the public hearing.

Motion by Deputy Mayor Barragan , seconded by Keenan

Motion unanimously carried

There was no public comment.

Mayor Singh asked for a motion to close the public hearing and adopt Ordinance #23-1715 on final consideration, same to be published according to law.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised January 24, 2024 in the Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #24-1715****AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY CONCERNING LICENSES FOR TOWING AND STORING OF MOTOR VEHICLES, IN REPLACING CHAPTER 4A OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984)**

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

**SECTION 1.** Chapter 4A Towing and Storage of Motor Vehicles; Official Tower List, § 4A-3.1 of the Revised Municipal Code of the Township of Montgomery (1984) be amended by inserting the text underlined and marked in bold and deleting bolded text enclosed in brackets and crossed out to read as follows:

§ 4A-3.1 Insurance Limits; Indemnification.

a. Every licensee shall carry insurance as follows:

1. In the case of light-duty towers, motor vehicle liability insurance coverage for the death of, or injury to, persons or damage to property for each accident or occurrence in the amount of at least seven hundred fifty thousand dollars (\$750,000.00) single limit.
2. In the case of heavy duty towers, motor vehicle liability insurance coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least one million dollars (\$1,000,000.00) single limit.
3. Garage keeper's liability in an amount not less than sixty thousand (\$60,000.00) dollars, covering fire, theft, explosion and collision coverage.
4. Garage liability in an amount not less than one million (\$1,000,000.00) dollars combined single limits.
5. Endorsements to provide for collision coverage for vehicles in tow.
6. Comprehensive general liability coverage in an amount not less than one million (\$1,000,000.00) dollars for each person and ~~[three million (\$3,000,000.00) dollars]~~ two million (\$2,000,000.00) dollars for each accident.
7. Workers compensation as required by New Jersey law.
8. Endorsement naming the Township of Montgomery as an additional insured in all insurance policies (except workers compensation policy). Said endorsement shall specifically incorporate by reference the insurance and indemnification requirements of this section.
9. All licensees shall hold harmless and indemnify the Township, its officers, employees and agents, from any and all liability claims, losses or damage arising or alleged to arise from the performance of the towing services requested and/or rendered by the licensee, including any liability which may arise from the licensee's disposal of hazardous materials.

**SECTION 2.** Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

**SECTION 3.** Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

**SECTION 4.** Effective Date. This ordinance shall take effect upon final adoption, publication, and as otherwise provided by law.

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**CONSENT AGENDA****Resolutions #24-2-66 through #24-2-75.**

Mayor Singh asked for a motion to adopt the Consent Agenda, Resolutions #24-2-66 through #24-2-75.

At this time, Committee Member Keenan requested that Resolutions #24-2-70 and #24-2-71 be removed from the Consent Agenda for separate consideration.

Mayor Singh asked for a motion to adopt the Consent Agenda, as amended with the removal of Resolution #24-2-70 and Resolution #24-2-71.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-66****AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #23-00052**

**WHEREAS** the Township received payment for the redemption of Tax Sale Certificate #23-00052 in the amount of \$2,165.08.

**BE IT RESOLVED** that a refund in the amount of \$2,165.08 be given to Pro Cap 8, LLC, Pro Cap 8 FBO Firsttrust Bank, P.O. Box 774, Fort Washington, PA 19034-0774 for the Redemption of Tax Sale Certificate #23-00052 on Block 37003, Lot 1.139.

**Tax Lien Redemption**

Certificate Amount	\$ 680.18
Redemption Penalty	\$ 13.60
Subsequent Charges	\$ 851.77
Interest	\$ 7.53
Search Fees	\$ 12.00
PREMIUM	\$ 600.00
TOTAL	\$ 2,165.08

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**RESOLUTION #24-2-67****AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #23-00005**

**WHEREAS** the Township received payment for the redemption of Tax Sale Certificate #23-00005 in the amount of \$3,263.59.

**BE IT RESOLVED** that a refund in the amount of \$3,263.59 be given to C&E Tax Lien Fund I, Christiana TC/F CE1/Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the Redemption of Tax Sale Certificate #23-00005 on Block 5018, Lot 101.2 Condo.

## Tax Lien Redemption

Certificate Amount	\$ 610.71
Redemption Penalty	\$ 12.21
Subsequent Charges	\$ 824.82
Interest	\$ 3.85
Search Fees	\$ 12.00
PREMIUM	\$ 1,800.00
TOTAL	\$ 3,263.59

**RESOLUTION #24-2-68****AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #23-00033**

**WHEREAS** the Township received payment for the redemption of Tax Sale Certificate #23-00033 in the amount of \$2,154.16.

**BE IT RESOLVED** that a refund in the amount of \$2,154.15 be given to Pro Cap 8, LLC, Pro Cap 8 FBO Firsttrust Bank, P.O. Box 774, Fort Washington, PA 19034-0774 for the Redemption of Tax Sale Certificate #23-00033 on Block 28001, Lot 5.81

## Tax Lien Redemption

Certificate Amount	\$ 1,070.22
Redemption Penalty	\$ 21.40
Subsequent Charges	\$ 1,035.40
Interest	\$ 15.14
Search Fees	\$ 12.00
TOTAL	\$ 2,154.16

**RESOLUTION #24-2-69****AUTHORIZING 2024 PROFESSIONAL SERVICES AGREEMENTS**

**WHEREAS**, there exists a need to acquire the following professional services for 2024 without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law":

- (1) Bond, General, Labor/Special Projects/Conflict Counsel Legal Services and Tax Appeal Litigation Support
- (2) Auditing Services
- (3) Administrative Agent Services for Affordable Housing
- (4) Communications Consulting Services
- (5) Health Benefits Consulting Services
- (6) Risk Management Consulting Services
- (7) Environmental and Traffic Engineering Services
- (8) Landscape Architect
- (9) Consulting Engineering Services



**WHEREAS**, the Montgomery Township Purchasing Agent has determined and certified in writing that the value of the services over the course of the contracts is anticipated to exceed \$17,500.00; and

**WHEREAS**, New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of professional services contracts without competitive bidding; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for the aforesaid services in accordance with the amounts set forth in the 2024 Budget, with performance of said services after March 31, 2024 being subject to the Township's amendment of the 2024 Budget, and/or adoption of the final 2024 Budget.

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

- (1) The Mayor and Clerk are hereby authorized and directed to execute proper agreements for a not to exceed amount with the following:

Wendy Rubinstein Quiroga, Township Attorney and Tax Litigation/Appeals Attorney –  
Weiner Law Group - \$340,000 – (Account #s 01-201-20-155, 07-201-20-155)

Gabrielle Canaie, Mark Tabakin, Township Labor Counsel – Weiner Law Group - \$35,000 –  
(Account #s 01-201-20-155, 07-201-20-155)

Kevin VanHise, Special Projects/Conflict Counsel – Mason, Griffin & Pierson - \$25,000  
(Account # 01-201-20-155)

Andrea Kahn, Bond Counsel - McManimon Scotland & Baumann, LLC – \$20,000  
(Account # 01-201-20-155)

Robert Swisher, Township Auditor - Suplee Clooney & Company - \$61,500.00 –  
(Account #s 07-201-55-544-247, 01-201-20-135)

CGP&H, LLC - Administrative Agent Services for Affordable Housing - \$20,1500  
(Account # 01-201-20-155)

Fuerza Strategy Group – Communications Consulting Services - \$30,000  
(Account # 01-201-20-100-290)

Steven Weiner, Health Benefits Consulting Services – 6% of annual assessment  
(Account #01-201-23-220-612, 07-201-23-220-612)

Steven Weiner, Risk Management Consulting Services - \$45,000  
(Account #01-201-23-210-234, 07-201-23-210-611)

James Cosgrove, Environmental Engineer – One Water Consulting - \$250,000  
(Account # 08-215-55-901, 07-291-55)

Richard Bartolone - Landscape Architect - \$36,000  
(Account # 01-201-20-165-251)

Rakesh Darji, Consulting Engineer – Environmental Resolutions - \$36,000  
(Account # 01-201-20-165-251)

- (2) These contracts are awarded for a period of one year, for the amounts set forth in each contract, and without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as contracts for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and because the services to be performed are not susceptible of quantifying in bid specifications.
- (3) These contractors have completed and filed with Montgomery Township a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 et seq. certifying they have not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township.
- (4) A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavit, and the executed Agreements shall be placed on file in the office of the Township Clerk.
- (5) A notice of this action shall be published once in the official newspaper as required by law.
- (6) Performance of services under the terms of these contracts, and payment for the services, after March 31, 2024 is subject to the amendment of the 2024 Temporary Budget and/or adoption of the final 2024 Budget, and certification of availability of funds by the Chief Financial Officer.

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#### **RESOLUTION #24-2-72**

#### **AUTHORIZING FIREWORKS DISPLAY (BEDENS BROOK CLUB)**

**BE IT RESOLVED** that authorization is granted for the Bedens Brook Club to conduct a fireworks display on June 14, 2024 (rain-date – June 15, 2024) at 240 Rolling Hill Road, Skillman, NJ. Approvals of the Police Department and Fire Protection Inspector Roy Mondt have been received.

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#### **RESOLUTION #24-2-73**

**BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey, that the following appointments shall be made for their respective terms, effective January 1, 2024, as listed:

Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission (One-Year, Expiring 12/31/2024)

Aliza Nadi, Citizen-At-Large Member

Local Emergency Management Council (One-Year, Expiring 12/31/2024)

Mark Hess, Facilities Director, Stonebridge at Montgomery

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#### **RESOLUTION #24-2-74**

#### **AUTHORIZING THE APPOINTMENT OF ASSISTANT CHIEF FINANCIAL OFFICER/DEPUTY TAX COLLECTOR**

**BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey, that Olu Ochei is hereby appointed Assistant Chief Financial Officer/Deputy Tax Collector effective November 1, 2023.

**RESOLUTION #24-2-75****AUTHORIZING GUARANTEE EXTENSIONS FOR THE  
COMPLETION OF IMPROVEMENTS – VARIOUS PROJECTS**

**WHEREAS**, the period for the completion of improvements on the following projects have recently expired or will expire soon. The developers for the projects below are working on completing the guaranteed improvements or are working on punch lists.

**WHEREAS**, Mark Herrmann, Township Engineer, has recommended that the Township Committee consider extending the time for completion of bonded improvements as follows:

<u>Development</u>		<u>New Completion Date</u>
2 High Ridge (Block 31001, Lot 31)	TCO Guarantee	9/08/2024
147 Kildee Road (Block 15010, Lot 10)	Landscape Maintenance Guarantee	2/19/2025
Village Walk at Montgomery – Phase 2A	Performance Guarantee	3/14/2025
Village Walk at Montgomery – Phase 2A	Safety & Stabilization Guarantee	3/14/2025
Village Walk at Montgomery – Phase 2A	Landscape Buffer Guarantee	3/14/2025

Resolution #24-2-70. Read by title.

At this time, Committee Member Keenan requested confirmation that all costs have been taken into consideration and reflected in the agreements. Administrator Savron and CFO Pitts confirmed. Attorney Rubinstein Quiroga also confirmed that language in the agreements has been reviewed with respect to any public outbreaks and how to deal with such.

Mayor Singh asked for a motion to adopt Resolution #24-2-70.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-70****AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A.  
40A:65-1 ET. SEQ WITH THE TOWNSHIP OF BRANCBURG FOR PUBLIC HEALTH NURSING**

**WHEREAS**, the governing bodies of the Township of Montgomery and the Township of Branchburg 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, County of Somerset, New Jersey that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Township of Branchburg for public health nursing services for a 2-year period, beginning January 1, 2024 and ending December 31, 2025.
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.

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Resolution #24-2-71. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-2-71.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-71**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
PURSUANT TO N.J.S.A. 40A:65-1 ET. SEQ WITH THE TOWNSHIP OF BRANCHBURG  
FOR HEALTH EDUCATION SERVICES**

**WHEREAS**, the governing bodies of the Township of Montgomery and the Township of Branchburg 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, County of Somerset, New Jersey that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Township of Branchburg for health education services for a 2-year period, beginning January 1, 2024 and ending December 31, 2025.
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.

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Resolution #24-2-76. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-2-76.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-76****AUTHORIZING THE APPLICATION TO THE  
NJ CLEAN ENERGY PROGRAM COMMUNITY ENERGY PLANNING GRANT PROGRAM**

**WHEREAS**, a sustainable community seeks to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, Montgomery Township strives to assure clean land, air and water for current and future generations; and

**WHEREAS**, New Jersey's Energy Master Plan: Pathway to 2050 ("EMP") established that community-level action is necessary to achieve the state's goal of 100% clean energy by 2050; and

**WHEREAS**, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state's Energy Master Plan; and

**WHEREAS**, Montgomery Township is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

**WHEREAS**, the Community Energy Plan Grant program will help Montgomery Township to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state's Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

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

1. The Township Committee of Montgomery Township has determined that Montgomery Township should apply for the aforementioned Community Energy Planning Grant program.
2. Montgomery Township will commit to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening at least one public meeting.
3. Lori Savron, or the successor to the office of Township Administrator, is authorized to complete the submission of the aforementioned application to the NJBPU Community Energy Planning Grant program.

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Resolution #24-2-77. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-1-77.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-77**

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN CRES  
PROGRAM ENABLING RESOLUTION FOR SUPPLEMENTAL FUNDING REQUEST - OPEN SPACE  
ACQUISITION**

**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 **\$2,809,302.95** 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, and
  - (c) act as the authorized correspondent of the above-named applicant; and
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.

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Resolution #24-2-78. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-1-78.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-78**

**AUTHORIZING SUBMISSION OF APPLICATION FOR 2024 SUSTAINABLE JERSEY GRANT**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, Montgomery Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, Montgomery Township has been a participating community in the Sustainable Jersey Program since its inception in 2009 and has been continuously certified since 2009, most recently re-certified at the silver certification level in 2021; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

**WHEREAS**, Montgomery Township desires to apply for this grant to help fund the creation of a Watershed Improvement Plan in order to maintain compliance with the new Municipal Separate Storm Sewer System (MS4) Permit provisions, and allow Montgomery Township to undertake watershed level planning for stormwater management.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of Montgomery Township, County of Somerset, State of New Jersey that an application to the aforementioned Grant is hereby authorized.

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Resolution #24-2-79. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-1-79.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-79**

**AUTHORIZING THE EXTENSION OF CONTRACT FOR  
FLEET MANAGEMENT AND MAINTENANCE SERVICES – FIRST VEHICLE SERVICES**

**WHEREAS**, Resolution #22-2-72 adopted on February 17, 2022 awarded a Fleet Management and Maintenance Services contract for 12 months with 4 (four) one-year extension options to First Vehicle Services; and

**WHEREAS**, N.J.S.A. 40A:11-15 provides that the contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; no such contract shall be extended so that it runs for more than a total of five consecutive years; any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same; and

**WHEREAS**, the contract will not exceed \$805,675 for the extended year, effective March 1, 2024 through February 28, 2025; and

**WHEREAS**, there exists account numbers 07-201-55-544-256 and 01-201-26-315-230 which will fund this service; 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** that the Township Committee of the Township of Montgomery, County of Somerset, New Jersey hereby approves the second of four (4) one-year extensions pursuant to the above-described terms.

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Resolution #24-2-80. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-1-80.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Deputy Mayor Barragan, Mayor Singh

**NOES:** Keenan

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-80**

**AUTHORIZING EXECUTION OF CONSTRUCTION  
SEQUENCE AGREEMENT – BPS DEVELOPMENT**

**BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that the Mayor and Clerk are hereby authorized to execute a Construction Sequence Agreement with BPS Development Company, LLC, with respect to the proposed Assisted Living and Memory Care Facility located on East Hartwick and Village Drive, Block 28003, Lot 211, subject to review and approval of the Township Engineer and Township Attorney as to form and content.

Resolution #24-2-81. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-1-81.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-81**

**AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL  
REGARDING LOT 6 IN BLOCK 31003**

**WHEREAS**, Jennifer and Patrick Kenney are the owners of real property located at 141 Rolling Hill Road, otherwise designated as Lot 6 in Block 31003 on the official tax maps of Montgomery Township, and have taken appeals to the Tax Court of the State of New Jersey from the Assessed Value of said real property for the 2021, 2022 and 2023 Tax Years; and

**WHEREAS**, the Township's Assessed Value for the subject property for the 2021, 2022 and 2023 Tax Years was:

Land:	\$ 371,100
Improvement:	<u>\$ 767,000</u>
Total:	\$ 1,138,100

; and

**WHEREAS**, as to each of the challenged Tax Years, the Parties have agreed to adjust the Assessed Value as follows:

Land:	\$ 371,100
Improvement:	<u>\$ 717,000</u>
Total:	\$ 1,088,100



**WHEREAS**, the Township Tax Assessor has reviewed the figures proposed and has recommended the approval of these settlement terms as well as the withdrawal of the Township's Counterclaims filed in each of the subject years; and

**WHEREAS**, the Township Committee has considered the matter and has determined that it is in the best interests of Montgomery Township to consent to the terms of settlement set forth herein.

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

1. The Total Assessment Value of the property located at 141 Rolling Hill Road for the 2021, 2022, and 2023 Tax Years shall be adjusted to:

Land:	\$ 371,100
Improvement:	\$ <u>717,000</u>
Total:	\$ 1,088,100

2. The Township Tax Assessor is hereby directed to amend his records accordingly.
3. The Taxpayer shall receive a Tax Refund in the amount of four thousand nine hundred twenty dollars and fifty cents (\$4,920.50) either in cash or by credit against future real property taxes.
4. The Township Tax Appeal Attorney is hereby authorized to withdraw the Township's Counterclaims filed in these tax appeal matters for each of the years in which Counterclaims were filed.
5. The Township Tax Collector is hereby authorized to effectuate the tax return granted herein and to make any other adjustments to same as necessary in his judgment.
6. This Resolution shall take effect immediately or as otherwise provided by law.

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## APPROVAL OF MINUTES

Deputy Mayor Barragan moved to approve the Regular Meeting Minutes of December 21, 2023, seconded by Keenan and carried unanimously.

Deputy Mayor Barragan moved to approve the Reorganization Meeting Minutes of January 4, 2024, seconded by Keenan and carried unanimously.

Deputy Mayor Barragan moved to approve the Regular Meeting Minutes of January 18, 2024 seconded by Keenan and carried unanimously.

Deputy Mayor Barragan moved to approve the Executive Meeting Minutes of January 18, 2024, seconded by Keenan and carried unanimously.

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Resolution #24-2-82. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-2-82.

Motion by Deputy Mayor Barragan, seconded by Keenan

## ROLL CALL

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-82****PAYMENT OF BILLS**

**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, County of Somerset 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.
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**CORRESPONDENCE**

**Resident email inquiring about a Community Garden** – Township Clerk, Lisa Fania explained that a resident had inquired about a community garden in Montgomery and expressed interest in having one. Clerk Fania invited Director, Parks and Recreation, John Groeger to the podium for input.

Mayor Singh advised that there has been ongoing discussion about a community garden for several years going back to when her son was doing his Eagle Scout project.

John Groeger explained that previous conversations included having a garden at the Otto Kaufman Community Center but water had been an issue and now that the water line has been installed the site presents issues with parking. J. Groeger explained that there is not a lot of parking.

Committee Member Keenan added that there had been previous discussions with the County of locating the garden at Skillman Park but the County wanted the Township to pay \$150,000 for a water line. Committee Member Keenan suggested revisiting the possibility with the County.

It was the consensus of Committee Members that resident interest be determined and residents were encouraged to attend Township Committee meetings.

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**NEW BUSINESS**

There were no matters of new business for discussion.

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**TOWNSHIP COMMITTEE REPORTS**

Committee Member Ahn wished all those who celebrate, a very Happy Lunar New Year.

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Committee Member Taylor Todd advised of no report on behalf of the Inclusion & Equity Committee but advised of the resignation of Landmarks Commission member, Liz Palius. Committee Member Taylor Todd extended sincere gratitude to L. Palius for her years of passionate and dedicated service to the Commission. Committee Member Taylor Todd also expressed appreciation to Mayor Singh for the opportunity to read the proclamation recognizing February as Black History Month into the record and acknowledged the accomplishments, resilience and benefits of black American heritage.

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Committee Member Keenan reported on attending a seminar on retrofitting stormwater basins; that the Planning Board approved an application for the Malvern Childcare Center; and that this Saturday (February 3), a Montgomery local artist, Clem Fiori, will be featured at the Watershed Institute from 4:00 p.m. to 7:00 p.m. Committee Member Keenan also thanked Montgomery Township Volunteer Fire Company No. 1 for the invitation to its annual dinner/dance.

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Deputy Mayor Barragan reported on a meeting of the Montgomery Veterans Memorial Committee advising that discussion was held regarding ways of memorializing resident-veterans such as Steve Warner who was a Vietnam Veteran, Killed-in-Action; upcoming events including Memorial Day and Veterans' Day; and updating the Committee's website to be aligned with all Township boards and committees.

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Mayor Singh reported that the Rabies Clinic recently held was successful and expressed sincere appreciation to Montgomery Township Veterinarian, Christine Newman, for her volunteer services with the clinic. Mayor Singh spoke briefly on the importance of radon testing and announced that free radon kits are available from the Health Department on a first-come, first-serve basis. Mayor Singh also reported on attending an event presented by the Chinese school along with Deputy Mayor Barragan and Committee Member Ahn commenting that it was a wonderful time. Mayor Singh acknowledged February as Black History Month and wished all those that celebrate a very Happy Lunar New Year.

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## **ADMINISTRATOR'S REPORT**

Administrator Savron extended sincere gratitude to the Health Department, the Clerk's Office and the communications team for a successful rabies clinic. Administrator Savron reported that last year, 136 pets were vaccinated and this year the number was 180. Administrator Savron also acknowledged Veterinarian, Christine Newman for her volunteer efforts and expressed sincere appreciation. Administrator Savron also reported that exterior way-finding signage has been installed above the main entrance in addition to two free standing signs directing visitors to the front door. Administrator Savron added that interior way-finding signage for the lobby is on order.

Regarding Personnel, Administrator Savron advised that the Township's Public Health Nurse, Katie Williams has left and that Jocelyn Brown has been promoted to fill the vacancy. Administrator Savron praised K. Williams for her excellent mentorship in training Jocelyn. Administrator Savron announced the retirement of Lieutenant, Thomas Frascella, after 27 years of service in the Police Department and extended gratitude for his service and contributions to the Police Department and the community.

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## **FUTURE AGENDA ITEMS**

There were no future items listed on the meeting agenda.

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Resolution #24-2-83. Read by title.

Mayor Singh asked for a motion to adopt Resolution #24-2-83.

Motion by Deputy Mayor Barragan, seconded by Keenan

**ROLL CALL**

**AYES:** Ahn, Taylor Todd, Keenan, Deputy Mayor Barragan, Mayor Singh

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #24-2-83**

**EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, 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:
  - Anticipated/Pending Litigation:
    1. Country Club Meadows v. Township of Montgomery
  - Real Estate
    1. Municipal Property
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Acquisition of property and settlement of litigation shall only be approved by the Township Committee in a public session.
4. The Township Committee will return to Regular Session and may take further action.
5. This Resolution shall take effect immediately.

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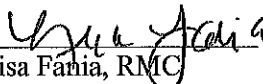
**RETURN TO REGULAR SESSION**

The Township Committee reconvened the regular session at 9:10 p.m. on motion by Deputy Mayor Barragan, seconded by Keenan and carried unanimously.

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**ADJOURNMENT**

The Township Committee adjourned at 9:10 pm. on motion by Deputy Mayor Barragan, seconded by Keenan and carried unanimously.

  
Lisa Fania, RMC  
Township Clerk

Date approved: February 15, 2024