

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE
REORGANIZATION MEETING
January 3, 2011
7:00 p.m.

1. The Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date.
2. The Township Clerk called the meeting to order and led the salute to the flag.
3. The Open Public Meeting Statement was recited by the Clerk:
"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."
4. Senator Christopher "Kip" Bateman administered the Oath of Office to Committeewoman-elect Patricia Graham.
5. Senator Christopher "Kip" Bateman administered the Oath of Office to Committeeman-elect Ed Trzaska.
6. Present by ROLL CALL were:

TOWNSHIP COMMITTEE - Mark Caliguire, Kacey Dyer, Thomas Carter, Patricia Graham and Ed Trzaska

Also noted as present were the following:

TOWNSHIP ADMINISTRATOR - Donato Nieman

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TEMPORARY CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

7. **ELECTION** of Mayor for 2011
- 7-1. Committeewoman Dyer nominated Committeeman Caliguire for the Office of Mayor. The motion was seconded by Committeeman Carter and carried on the following:

ROLL CALL - Ayes - Caliguire, Dyer, Carter, Graham, Trzaska
Nays - None

7-2. By virtue of the vote, Mark Caliguire was elected Mayor of Montgomery Township for 2011.

7-3. Senator Christopher "Kip" Bateman administered the Oath of Office to Mayor Caliguire.

8. **ELECTION** of Deputy Mayor for 2011

8-1. Committeeman Carter nominated Committeewoman Dyer for the Office of Deputy Mayor. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
Nays - None

8-2. By virtue of the vote, Kacey Dyer was elected Deputy Mayor of Montgomery Township for 2011.

8-3. Retired US Navy Captain Hugh Dyer administered the Oath of Office to Deputy Mayor Dyer.

9. **ADDRESS BY MAYOR MARK CALIGUIRE**

Mayor Caliguire read the following:

"Last year when I was sworn in as mayor I said, that because of the magnitude of the budget problems we face in New Jersey, that business as usual would just not be sufficient to address these problems. And I also said that we should not accept the notion that living in New Jersey should mean forever skyrocketing property taxes.

Well, last year we cut spending back to 2004 levels, and we kept municipal property taxes stable. I'd like to thank Township Administrator Donato Nieman, and our CFO Walter Shepherd and their staffs for helping us make tough decisions when it came to spending and for enacting these changes without adversely impacting municipal services. And I want to thank the municipal staff - across the board - you did more with less. It wasn't easy. But you rolled up your sleeves and you got the job done. And I truly appreciate that.

And despite the spending reductions, you may have noticed that during last week's snow storm our public work crews did make our roads safe and clear in short order. I'm really proud of the job they did.

(Item #9 Cont.)

But things aren't going to get any easier any time soon. And, we've been working on plans to actually cut our spending again, because revenues are down, and tax collections are down. (Folks are in their own cash crunch, and we feel that here) We will trim back again, but I'll tell you, we just can't keep cutting much more and still get the job done. Governor Christie's 2% cap is here to stay - it is sound fiscal medicine for our state. But we are already running pretty lean. And we do have a responsibility to our residents to not only keep their taxes down, but also to balance that goal with the responsibly for ensuring their safety as well.

And so, that's why I continue to be a proponent for shared and regionalized services that make sense, consolidations that don't compromise public health and safety one bit, and that don't in any way cede our home rule when it comes to land use and planning and zoning

We're just going to have to think out of the box. Some of you may have read that Somerset County recently released a study that provides a potential outline of a county wide police force - it's pretty bold - it calls for representatives from our town to participate with all Somerset County towns in an analysis of this study and the feasibility of implementing this. I look forward to engaging in that process - we certainly should look at whether or not this could work. The jury's still out. I'll keep an open mind.

And, on a very positive note, I look forward to cutting the ribbon at Skillman Park with our freeholders this year. A really great milestone for our town. I look forward to seeing some visible progress on some upgraded retail space in Montgomery. I look forward to seeing something good finally happening on the site of the former Texaco station at the intersection of routes 518 and 206. (I don't think there is anything that I have received more questions about than that eyesore and it has been an eyesore for far too long.)

And more than anything, I look forward to doing what I can to preserve our quality of life, to make Montgomery even more livable and to keep it affordable.

It is an honor to have the privilege to serve as mayor. And it's an honor to serve with these fine people."

10. **ADDRESS BY DEPUTY MAYOR KACEY DYER**

Deputy Mayor Dyer read the following:

"Thank you all for being here tonight. I am thrilled to welcome Ed Trzaska and Pat Graham to the Township Committee. I am honored to serve with Ed and Pat, Mayor Mark Caliguire, and Thom Carter. As the mayor stated, we are up against extreme financial constraints this year and I am confident this team is up to the challenge of doing more with less. I remain dedicated to working with the entire Township Committee to control spending and borrowing, and to hold the line on municipal taxes. We must continue cutting costs by identifying and eliminating wasteful spending, as well as looking for new shared services opportunities. I look forward to working with Somerset County on the completion of Skillman Park and to applying the proceeds of the sale to reduce our debt. I am excited to get to work and to tackle the challenges ahead of this Committee throughout the coming year."

11. **ADDRESS BY COMMITTEEMAN THOM CARTER**

Committeeman Carter read the following:

"As I begin my second year on the Committee I want to tell you all that it is a strange and fascinating perspective on life sitting up here. There were many things that I learned in my first year and many great truths that I was reminded of through some of the turmoil. I want to just take a moment to focus on one of these great truths.

In the Bible we learn, "For God hath not given us the Spirit of Fear; but of power, and of love, and of a sound mind. (2 Tim 1:7)"

And yet, fear is prevalent throughout the earth. It stifles initiative, saps strength, and reduces efficiency. It weakens faith, brings doubts, and can lead to mistrust. Indeed, it tends to impede the very business of being. How negative, frustrating, and futile is fear.

Just like people, fear comes in all shapes and sizes. There are those who fear people, others fear things, many fear the future, and some fear the past.

There are some who will try and use fear to motivate; there are others who will use respect.

President Dwight D. Eisenhower said "Down the long lane of the history yet to be written, America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud confederation of mutual trust and respect."

I was reminded last year that the people of Montgomery are too smart, too involved, and too invested to be motivated by fear. Throughout the year you were able to view both sides of each story, decipher them for yourselves, and make good and strong decisions. In the end it was clear that you did not want to hear excuses or blame, you did not want to be scared into action, you would not be motivated by fear or division.

I want to thank the people to my left, Mayor Caliguire and Deputy Mayor Dyer for their example and friendship.

(Item #11 Cont.)

Last year Mayor Caliguire said, "Don't be fooled, raising taxes is the easy answer." I want to thank the Mayor for all he taught me. He is truly dedicated to providing a better life for the people of Montgomery. He will not accept the easy answer. I saw him respect the people of Montgomery with his openness, accessibility, and the honest way he does business. He is truly the right person to lead this committee and township.

I want to welcome the people to my right, Committeeman Trzaska and Committeewoman Graham. I look forward to serving with you.

I would be remiss if I didn't take a moment and thank the many great employees of this Township. Donato Neiman is a fine Administrator who goes above and beyond his post. I am grateful for the guidance provided by our CFO Walt Sheppard; and the direction of our Clerk Donna Kukla. Our attorney, Kris Hadinger, is truly committed to this township. And our Police Director, Bob Palmer, is one of the finest men you will ever meet.

Last year at this time I spoke about how we as a community must come together to achieve our potential and reach higher ground, I am deeply blessed to be a part of the team working to keep Montgomery moving forward. We are moving forward because this elected body is doing everything possible for us to "avoid becoming a community of dreadful fear."

To the people of Montgomery; I pledge to you all my respect and honor. You will not find me among the ranks of the fear-mongers, but I will always be working my hardest to make Montgomery "a proud confederation of mutual trust and respect".

12. ADDRESS BY COMMITTEEWOMAN PATRICIA GRAHAM

Committeewoman Graham stated the following:

"Good Evening everyone. I, first, would like to thank the residents of Montgomery for giving me the opportunity to sit here today and serve on this Township Committee. I am honored and grateful for that opportunity. I'd also like to thank my family and friends for their support and encouragement. I'm grateful also that they are here today. I want to extend a special thanks to Senator Kip Bateman, who was kind enough to come to swear us in. I certainly appreciate all of his support as well.

Service on the Township Committee is a privilege and I take that seriously. It's a privilege and an obligation. We're obligated to do our very best to make Montgomery the very best it can be. We'll have to work hard. Everyone here is ready to do that and I am ready to address the challenges facing Montgomery today. As Mayor Caliguire alluded, in these difficult times those challenges are many. We will struggle to continue to cut spending. Our revenues are down. We simply must hold the line on taxes. Not only Township Government is in a fiscal crisis, but many Township residents as well. We all know of wide spread unemployment and under employment. We have homes in Montgomery in foreclosure. We simply must respect the will of the voters who have repeatedly demanded that they will not stand for higher taxes. In my mind, that is the first priority that this Township Committee must address and we will do that first in working on a municipal budget that the Township will be proud of and that will serve us all well. The sale of Skillman Village is a great step in the right direction. As Ms. Dyer alluded, we're going to receive over \$14 million in revenues to the Town. We will use that money to reduce our substantial debt. That's an enormous step in the right direction and I give my compliments to Mayor Caliguire, Deputy Mayor Dyer and Committeeman Carter for making that happen. There is a lot more to be done. It's not going to be easy, there will be sacrifices, sacrifices will have to be shared, but we're all going to do it together and we're going to work our very best to do the best that we can do for Montgomery. Finally, the last point I want to mention is the other really significant challenge facing Montgomery is to address its COAH obligations. As we sit here today, nobody knows what those obligations are. The judicial decisions, the legislature and COAH itself are all in a state of flux as to what precisely the COAH obligations for Montgomery will be. COAH will be promulgating new regulations, but not for a period of months. Once we know what those new obligations are, we need to work to fulfill those obligations, but in the way that allows for the least development in Montgomery and the least burden on our schools and our taxpayers. Finally, I also look forward to working on Skillman Park. What was to be Skillman Village will now be over 250 acres of Open Space. We will work with the County and with many residents of the Montgomery community to plan the uses for that park and I think that will be a benefit to the Town for generations to come.

I look forward to working with all the members of this Township Committee, all the Township officials, the Township staff and employees and all of the many volunteers on the various committees and boards who all help to make our local government good."

13. **ADDRESS BY COMMITTEEMAN ED TRZASKA**

Committeeman Trzaska read the following:

"I would like to thank all of our supporters and those that worked so hard on our campaign. I would especially like to thank my wife, Jaci, and my mom, Carol. I definitely couldn't have won without their help.

Over the next few years, I will focus on exactly what I spoke about during the campaign - holding the line on taxes and protecting Montgomery's rural character. Much has been said today and in recent months about the financial issues we face, so let me briefly focus on our rural character.

Montgomery is a special place - how many central NJ towns can claim that 30% of its land is preserved? Even though we experienced our share of growth, we have been able to avoid the blind pursue of additional ratables and tax revenue. For too long, local officials throughout the state have leaped before they looked - advocating development to satisfy the growing needs of government and special interests without understanding the consequences of these actions.

Development never pays for itself, never generates the revenue it is expected to, and routinely causes problems like traffic, higher taxes, and overcrowded schools. And worse of all, once land is developed, it never can be undeveloped, so unforeseen problems cannot be easily corrected. As such, in most cases, the best thing to do with land is leave it alone. This is why the Montgomery Republican Team fought so hard to preserve all of Skillman Village.

I look forward to working with my fellow Township Committee members and our professionals on this critical issue. We must continue to aggressively preserve open space and protect ourselves against harmful state mandates, like COAH. A lot is at stake. The next 3-5 years will likely determine what type of character Montgomery is destined to have for generations to come."

14. Mayor Caliguire suggested that a 15 minute break be taken.

15. **ADDRESS BY CONGRESSMAN LEONARD LANCE**

Congressman Lance stated the following:

"Congratulations to Ed and Patricia. Great additions to this fine Governing Body. As I understand it, the Governing Body in this Township is now 100% Republican. We are not in quite an enviable position in Washington, however, the new Congress convenes on January 5 at noon when Mr. Boehner of Ohio will become Speaker of the House of Representatives. Republicans will be 242 members, instead of the old Congress with 179 Republican members. The challenges confronting us are significant. We cannot achieve total fiscal responsibility overnight, but we need to do better job for long-term fiscal responsibility. The debt in this country is \$14 trillion. The Township Committee in Montgomery Township does a terrific job of keeping the budget down. The greatest challenges are at the local level, certainly at the County level, and the State level. He offered any help he can give to Montgomery Township. My wish for 2011 is peace, prosperity and the safety of our brave troops in Iraq and Afghanistan."

16. APPOINTMENTS BY TOWNSHIP COMMITTEE

OFFICE	TERM	
Township Attorney	1 yr.	Kristina P. Hadinger (Mason, Griffin & Pierson)
Special Projects/Conflict Counsel	1 yr.	Lisa Fittipaldi (DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer)
Labor Counsel	1 yr.	Steve Goodell (Herbert, Van Ness, Cayci & Goodell)
Environmental Counsel	1 yr.	Richard Crooker (Windels Marx Lane & Mittendorf, LLC)
Prosecuting Attorney	1 yr.	William Willard, Christopher 'Kip' Bateman (DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer)
Prosecuting Attorney, Alternate	1 yr.	Frank Blandino
Township Planners - Planning & Zoning	1 yr.	Coppola & Coppola Associates
Bond Counsel	1 yr.	Michael Gluck (Gluck Walrath, LLP)
Auditor	1 yr.	Robert Swisher (Suplee Clooney)
Traffic Engineer	1 yr.	John Rea (McDonough-Rea)
Environmental Engineer	1 yr.	Omni Environmental
Special Projects Engineer	1 yr.	Remington & Vernick
Historic Preservation Architect	1 yr.	Eclectic
Surveyor	1 yr.	Boundary Lines
Landscape Architect	1 yr.	Richard Bartolone
Codifier of Township Ordinances	1 yr.	Coded Systems Corporation
Appraiser	1 yr.	Robert McNeely Vance & Co.
Appraiser	1 yr.	Timothy Hoffman, Inc.
Appraiser	1 yr.	DeMartin Schwartz
Township Physician (Workers Compensation & Medical Services)	1 yr.	Dr. Joseph Pecora (Montgomery Medical)
Risk Management Consultant	1 yr.	Howe Insurance Group
Municipal Housing Liaison	1 yr.	Lori Savron
Temporary Housing Official	1 yr.	Theodore Merritt
Deputy Township Clerk	1 yr.	Margaret Crawford
Assessment Search Official	1 yr.	Donna Kukla
Flood Search Official	1 yr.	Gail Smith
Somerset Co. Community Dev. Comm.	1 yr.	Sarah Roberts
Somerset Co. Community Dev. Comm., Alt.	1 yr.	Lori Savron
Conservation Easement Officer	1 yr.	Joseph Palmer
Fire Protection Inspector	1 yr.	Roy Mondi
Fire Protection Inspector	1 yr.	John Hall
Fire Protection Inspector	1 yr.	John Marold
Fire Prevention Official	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Roy Mondi
Fire Prevention Inspector	1 yr.	Joe Novak
Clean Communities Coordinator	1 yr.	Arthur Villano
Recycling Coordinator	1 yr.	Arthur Villano
Americans w/Disabilities Compliance Coordinator	1 yr.	John Marold
Affirmative Action Compliance Official	1 yr.	Donato Nieman
Dog Canvasser	1 yr.	Ryan Giordano
Municipal Court/Violations		
Deputy Court Administrator	1 yr.	Judy Norris
Somerset Co. Solid Waste Advisory Council	1 yr.	Donald Matthews
Sourland Planning Smart Growth Steering Committee (Planning Board)	1 yr.	Sarah Roberts
Sourland Planning Smart Growth Steering Committee, Alternate	1 yr.	Laurin Long

(Item #16 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Airport Advisory Committee 5 Mile Radius	3 yrs.	Gebhardt	Michael Gebhardt
Board of Fire Prevention Business Representative	1 yr.	Smith	Sherman Smith
Board of Health Regular Member	3 yrs.	Schoen	Alvin Schoen
Regular Member	3 yrs.	Lambert	Dr. George Lambert
Regular Member	3 yrs.	Lintott	Maureen Lintott
Alternate II	2 yrs.	Engels	Marianne Engels
Board of Improvement Assessors Regular Member	2 yrs.	LaRue	Susan LaRue
Regular Member	2 yrs.	Lattanzio	Karen Lattanzio
Regular Member	2 yrs.	Allen	John Allen
Emergency Services Coordinating Committee Police Director, Chair	1 yr.	Palmer	Capt. Robert Palmer
Chief, Co. #1	1 yr.	Giordano	Jeff Huxley
Chief, Co. #2	1 yr.	Ballinger	Bill Ballinger
President, EMS	1 yr.	Jozwick	John Connacher
Captain, EMS	1 yr.	Fan	Robert Giguere
Advisor, Public Safety Tech.	1 yr.	Goldberg	Jeffrey Goldberg
Fire District #1	1 yr.	Kennedy	Richard Kennedy
Fire District #2	1 yr.	Laughlin	Toby Laughlin
Staff Liaison, Health Officer	1 yr.	Carey	Stephanie Carey
Joint Insurance Fund Commissioner	1 yr.	Sheppard	Walter Sheppard
Alternate	1 yr.	Nieman	Donato Nieman
License Appeals Board Regular Member	1 yr.	Kennedy	Richard Kennedy
Regular Member	1 yr.	Karsay	Richard Karsay
Regular Member	1 yr.	Miller	Jim Miller
Montgomery/Rocky Hill Municipal Alliance & Youth Services Commission Citizen-At-Large	1 yr.	Church	Robert Church
Citizen-At-Large	1 yr.	Booth	Pam Booth
Citizen-At-Large	1 yr.	Rooney	Johnny Rooney
Citizen-At-Large	1 yr.	Vaccarella	Jim Vaccarella
Village School PTA Rep.	1 yr.	Simpkins	Paula Simpkins
Orchard Hill School PTA Rep.	1 yr.	Haftel	Jennifer Haftel
Montgomery High School	1 yr.	DeGennaro	Ann DeGennaro
Upper Middle School	1 yr.	Robbins	William Robbins
Board of Education Liaison	1 yr.	Wang	YiPing Wang
Local Civic Organization Business Owner	1 yr.	Arons	Michael Arons
HiTops Rep.	1 yr.	Malakoff	Elyssa Malakoff
Police Department Liaison	1 yr.	Drakes	Sarah Drakes
Health Department Rep.	1 yr.	Fillebrown	Lt. Guy Fillebrown
Rocky Hill Health Dept. Rep.	1 yr.	Carey	Stephanie Carey
Coordinator	1 yr.	Poelstra	Beverly Poelstra
		Rao	Vasanthi Rao
Open Space Committee Regular Member	4 yrs.	Forbes	William Forbes
Alternate I	4 yrs.	Mueller	Ann Mueller
Planning Board Class III	1 yr.	Dyer	Kacey Dyer
Class IV, Env. Comm.	3 yrs.	Mason	Dave Mason
Walter Raymond Class IV	4 yrs.	Charbonneau	Mark Conforti
Alternate I	2 yrs.	Piehl	Tony Glockler
Recreation Committee Regular Member	3 yrs.	Jarvis	George Jarvis
Regular Member	3 yrs.	Camper, Jr.	Benton Camper, Jr.
Regular Member (exp. 12/31/12)	3 yrs.	O'Rourke	Anne St. Mauro
Alternate I	3 yrs.	St. Mauro	John Vasilik
Alternate II	3 yrs.	Naik	Bala Naik
Sewer Committee Mayor	1 yr.	Caliguire	Mark Caliguire

(Item #16 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Shade Tree Committee			
Regular Member	1 yr.	Koplik	Larry Koplik
Regular Member	1 yr.	Zak	Ewa Zak
Regular Member	1 yr.	Stein	Irene Stein
Regular Member	1 yr.	Waltz	John Waltz
Regular Member	1 yr.	Blane	Michelle Blane
Regular Member	1 yr.	Drbal	Elizabeth Drbal
Regular Member	1 yr.	Violette	Ann Violette
Staff Liaison	1 yr.	Wasilauski	Lauren Wasilauski

Zoning Board of Adjustment			
Regular Member (exp. 12/31/12)	4 yrs.	Griesinger	Richard Smith
Regular Member	4 yrs.	Roberts	Tom Wilson
Alternate II	2 yrs.	Francolini	Robert Francolini
Alternate III (exp. 12/31/11)	2 yrs.	Conforti	Dave Cheskis
Alternate IV	2 yrs.	Perhach	Kurt Perhach

16-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
 Nays - None

17. **MAYORAL APPOINTMENTS WITH CONSENT OF TOWNSHIP COMMITTEE**

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Agricultural Advisory Committee			
Regular Member	3 yrs.	Johnson	John Johnson, Jr.
Economic Development Commission			
Regular Member (exp. 12/31/11)	3 yrs.	O'Rourke	Frank Drift
Regular Member	3 yrs.	Minggia	James Laskey
Regular Member	3 yrs.	Geslak	Walter Geslak

17-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
 Nays - None

18. **MAYORAL APPOINTMENTS**

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Economic Development Commission			
Advisor	1 yr.	Delaney	William Delaney
Advisor	1 yr.	Collins	Adrianna Collins
Environmental Commission			
Regular Member, Planning Board	3 yrs.	Mason	Dave Mason
Regular Member	3 yrs.	Reece	Mary Reece
Alternate II	2 yrs.	Goel	Bhawna Goel
Landmarks Commission			
Class A (exp. 12/31/11)	4 yrs.	Brecknell	Emad Abou Sabe
Class B	4 yrs.	Bien	Allan Bien
Class C	4 yrs.	Seibert	Jessie Havens
Class C	4 yrs.	Martin	Kathy Martin
Alternate I	1 yr.	Terhune	Grace Terhune
Alternate II	1 yr.	Przelop	Charles Przelop
Advisor	1 yr.	Kahn	Shahab Khan

(Item #18 Cont.)

OFFICE	TERM	RETIRING OFFICER	NEW APPOINTMENT
Local Emergency Planning Council			
OEM Coordinator	1 yr.	Palmer	Capt. Robert Palmer
Deputy OEM Coordinator	1 yr.	Goldberg	Jeffrey Goldberg
Montgomery Twp. School District	1 yr.	Venanzi	Tom Venanzi
Johnson & Johnson	1 yr.	Connolly	Michael Connolly
Bloomberg	1 yr.	Voss	Brian Voss
Chief, Fire Company #1	1 yr.	Giordano	Jeffrey Huxley
Chief, Fire Company #2	1 yr.	Bolen	Bill Ballinger
Captain, Montgomery EMS	1 yr.	Fan	Robert Giguere
Carrier Clinic	1 yr.	Hotz	Rebecca Hotz
Mayor	1 yr.	Caliguire	Mark Caliguire
Montgomery Township Engineer	1 yr.	Smith	Gail Smith
Montgomery Twp. Fire Subcode Off.	1 yr.	Mondi	Roy Mondi
Montgomery Twp. Health Officer	1 yr.	Carey	Stephanie Carey
Montgomery Twp. Recreation Director	1 yr.	Zimmerman	Karen Zimmerman
Montgomery Twp. Public Works Superintendent	1 yr.	Villano	Arthur Villano
Open Space Committee			
Advisor	1 yr.	Reim	Maia Reim
Advisor	1 yr.	Roberts	Sarah Roberts
Advisor	1 yr.	Stoltzfuss	Bill Stoltzfuss
Advisor	1 yr.	Moroney	Kevin Moroney
Advisor	1 yr.	Herring	Douglas Herring
Planning Board			
Class I	1 yr.	Caliguire	Mayor Caliguire
Class II	1 yr.	Conforti	Tom Wilson
Shade Tree			
Advisor	1 yr.	Epp	Richard Epp

19. MAYORAL APPOINTMENTS - LIAISON/REPRESENTATIVES

OFFICE	TERM	APPOINTMENT
REPRESENTATIVES		
Somerset Co. Community Dev. Comm.		
Regular Member	1 yr.	Beth Prevost
Alternate	1 yr.	Donato Nieman
Delaware & Raritan Canal Commission		
Regular Member	1 yr.	Clem Fiori
Somerset County Solid Waste Advisory Council		
Regular Member	1 yr.	Larry Koplik
Liason to Library Advisory Board		
		Thom Carter
Veterans Memorial Committee		
		Kacey Dyer

20. TOWNSHIP COMMITTEE LIAISONS AND REPRESENTATIVES

OFFICE	RETIRING OFFICER	NEW APPOINTMENT
Board of Fire Prevention	Wilson	Kacey Dyer
Board of Health	Carter	Ed Trzaska
Economic Development Commission	Carter	Kacey Dyer
Emergency Services Coordinating Comm.	Caliguire	Mark Caliguire
Environmental Commission/Sustainable Montgomery	Fay	Pat Graham
Landmarks Commission	Fay	Thom Carter
Montgomery/Rocky Hill		
Municipal Alliance/Youth Services	Carter	Pat Graham
Open Space Committee	Wilson	Pat Graham
Recreation Committee	Dyer	Thom Carter
Sewer Committee	Wilson	Pat Graham
Zoning Board of Adjustment	Dyer	Ed Trzaska
Budget & Finance	Caliguire	Mark Caliguire
Transportation Advisory Committee	Dyer	Kacey Dyer
Wildlife Management Committee	Dyer	Ed Trzaska

21. **MAYORAL AUTHORIZATION TO PERFORM MARRIAGES - Deputy Mayor**

BE IT AUTHORIZED That the Deputy Mayor may solemnize marriage ceremonies in the absence of the Mayor.

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

A. **RESOLUTION #11-1-1 - PROFESSIONAL SERVICES RESOLUTION**

WHEREAS, There exists a need to acquire the following professional services for 2011 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 and Environmental Legal Services, and
- (2) Auditing Services, and
- (3) General, Environmental, Special and Traffic Engineering Services, and
- (4) Professional Planning Services, and
- (5) Appraisal Services and Tax Appeal Litigation Support, and
- (6) Surveying Services, and
- (7) Historic Preservation Architectural 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;

WHEREAS, The 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;

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 2011 Temporary Budget, with performance of said services after March 31, 2011 being subject to the Township's amendment of the 2011 Temporary Budget, and/or adoption of the final 2011 Budget;

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 proper agreements with Gluck Walrath, LLP as Township Bond Counsel; Kristina P. Hadinger of Mason, Griffin & Pierson as Township Attorney; Lisa Fittipaldi of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, as Special Projects/Conflict Counsel; Steve Goodell of Herbert, Van Ness, Cayci & Goodell as Labor Counsel; Richard Crooker of Windels Marx Lane & Mittendorf, LLC as Environmental Counsel; Suplee Clooney as Township Auditor; John Rea of McDonough-Rea as Traffic Engineer; Omni Environmental as Environmental Engineer; Remington & Vernick as Special Projects Engineer; Coppola & Coppola Associates as Township Planners; Robert McNeely Vance & Co., Timothy Hoffman, Inc., and DeMartin Schwartz as Appraisers; Boundary Lines as Surveyors; Eclectic Architecture, LLC.
- (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, 2011 is subject to the amendment of the 2011 Temporary Budget and/or adoption of the final 2011 Budget, and certification of availability of funds by the Chief Financial Officer

B. **RESOLUTION #11-1-2 - PETTY CASH CHECKS**

BE IT RESOLVED That the Chief Financial Officer be authorized to draw checks, one in the amount of \$1,000 to the Township Clerk, custodian of the Township Clerk's Petty Cash Funds.

C. **RESOLUTION #11-1-3 - DEPOSITORY FOR TOWNSHIP MONIES**

BE IT RESOLVED That the depositories for the funds of the Township of Montgomery for the year 2011 shall be any bank licensed to do business in the State of New Jersey and who holds a Governmental Unit Deposit Protection Act Certificate.

(CONSENT AGENDA Cont.)

D. **RESOLUTION #11-1-4 - OFFICIAL SIGNATURES**

BE IT RESOLVED That the Township officers authorized to sign the Township checks are Mark Caliguire, Mayor; Walter Sheppard, Chief Financial Officer; Donna Kukla, Township Clerk.

E. **RESOLUTION #11-1-5 - OFFICIAL SIGNATURE - Assistant Chief Financial Officer**

BE IT RESOLVED That the Assistant Chief Financial Officer, Claire Higgins, is hereby authorized to sign Township checks in 2011 in the absence of the Chief Financial Officer.

F. **RESOLUTION #11-1-6 - DEPUTY SIGNATURES**

BE IT RESOLVED That Kacey Dyer, Deputy Mayor is hereby authorized to sign Township checks in 2011 in the absence or inability to serve of the Mayor and that Margaret Crawford, Deputy Township Clerk is authorized to sign Township checks in the year 2011 in the absence or inability to serve of the Township Clerk.

G. **RESOLUTION #11-1-7 - AUTHORIZATION TO ESTABLISH INTEREST ON TAX DELINQUENCIES AND TAX SALES**

WHEREAS, N.J.S.A. 54:4-67 permits the Township Committee to establish by resolution the rate of interest to be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became due and payable; and

WHEREAS, Chapter 75, P.L. 1991, now permits the governing body to establish a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year; and

WHEREAS, The Township Committee of the Township of Montgomery finds it to be in the best interests of the Township to establish said penalty.

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

1. Pursuant to N.J.S.A. 54:4-67, the Township Committee of the Township of Montgomery reaffirms that the following interest shall be charged for the non-payment of taxes or assessments on any installment which is not made within the tenth calendar day following the date upon which same became payable: 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment. The term "delinquent" as used herein shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.
2. In addition, the Township Committee hereby fixes as a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year an additional sum of 6% of the amount of the delinquency.
3. This resolution shall take effect immediately.
4. A certified copy of this resolution shall be furnished by the Township Clerk to the Tax Collector.

H. **RESOLUTION #11-1-8 - GRACE PERIOD FOR DELINQUENT TAXES**

BE IT RESOLVED That the Tax Collector is hereby authorized to waive the interest charge on delinquent taxes where payment is received within 10 days after the due date and that any installment received after the expiration of this grace period bear interest from the due date.

I. **RESOLUTION #11-1-9 - LEGAL NEWSPAPERS**

BE IT RESOLVED That the newspapers for legal municipal advertising and notice in 2011 shall be the Courier News and the Spectator.

J. **RESOLUTION #11-1-10 - ADEQUATE NOTICE OF MEETINGS**

BE IT RESOLVED By the Township Committee of the Township of Montgomery that:

- (1) The Township Clerk is hereby authorized and directed to cause adequate notice to be given of every meeting of this body to be held during 2011, EXCEPTING only those meetings that are:
 - (a) Shown on the duly adopted and disseminated 2011 schedule of meetings and revisions thereof;
 - (b) Limited to matters of urgency, and as to which this body authorizes a meeting without adequate notice, as provided by Section 4b of the Open Public Meeting act; or
 - (c) Limited only to consideration of items as to which the public may be excluded pursuant to Section 7b of the Open Public Meetings Act.

(CONSENT AGENDA Item J. Cont.)

- (2) The adequate notice required under paragraph 1 of this resolution shall be substantially in the following form:

NOTICE OF MEETING
MONTGOMERY TOWNSHIP COMMITTEE
BELLE MEAD, NJ

Date: _____

Notice is hereby given that the Township Committee will hold a meeting on (date) at (time) at (location). The agenda for said meeting, to the extent known, and a statement whether or not formal action may be taken as to items on the agenda, are as follows:

- (3) Said notice, at least 48 hours in advance of the meeting shall be:
- (a) Prominently posted at the Municipal Building.
 - (b) Mailed, emailed, telephoned or hand delivered to the officially designated newspapers.
 - (c) Filed in the Office of the Township Clerk.
 - (d) Mailed to those persons who as of that time have requested and paid the charge for the same.

K. RESOLUTION #11-1-11 - FIXED CHARGE FOR MEETING NOTICE

BE IT RESOLVED By the Township Committee of the Township of Montgomery:

- (1) A charge of \$12.00 is hereby fixed to cover the cost of providing the 2011 schedule of regular meetings.
- (2) Said charge shall abate at the rate of \$1.00 for each full calendar month that shall have elapsed between the calendar year and the date such request is submitted.
- (3) Payment of such charge shall accompany said request and shall be payable to this body or such public agency as this body shall from time to time designate.
- (4) All such requests for notices shall terminate as of midnight on December 31, 2011.
- (5) Notwithstanding the foregoing, requests from news media (other than the newspapers to which notice is required to be given without charge pursuant to Sections 13, 4a and 3d of the Open Public Meetings Act) shall be honored free of charge.

L. RESOLUTION #11-1-12 - STATE CONTRACT PURCHASING

BE IT RESOLVED That the Township Purchasing Agent be authorized to purchase goods and services from firms having contracts with the State of New Jersey, and that a list of said firms be kept on file in the Purchasing Department and the contract numbers be listed on the appropriate Township vouchers for reference purposes.

M. RESOLUTION #11-1-13 - AUTHORIZING ISSUANCE OF SOCIAL AFFAIRS PERMITS

BE IT RESOLVED That the Township Clerk and Police Captain/Director or his designee are hereby authorized to endorse applications for Social Affairs Permits to the Director of the Division of Alcoholic Beverage Control, said applications to be in conformance with NJAC 13:2-5.1(d).

N. RESOLUTION #11-1-14 - PROVISIONS FOR MAKING OF OFFICIAL CERTIFICATES OF SEARCHES AS TO MUNICIPAL IMPROVEMENTS AUTHORIZED BUT NOT ASSESSED

BE IT RESOLVED That provision is hereby made for the making of official certificates of searches as to municipal improvements authorized by ordinance of the Township of Montgomery, but not assessed, affecting any parcel or tract of land in said Township in that a future assessment will be made thereon pursuant to such ordinance, and, further, the Township Clerk is hereby designated as the person who shall make such certificates.

O. RESOLUTION #11-1-15 - DESIGNATION OF OFFICIAL TO MAKE SEARCHES AS TO UNPAID MUNICIPAL LIENS AND TO CERTIFY THE RESULTS THEREOF

The Township Committee of the Township of Montgomery hereby designates the Chief Financial Officer to make examinations of official records as to unpaid municipal liens and to certify the results thereof.

P. RESOLUTION #11-1-16 - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE NOTES

BE IT RESOLVED That the Chief Financial Officer of the Township of Montgomery is hereby authorized to sell and issue Bond Anticipation Notes of the Township pursuant to all bond ordinances that have been finally adopted by the Township Committee; and

(CONSENT AGENDA Item P Cont.)

BE IT FURTHER RESOLVED That all Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to such ordinances, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of NJSA 40A:2-8(s). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to such ordinance is made. Such report must include the amount, description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Q. **RESOLUTION #11-1-17 - AUTHORIZING THE SIGNING OF CERTAIN CHECKS IN THE ABSENCE OF TOWNSHIP COMMITTEE AUTHORIZATION**

BE IT RESOLVED By the Township Committee of the Township of Montgomery as follows:

The Mayor, Chief Financial Officer and Township Clerk of the Township of Montgomery are hereby authorized to sign, in the absence of Township Committee authorization, checks from current funds for payroll and payment to the Central Jersey Health Insurance Fund, as needed. In addition, such officials are hereby authorized to sign, as needed, checks from the Dog Tax Fund payable to the State of New Jersey, Department of Health, in accordance with the Statutes of the State of New Jersey and regulations thereunder. The Chief Financial Officer shall, forthwith, prepare vouchers in support of such checks and shall present the same to the Township Administrator for inclusion on the agenda of the next regularly scheduled Township Committee meeting for the consideration and approval of the Township Committee.

R. **RESOLUTION #11-1-18 - COVENANTING COMPLIANCE WITH REQUIREMENTS OF THE INTERNAL REVENUE CODE OF 1986 IN ORDER TO PRESERVE TAX EXEMPTION OF INTEREST ON MUNICIPAL OBLIGATIONS AND AUTHORIZING DESIGNATION AND QUALIFICATION OF BONDS WHERE APPLICABLE FOR FAVORABLE TAX TREATMENT FOR CERTAIN FINANCIAL INSTITUTIONS**

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

Section 1. The Township hereby covenants that the representatives of the Township will take or will refrain from taking all actions within their control that are necessary upon the advice of Bond Counsel to assure that interest on the obligations of the Township is exempt from federal income taxation under the Internal Revenue Code of 1986.

Section 2. The Chief Financial Officer of the Township is hereby authorized to execute any necessary documents to indicate that the Township has covenanted to take all actions necessary to assure that interest on the obligations of the Township will be exempt from federal income taxation.

Section 3. The appropriate representatives of the Township are hereby authorized to take all necessary actions to assure that interest on the obligations of the Township will remain exempt from federal income taxation.

Section 4. The Chief Financial Officer of the Township is authorized to execute the necessary documents on behalf of the Township to designate and to qualify municipal obligations of the Township where applicable for exemption from the loss of the interest expense deduction for bank indebtedness incurred to purchase or to carry tax-exempt obligations.

Section 5. This resolution will take effect immediately.

S. **RESOLUTION #11-1-19 - RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY PROVIDING CERTAIN AUTHORIZATION TO THE TOWNSHIP'S TAX ASSESSOR (SETTLEMENT OF APPEALS; COMMENCEMENT OF APPEALS)**

WHEREAS, Ryan Riccio, the Township's Tax Assessor, is a certified tax assessor (CTA) as recognized by the State of New Jersey, and possesses certain training and experience as municipal tax assessor; and

WHEREAS, The Tax Assessor has the statutory responsibility under N.J.S.A. 54:4-23 to -36 to set assessments for properties in the Township, and to maintain the accuracy and equality of the Township's real property assessments; and

WHEREAS, It is in the best interests of the citizens of the Township to provide the Tax Assessor with certain authority to address and resolve tax appeals.

NOW THEREFORE, BE IT RESOLVED By the Mayor and Township Committee of the Township of Montgomery, County of Somerset, New Jersey as follows:

1. The Tax Assessor be and hereby is authorized to resolve and settle any tax appeal filed with and/or heard by the Somerset County Tax Board without further action of the Township Committee.

(CONSENT AGENDA Item S Cont.)

2. The Tax Assessor be and hereby is authorized to determine when tax appeals, cross appeals, complaints and counterclaims should be pursued on behalf of the Township, and accordingly has the authority to consult with and direct the Township's Attorney, or any special tax counsel as the case may be, to file such pleadings with either the County Tax Board or the Tax Court, without further action of the Township Committee.
3. The Tax Assessor be and hereby is authorized to resolve and settle tax appeals pending before the New Jersey Tax Court. The Tax Assessor shall first present any proposed settlement of a New Jersey Tax Court appeal which will result in a refund, or credit, of real property taxes to the Township Committee for approval by formal resolution.

T. RESOLUTION #11-1-20 - AUTHORIZATION TO ISSUE DUPLICATE TAX SALE CERTIFICATES

BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey that, pursuant to N.J.S.A. 54:5-52.1, the Tax Collector is authorized to issue duplicate tax sale certificates in the event of loss or destruction of the original certificate, the fee for issuance of each duplicate being \$100.00.

U. RESOLUTION #11-1-21 - CONCERNING PROPERTY TAX REFUNDS AND DELINQUENCIES

WHEREAS, N.J.S.A. 40A:5-17.1 authorizes a municipality to designate a municipal employee to process property tax refunds in amounts less than \$10.00, and further authorizes a municipality to designate an employee to cancel property tax refunds or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey, that Randy Bahr, Tax Collector, is herewith authorized to (a) process, without further action by the Township Committee, any property tax refunds in amounts less than \$10.00 and (b) process, without further action by the Township Committee, the cancellation of any property tax refunds or delinquencies in amounts less than \$10.00.

V. RESOLUTION #11-1-22 - AWARDING CONTRACT FOR MUNICIPAL FINANCE SERVICES - CONCORD FINANCIAL

WHEREAS, The Township of Montgomery ("Township") has a need to procure the services of a company with expertise in municipal finance services; and

WHEREAS, Concord Financial is familiar with the Township's requirements and is willing to provide said services; and

WHEREAS, The Township has a need to acquire these services without a "fair and open process" as defined by N.J.S.A. 19:44A-20.7, the "Local Unit Pay-to-Play" Law; and

WHEREAS, Concord Financial has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.2 *et seq* certifying that Concord Financial has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township, along with a Certification Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26 *et seq* and an Affidavit Prerequisite to Execution of Agreement Exempt from Public Bidding and in Excess of \$5,000.00 pursuant to Subsection 2-22.2 of the Code of the Township of Montgomery (1984)(collectively Pay-to-Play Forms"); and

WHEREAS, The Purchasing Agent has determined and certified in writing that the value of the required services required will exceed \$17,500; and

WHEREAS, The cost of services is not to exceed twenty-five thousand dollars (\$25,000) which is below the Township's bid threshold of \$36,000; and

WHEREAS, Performance of services under the terms of this contract, and payment for the services, is subject to the certification of availability of funds by the Chief Financial Officer.

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 Township Clerk are hereby authorized and directed to execute a contract with Concord Financial consistent with this Resolution. The terms of said agreement are subject to the approval of the Township Attorney.
2. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, as well as the Contract shall be placed on file with the Clerk of the Township.

(CONSENT AGENDA Cont.)

W. **RESOLUTION #11-1-23- AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF HOPEWELL FOR FULL SERVICE ANIMAL CONTROL AND SHELTERING**

WHEREAS, The governing bodies of the Township of Montgomery and the Borough of Hopewell desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for full service animal control and sheltering; and

WHEREAS, A shared services agreement, setting forth the rights and responsibilities of Montgomery and Hopewell Borough, has been prepared and circulated for approval by the governing bodies of Montgomery and Hopewell Borough.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, Somerset County, New Jersey, that the Township Committee approves the Township's participation in the shared services agreement with the Borough of Hopewell for full service animal control and sheltering; and further that the Mayor and Clerk are authorized and directed to execute the shared services agreement; and

BE IT FURTHER RESOLVED That a copy of the shared services agreement will be available, pursuant to N.J.S.A.40A:65-5.b., at the offices of the Township Clerk for public inspection.

X. **RESOLUTION #11-1-24 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF PENNINGTON FOR FULL SERVICE ANIMAL CONTROL AND SHELTERING**

WHEREAS, The governing bodies of the Township of Montgomery and the Borough of Pennington desire to execute a shared services agreement pursuant to N.J.S.A. 40A:65-1, et seq., for full service animal control and sheltering; and

WHEREAS, A shared services agreement, setting forth the rights and responsibilities of Montgomery and Pennington Borough, has been prepared and circulated for approval by the governing bodies of Montgomery and Pennington Borough.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, Somerset County, New Jersey, that the Township Committee approves the Township's participation in the shared services agreement with the Borough of Pennington for full service animal control and sheltering; and further that the Mayor and Clerk are authorized and directed to execute the shared services agreement; and

BE IT FURTHER RESOLVED That a copy of the shared services agreement will be available, pursuant to N.J.S.A.40A:65-5.b., at the offices of the Township Clerk for public inspection.

Y. **RESOLUTION #11-1-25 - DESIGNATING THE ENVIRONMENTAL COMMISSION AS SUSTAINABLE MONTGOMERY'S "GREEN TEAM" AND APPOINTMENT OF MEMBERS**

BE IT RESOLVED That the Environmental Commission is hereby designated as Sustainable Montgomery's "Green Team" and the following members are appointed to serve as a subcommittee of the Environmental Commission on Sustainable Montgomery for a one year term expiring December 31, 2011.

Regular Members - Dave Mason, Mary Reese, Greg Kaganowicz, Alan Bookman, Douglas Grossman, Yasmin Reyes, Debbie Gartenberg, Hemi Malini and Bhawna Goel.

Advisors - Leslie Brecknell, Sarah Roberts, Reg Luke, Walter Geslak, Irene Stein, Erin Peacock, Thuy Anh Le, Lauren Wasilauski and Donato Nieman.

Z. **RESOLUTION #11-1-26 - ADOPTING AN AMENDMENT TO THE SMOKING SECTION OF THE TOWNSHIP OF MONTGOMERY PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, On December 2, 2010, the Township Committee adopted Ordinance #10-1374, which prohibits smoking in public buildings and on public properties; and

WHEREAS, The Township Committee has determined that it is in the best interests of the Township and its employees to amend the SMOKING provisions of the Montgomery Township Personnel Policies and Procedures Manual to be in conformance with Ordinance #10-1374; and

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

The SMOKING section of the Montgomery Township Personnel Policies and Procedures Manual is hereby replaced in its entirety with the following:

Smoking

In order to provide employees with a healthy, comfortable and productive environment, smoking is prohibited in all buildings, vehicles and facilities and on all property owned, leased or otherwise operated by the Township of Montgomery. There are no exceptions to this prohibition against smoking. Employees who desire to smoke must remove themselves from Township buildings, vehicles, facilities and property in order to do so.

(CONSENT AGENDA Item Z Cont.)

In order to avoid undue disruptions to the Township's operations, employees must use their lunch hour to smoke. Smoking shall not interfere with an employee's productivity and performance. All employees are expected to abide by this policy while at work. Failure to comply shall result in disciplinary action up to and including termination of employment.

BE IT FURTHER RESOLVED that this amendment shall take effect on January 3, 2011.

22-1. Committeeman Carter moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
Nays - None

23. **RESOLUTION #11-1-27 - TOWNSHIP COMMITTEE MEETING SCHEDULE**

BE IT RESOLVED That the following is established as a schedule of meetings of the Township Committee to be held during the year 2011, said meetings to be open to the public and publicized in accordance with the Open Public Meetings Act. All meetings will begin at approximately 7:00 p.m., unless otherwise noted. Except as otherwise noted the location shall be the Township Municipal Building, 2261 Van Horne Road, Belle Mead, NJ.

January	3	July	7
	20	August	21
February	3		4
	17	September	18
March	3		1
	17	October	15
April	7		6
	21	November	20
May	5		3
	19	December	10
June	2		1
	16		15

January 5, 2012, 7:00 p.m., Reorganization Meeting

In accordance with the dictate of the Open Public Meetings Act, a copy of this resolution shall be immediately:

- (a) Posted on the Municipal Bulletin Board and shall remain so posted for the year 2011.
- (b) Sent to the officially designated newspapers.
- (c) Filed in the Office of the Township Clerk.
- (d) Sent to those persons who have requested and paid the charges for copies of the schedule and revisions thereto and shall be promptly sent to those persons who hereinafter make such request and prepay such charges.

23-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Carter and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
Nays - None

24. **RESOLUTION #11-1-28 - 2011 TEMPORARY BUDGET**

WHEREAS, NJSA 40A:4-19 provides that temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, The date of this resolution is within the first thirty days of 2011; and

WHEREAS, The total appropriations in the 2010 Budget, less appropriations for Capital Improvement Fund, Debt Service and Public Assistance are as follows:

General	\$20,875,175.72
Sewer Utility	\$4,200,785.00

WHEREAS, 26.25% of the total appropriations in the 2010 Budget, less appropriations for the Capital Improvement Fund, Debt Service and Public Assistance in the said 2010 Budget is as follows:

General	\$5,479,733.62
Sewer Utility	\$1,102,706.06

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his record.

(Item #24 Cont.)

2011 TEMPORARY BUDGET

	<u>AMOUNT</u>
Mayor and Committee	
Salaries & Wages	\$7,000.00
Other Expenses	2,000.00
Committee Expenses	
Other Expenses	25,000.00
Administrative & Executive	
Salaries & Wages	65,000.00
Other Expenses	7,500.00
Municipal Clerk	
Salaries & Wages	65,000.00
Other Expenses	15,000.00
Newsletter	
Other Expenses	3,000.00
Financial Administration	
Salaries & Wages	95,000.00
Other Expenses	11,000.00
Audit	
Other Expenses	5,000.00
Network Operations	
Salaries & Wages	22,500.00
Other Expenses	20,000.00
GIS	
Salaries & Wages	50,000.00
Other Expenses	20,000.00
Assessment of Taxes	
Salaries & Wages	35,000.00
Other Expenses	10,000.00
Collection of Taxes	
Salaries & Wages	11,000.00
Other Expenses	10,000.00
Legal Services & Costs	
Other Expenses	115,000.00
Engineering Services & Costs	
Salaries & Wages	110,000.00
Other Expenses	20,000.00
Public Buildings & Grounds	
Salaries & Wages	30,000.00
Other Expenses	25,000.00
Planning Board	
Salaries & Wages	50,000.00
Other Expenses	15,000.00
Revision of Master Plan	
Other Expenses	20,000.00
Zoning Board of Adjustment	
Salaries & Wages	30,000.00
Other Expenses	5,000.00
Landmarks Commission	
Other Expenses	1,500.00
Environmental Commission	
Other Expenses	500.00
Economic Development	
Other Expenses	250.00
Insurance	
Group Insurance for Employees	500,000.00
Other Insurance Premiums	250,000.00
Workers Compensation Insurance	200,000.00
Disability Fund	
Other Expenses	20,000.00
Deferred Compensation	
Other Expenses	40,000.00
Fire Hydrant Service	
Other Expenses	175,000.00
Uniform Fire Safety	
Salaries & Wages	25,000.00
Other Expenses	3,000.00
Police	
Salaries & Wages	950,000.00
Other Expenses	75,000.00
Emergency Medical Services	
Other Expenses	1,000.00
Emergency Management Services	
Other Expenses	250.00
Emergency Services Committee	
Other Expenses	250.00
Community Services Act	
Other Expenses	\$10,000.00
Shade Tree Commission	
Other Expenses	3,000.00
Road Repairs & Maintenance	
Salaries & Wages	225,000.00
Other Expenses	225,000.00
Vehicle Maintenance	
Other Expenses	125,000.00

(Item #24 Cont.)

	<u>AMOUNT</u>
Public Works	
Salaries & Wages	25,000.00
Other Expenses	12,500.00
Board of Health	
Salaries & Wages	80,000.00
Other Expenses	10,000.00
Animal Control	
Salaries & Wages	20,000.00
Other Expenses	5,000.00
Recreation	
Salaries & Wages	75,000.00
Other Expenses	20,000.00
Kid Connection	
Salaries & Wages	25,000.00
Adult School	
Other Expenses	100,000.00
Summer Camp	
Salaries & Wages	20,000.00
Other Expenses	5,000.00
Maintenance of Parks	
Salaries & Wages	125,000.00
Other Expenses	25,000.00
Senior Center	
Salaries & Wages	10,000.00
Other Expenses	25,000.00
Solid Waste	
Other Expenses	25,000.00
Recycling Program	
Other Expenses	55,000.00
Construction Code	
Salaries & Wages	115,000.00
Other Expenses	7,500.00
Electricity	
Other Expenses	60,000.00
Telephone	
Other Expenses	30,000.00
Water	
Other Expenses	10,000.00
Natural Gas/Heating	
Other Expenses	30,000.00
Gasoline	
Other Expenses	100,000.00
Street Lighting	
Other Expenses	15,000.00
Social Security System	
Other Expenses	225,000.00
Unemployment	
Other Expenses	20,000.00
Municipal Court	
Salaries & Wages	37,500.00
Other Expenses	3,000.00
Prosecutor	
Other Expenses	12,000.00
Public Defender	
Other Expenses	750.00
Environmental Health Services	
Other Expenses	250.00
Pre School	
Salaries & Wages	350,000.00
Other Expenses	50,000.00
Camp Kid	
Salaries & Wages	20,000.00
Other Expenses	2,000.00
Total 2011 Temporary Appropriations for Operating Purposes	\$5,479,250.00
Sewer Utility	
Salaries & Wages	350,000.00
Other Expenses	650,000.00
Total 2011 Temporary Appropriations for Sewer Utility	\$1,000,000.00

(Item #24 Cont.)

AMOUNT

Operating Fund

Capital Improvement Fund	
Other Expenses	.00
Debt Service	
Payment of Bonds	2,715,000.00
Interest on Bonds	664,420.00
Payment of Notes	380,500.00
Interest on Notes	372,000.00
Green Trust Program	
Other Expenses	469,500.00

Sewer Utility Fund

Capital Improvement Fund	
Other Expenses	.00
Debt Service	
Payment of Notes	70,900.00
Interest on Notes	115,000.00
Payment - NJEIT	75,000.00

24-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
Nays - None

25. 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 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.

25-1. Committeeman Carter moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Carter, Graham, Trzaska, Caliguire
Nays - None

26. PUBLIC COMMENT

Mayor Caliguire opened the public comment portion of the meeting. There being no public comment, Mayor Caliguire closed this portion of the meeting.

ADJOURNMENT was at 8:00 p.m. on a motion by Committeeman Carter. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk