AGENDA FOR

MONTGOMERY TOWNSHIP COMMITTEE MEETING

July 21, 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 ( ), Singh ( ), Barragan

**ALSO PRESENT** – Rubinstein-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. **EAGLE SCOUT PROCLAMATION** – Andrew Devine and Rohan Shah

 WHEREAS, the prestigious rank of Eagle Scout with the Boy Scouts of America has been earned by Andrew Devine and Rohan Shah; and

 WHEREAS, the standards established for this honor are high and very difficult to achieve; and

 WHEREAS, those who have worked diligently to achieve this rank have exhibited excellence in leadership and a deep commitment to their community.

 NOW, THEREFORE, BE IT RESOLVED that with great pride, the Montgomery Township Committee congratulates Andrew Devine and Rohan Shah on this remarkable achievement and extends its sincere wishes for their continued success.

1. **RESOLUTION HONORING EMS CADETS**

 WHEREAS, a community possesses no greater treasure than the dedicated service of its volunteers; and

 WHEREAS, when Montgomery EMS was officially formed on June 1, 1972, it consisted of approximately 50 volunteer members who provided emergency medical services 24 hours a day,

 7 days a week, 365 days a year; and

 WHEREAS, the following Montgomery EMS Cadets have graduated to full members and are to be recognized for their contributions while cadets to this great organization:

 Elaine Dundi Elizabeth Henderson Rohan Roa

 Maya Mehta Zain Mughal Sanya Solanki

 Claire Stockton

 WHEREAS, these Cadets joined the Montgomery EMS as early as age 16; have completed the full, rigorous 210 hour EMT certification class and passed the State EMT test; volunteered with Montgomery EMS at least 20 hours a month; have assisted in squad fundraising activities and stood by to provide medical support for a multitude of community events; and have served the health and safety of residents through thousands of volunteer hours on 9-1-1 duty shifts.

 NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee congratulates the 2022 Montgomery EMS Cadet Program graduates on all their accomplishments and expresses deep gratitude for their continued commitment to the citizens of Montgomery Township on this 21st day of July 2022.

1. **COVID-19 REPORT**
2. **2021 ANNUAL AUDIT REPORT PRESENTATION**

5. **RESOLUTION #22-7-167 REVIEW OF ANNUAL AUDIT REPORT OF 2021**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

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as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who,

after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Montgomery, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

BE IT FURTHER RESOLVED that the Montgomery Township Committee has reviewed and approves the Corrective Action Plan as filed.

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

**ROLL CALL VOTE**:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **COMMITTEE MEMBER** | **YES** | **NO** | **ABSTAIN** | **ABSENT** |
| Barragan |  |  |  |  |
| Singh |  |  |  |  |
| Schuldiner |  |  |  |  |
| Bell |  |  |  |  |
| Keenan |  |  |  |  |

6. **PUBLIC COMMENT**

7. **CONSENT AGENDA** – All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any Township Committeeperson may request that an item be removed for separate consideration.

 A. **RESOLUTION #22-7-168 REFUND OVERPAID 2022 SEWER\_**

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

 Name Year Block/Lot Amount

 Sanjeev & Mamta Mehta 2022 28003/98 $768.50

 Bala Niak 2022 6001/4 $635.52

 A Absolute Escrow Settlement 2022 7007/42 $305.00

 B. **RESOLUTION #22-7-169 REDEMPTION OF TAX SALE CERTIFICATE**

 WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00019 in the amount of $1,788.79.

 BE IT RESOLVED that a refund in the amount of $1,788.79 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119 for the Redemption of Tax Sale Certificate #21-00019 on Block 37004 Lot 6.35.

 Tax Lien Redemption

 Certificate Amount $ 415.48

 Redemption Penalty $ 8.31

 Recording Fees $ 53.00

 Other Fees $ 12.00

 PREMIUM $ 1,300.00

 TOTAL $ 1,788.79

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 C. **RESOLUTION #22-7-170 AUTHORIZING RELEASE OF TEMPORARY CERTIFICATE OF OCCUPANCY GUARANTEE** **VILLAGE WALK AT MONTGOMERY – PHASE 1A BUILDING C-D \_\_\_\_\_\_**

 WHEREAS, the developer, Village Shoppes at Montgomery, LLC, has completed the work pertaining to the Temporary Certificate of Occupancy Guarantee and the work is acceptable to the Engineering Department and the Certificate of Occupancy has been authorized; and

 WHEREAS, Mark Herrmann, Township Engineer is recommending that the Township Committee consider the release of the $44,652.96 TCO Guarantee.

 The Township **will not accept any improvements** and no maintenance guarantee is required as part of this guarantee release.

 Inspection escrow account PB-04-18 is in use for the Village Walk project so the account must remain open at this time.

 D. **RESOLUTION #22-7-171 AUTHORIZING RELEASE OF TEMPORARY CERTIFICATE OF OCCUPANCY GUARANTEE 165 WILLOW ROAD**

 WHEREAS, he developer, Habitat for Humanity, has completed the work pertaining to the Temporary Certificate of Occupancy Guarantee and the work is acceptable to the Engineering Department and the Certificate of Occupancy has been authorized; and

 WHEREAS, Mark Herrmann, Township Engineer, is recommending that the Township Committee consider the release of the $7,440.00 TCO Guarantee.

 The Township **will not accept any improvements** and no maintenance guarantee is required as part of this guarantee release.

 Inspection escrow account ENG-01-21 must remain open at this time as a separate Performance Guarantee is still in place for this project.

 E. **RESOLUTION #22-7-172 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:

 Development New Completion Date

Princeton Airport Hanger #4, Phase 1 - Performance 08/04/2023

 Village Walk at Montgomery – Montgomery Shopping Center

 Pump Station Upgrade – Performance 08/06/2023

 Village Walk at Montgomery Phase 1A – Performance 08/06/2023

 Village Walk at Montgomery Phase 1A – Safety & Stabilization 08/06/2023

 Montgomery Crossing Phase 2 - Landscaping Buffer 08/26/2023

 Montgomery Crossing Phase 2 – Performance 08/31/2023

 2 High Ridge Road, Block 31003, Lot 31 – TCO 03/08/2023

 Bloomberg Business Park Solar Collector Project (2020)

 Safety & Stabilization 09/09/2023

 Bloomberg Business Park Solar Collector Project (2020)

 Landscaping Buffer 09/09/2023

 Bloomberg Business Park Solar Collector Project (2020) – TCO 09/09/2023

 Staats Farm road Development – Performance 09/14/2023

 Montgomery Ridge (JER Herring) Residential Parcel & Landscaping 10/01/2023

 Fiveighteen Associates Parking Lot Expansion –

 Safety & Stabilization 10/05/2023

 Hackensack Meridian Health Carrier Clinic Security Fence

 Safety & Stabilization 10/07/2023

 Hackensack Meridian Health Carrier Clinic Security Fence

 Landscaping Buffer 10/07/2023

7-1. Motion to adopt **CONSENT AGENDA** \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_ Second \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **ROLL CALL VOTE**:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **COMMITTEE MEMBER** | **YES** | **NO** | **ABSTAIN** | **ABSENT** |
| Barragan |  |  |  |  |
| Singh |  |  |  |  |
| Schuldiner |  |  |  |  |
| Bell |  |  |  |  |
| Keenan |  |  |  |  |

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8. **ORDINANCE #22-1688** – Amendment to Site Inclusionary Zone 3 – Introduction

1. Title: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984)

 COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16.4.14 ENTITLED “SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING” TO AMEND SITE SPECIFIC INCLUSIONARY ZONE 3

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 September 1, 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** |
| Barragan |  |  |  |  |
| Singh |  |  |  |  |
| Schuldiner |  |  |  |  |
| Bell |  |  |  |  |
| Keenan |  |  |  |  |

9. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for July 7, 2022 stand approved.

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

 10. **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** |
| Barragan |  |  |  |  |
| Singh |  |  |  |  |
| Schuldiner |  |  |  |  |
| Bell |  |  |  |  |
| Keenan |  |  |  |  |

 **COMMITTEE CORRESPONDENCE**

**NEW & UNFINISHED BUSINESS**

* August Summer Schedule

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**ADMINISTRATOR’S REPORT**

**COMMITTEE REPORTS**

**AUGUST 11 MEETING**

* Tax Appeal Settlement

**UPCOMING MEETINGS**

* Quarterly Financial Presentation (September)
* Finance Department Presentation (September)
* Tax Assessor Presentation
* Updates on Development in the Township

11. **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:

* Police Personnel – Sergeant Interviews
* Investigation of possible violations of law at Block 29002, Lots 49 and 50 (Gamatech)
1. It is unknown precisely when the matters discussed in this session will be disclosed to the public.

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

11-1. **MOTION TO REOPEN THE MEETING TO THE PUBLIC**

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

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