

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
October 7, 2010

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Caliguire, Deputy Mayor Dyer, Committeemembers Wilson and Fay
Committeeman Carter was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Mayor Caliguire stated the following: "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."

3. Mayor Caliguire led the Salute to the Flag.

4. **PROCLAMATION - Put the Brakes on Fatalities Day - October 10, 2010**

WHEREAS, Across the nation, traffic crashes caused nearly 34,000 fatalities in 2009, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, In New Jersey, 583 individuals lost their lives in traffic crashes in 2009; and

WHEREAS, Alcohol-related crashes accounted for 31 percent of the State's traffic fatalities, while 16 percent of all fatal crashes involved traveling at unsafe speeds; and

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

WHEREAS, 65 motorcyclists, 14 bicyclists, and 157 pedestrians were killed in New Jersey in traffic-related crashes in 2009; and

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee does hereby proclaim October 10, 2010, Put the Brakes on Fatalities Day and calls upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

- 4-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried unanimously.

5. **PROCLAMATION - BREAST CANCER AWARENESS MONTH - OCTOBER, 2010**

WHEREAS, October is National Breast Cancer Awareness Month, since the program began in 1985 mammography rates have more than doubled for women age 50 and older and breast cancer deaths have declined; and

WHEREAS, National Breast Cancer Awareness Month remains dedicated to increasing public knowledge about the importance of early detection of breast cancer diagnosis and treatment; and

WHEREAS, many women still do not utilize mammography at regular intervals even though research indicates it is the best available method of detection; and

WHEREAS, the awareness campaign is sending out several key messages, most notably, the importance of early detection through annual mammography screening for women over 40; and

WHEREAS, the National Cancer Institute estimates in the United States, more than 180,000 new cases of breast cancer will be diagnosed this year and over 42,000 people will die; and

WHEREAS, in Somerset County, female breast cancer increased slightly and accounts for 16.5% of all cancer cases and 9.1% of all cancer deaths; and

WHEREAS, taking advantage of early detection methods such as mammography and clinical breast exams could help the breast cancer death rate drop by approximately 30%; and

WHEREAS, the American Cancer Society has searched endlessly for a cure through vital research, and has the mammoth task of educating our community and all Americans of the risks of breast cancer. Its many volunteers who offer support in the form of support groups, accommodations and transportation assistance, medical equipment and more.

NOW, THEREFORE, BE IT PROCLAIMED that the Township Committee of the Township of Montgomery does hereby recognize October, 2010 as Breast Cancer Awareness Month and urges all women and their families to get the facts about breast cancer and join us to celebrate successes and memorialize lost battles.

- 5-1. Committeeman Fay moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried unanimously.

6. **RESOLUTION - IN SUPPORT OF GILDA'S CLUB AND WELLNESS COMMUNITIES FOR BREAST CANCER MONTH**

WHEREAS, October is National Breast Cancer Awareness month; and

WHEREAS, Gilda Radner, who after receiving care while she had cancer, called for the establishment of centers which would be available at not cost to support people with cancer and their families and friends; and

WHEREAS, Gilda's Clubs were established in honor of Gilda Radner; and

WHEREAS, The Wellness Communities have joined Gilda's Clubs in support of its works; and

WHEREAS, Gilda's spirit lives on at every Gilda's Club and The Wellness Communities, where members join with other "experts" living with cancer to both give and receive the benefits of love and laughter through the unique Gilda's Club and Wellness Community programs; and

WHEREAS, Thousands of members now attest to the fact that Gilda's Clubs and Wellness Communities have helped change their lives by restoring control and enabling them to plan their own emotional and social support, thus strengthening and enriching their entire family; and

WHEREAS, The New Jersey State Federation of Women's Clubs of GFWC is partnering with Gilda's Clubs and The Wellness Communities to provide volunteer and financial support to further the programs of Gilda's Clubs and The Wellness Communities.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery does hereby proclaim that the month of October honors the memory of Gilda Radner and recognizes her tremendous concerns for those individuals in their fight against cancer, and the New Jersey State Federation of Women's Clubs of GFWC in their support of this worthy organization.

- 6-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Fay and carried unanimously.

7. **PUBLIC COMMENT**

- 7-1. Candy Willis, Knickerbocker Drive, spoke about the solar panels being installed on the telephone poles around town and particularly the one in front of her house. She believed they were an eye-sore and asked if there was anything that could be done about them. Some of them were too low and she had heard nothing about them being installed. She asked how many of these solar panels were supposed to be installed in Montgomery and why weren't the residents notified that this was happening.

Mayor Caliguire stated that if the Township was notified, it would have been posted on the web-site. Administrator Nieman stated that the Township was not notified.

Mayor Caliguire stated that he had asked Administrator Nieman to find out all the information he could on where these were going, when they were being installed, and any other information he could find out.

Administrator Nieman stated that he spoke to the Township's contact at PSE&G. They said they do not have all the locations in Montgomery identified, but they are going to send the criteria for location selection. They will look at the maps that they have and try to identify the specific locations.

Ms. Willis asked about the placement of the panel on the pole. She felt it should be higher on the pole because the houses were built slightly higher than the road.

Mayor Caliguire stated that the Township's contact at PSE&G wants to meet with the Administrator to discuss items. He suggested that this be one of the things discussed and that Ms. Willis be present during this meeting.

- 7-2. Robert Kress, Meadow Run Drive, stated he was upset about the cancellation of the COAH public hearing on such short notice. One of the things that is becoming really apparent is the fact that he continues to read about the proposal that hundreds of high-density units have been proposed as one of the COAH elements on the Skillman Village property. There are a significant number of people concerned about this as it relates to the taxpayers ability to be able to continue to finance the education system in Montgomery and the impact it has on the continuing cost of that process.

- 7-3. Eric Weitze, Viburnum Drive, spoke about some articles that recently appeared in the Montgomery News and the Princeton Packet. He asked Committeewoman Wilson what was more important to her, the Township residents or COAH.

Committeewoman Wilson responded that the Township of Montgomery is, of course, her priority. She cared a lot about the impact of affordable housing and the requirements that are placed on the Township. At all times, she put the people of Montgomery and the future of Montgomery first and foremost in her decision making and in the ideas that she tries her best to promote and advance. She stated that she took exception to the suggestion that something else would be her priority.

Mr. Weitze stated that Committeeman Fay was in the Princeton Packet article endorsing workforce affordable housing. Apparently it is on his agenda and asked if it was on Ms. Wilson's agenda also. Committeeman Fay stated that he would like to have an opportunity to respond to Mr. Weitze's accusation.

(Item #7-3 Cont.)

Attorney Hadinger explained that COAH is a mandate that has been imposed upon, not just Montgomery but every municipality throughout the State. The members of the Governing Body, if you will, can disagree over where the units should go or how to fulfill that number with municipally sponsored projects, with inclusionary developments, with group homes, but the number of 501 is a number that someone else dealt to Montgomery, and it was no member of this Governing Body. The Township has joined two lawsuits to fight COAH's rules and regulations. One was a lawsuit that the League of Municipalities filed and the other was a lawsuit that we joined with 20 municipalities that are similarly situated who are having to bear a disproportionate burden of this new housing that the Supreme Court has mandated and then COAH implemented. The Township has actually been out-front in trying to fight these regulations and the burden that these regulations have created, but more importantly the ill-founded bases on which these regulations were created. The rules have not been put on hold. The League of Municipalities and towns went to the Courts and said "these rules are bum rules, we're going to challenge them, while this challenge winds its way through the Court, put a hold on things, don't make towns spend all this money." The Court said no. Governor Christie tried to do it through his powers of Executive Order, and the Courts said "No, Governor, you don't have that power." So, every town who is fighting these rules and the false bases and premises on which they've been made, is simultaneously having to expend taxpayer money to come up with a plan.

Mr. Weitze stated that he understood, but as a Township official, he would make it public that the Township was fighting COAH.

Committeewoman Wilson stated that in many times this has been talked about by the Governing Body, they have never shied away from expressing the Township's displeasure and explaining to people how vehemently the Governing Body opposes the rules that they were forced to comply with, and that these rules were being challenged by the Township Committee in Court.

Mr. Weitze spoke about bringing ratables into the Township. He stated that this would help with the budget issues, if you brought in companies instead of building homes.

Mayor Caliguire agreed with Mr. Weitze, but explained that it had to be the right ratables, and a lot of things have been placed on hold because of the economy.

- 7-4. Eric Weitze, Viburnum Drive, spoke about the deplorable condition of Dutchtown-Zion Road.

Administrator Nieman stated that the New Jersey Department of Environmental Protection had been contacted by Montgomery about Hillsborough's unwillingness to do any improvements to this road. He explained that there would be quite a few permitting processes to go through, and it was his opinion that the Township would not receive the required permits.

Mayor Caliguire asked Administrator Nieman to check with the Department of Environmental Protection again about this situation.

- 7-4. Eric Weitze, Viburnum Drive, expressed his displeasure about Committeewoman Wilson supporting Rush Holt in his run for office. Committeewoman Wilson explained that the question which was asked in the article that Mr. Weitze is referring to was "Tell us how long you have lived in Town, where you work, and what you have done in the Town." She stated that her job is to work for Rush Holt. She did not say that she supported Mr. Holt, she said that she worked for him.
- 7-5. Committeeman Fay stated that he agreed with Mr. Weitze in the fact that there is something very wrong with the affordable housing policy in New Jersey. He stated that as Attorney Hadinger had said earlier, all of the Township Committee agree that the way it has been handled and the assignment that we have is not acceptable and not good policy. They were all behind the two lawsuits that have been filed but there is disagreement amongst the Township Committee on how they would comply in the meantime.
8. **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 #10-10-241 - ACCEPTANCE OF DONATION** - Montgomery/Rocky Hill Rotary Club to Montgomery Senior Center

BE IT RESOLVED That a donation by Montgomery/Rocky Hill Rotary Club of patio furniture for the Senior Center patio be accepted for the Montgomery Township Senior Center.

- B. **RESOLUTION #10-10-242 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) 2010 Drunk Driving Enforcement Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount

(CONSENT AGENDA Cont.)

G. **RESOLUTION #10-10-247 - APPROVAL OF RIGHT-OF-ENTRY AGREEMENT WITH BRUCE AND CAROL LYNNE JEFFERSON FOR THE CHERRY VALLEY ROAD-JEFFERSON'S CURVE CULVERT REPLACEMENT PROJECT AND AUTHORIZING MAYOR AND CLERK TO EXECUTE SAME**

BE IT RESOLVED That the Mayor and Clerk are hereby authorized to execute a Right-of-Entry Agreement with Bruce and Carol Lynne Jefferson for the Cherry Valley Road-Jefferson's Curve Culvert Replacement Project.

H. **RESOLUTION #10-10-248 - RELEASE OF ESCROW FEE - Patrick King - Street Opening Permit - No. 10-R-31**

WHEREAS, George Remboske, Assistant to the Township Engineer, recommended the release of the cash Escrow Fee to Patrick King because all work has been satisfactorily completed with respect to a street opening permit at Block 8004, Lot 20 (48 Ellis Drive).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash Escrow Fee in the amount of \$150.00 be released to Patrick King, 48 Ellis Drive, Belle Mead, NJ 08502.

BE IT FURTHER RESOLVED That a Maintenance Guarantee is not required.

I. **RESOLUTION #10-10-249 - RELEASE OF ESCROW FEE - Jack Amundsen - Street Opening Permit - No. 10-R-02**

WHEREAS, George Remboske, Assistant to the Township Engineer, recommended the release of the cash Escrow Fee to Jack Amundsen because all work has been satisfactorily completed with respect to a street opening permit at Block 3005, Lot 5 (27 Bedle Street).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash Escrow Fee in the amount of \$100.00 be released to Jack Amundsen, Amundsen Construction, 230 Burnt Mill Road, Branchburg, NJ 08876.

BE IT FURTHER RESOLVED That a Maintenance Guarantee is not required.

J. **RESOLUTION #10-10-250 - RELEASE OF MAINTENANCE GUARANTEE - Montgomery Walk On-Site, Phases I & II**

WHEREAS, Gail Smith, Township Engineer, has certified on September 21, 2010 that all public improvements in a project known as Montgomery Walk On-Site, Phases I & II have been in satisfactory continuous use for a period greater than two years and therefore recommends the release of the posted maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that Maintenance Bond #ARM10460 in the amount of \$149,942.39 be released to Centex Homes, 500 Craig Road, Manalapan, NJ 07726-8790.

BE IT FURTHER RESOLVED That the release of the Maintenance Bonds shall be conditioned upon the posting of adequate escrow funds.

K. **RESOLUTION #10-10-251 - AMENDMENT TO THE DEFERRED COMPENSATION PLAN TO COMPLY WITH TECHNICAL CHANGES REQUIRED BY FEDERAL REGULATIONS**

WHEREAS, The Township of Montgomery (hereinafter referred to as the "Employer") by resolution previously adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, The Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, and the Worker, Retiree and Employer Recovery Act of 2008 amended sections of the Internal Revenue Code (the "Code") and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the "Acts and Regulations");

WHEREAS, The Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

WHEREAS, The Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

WHEREAS, Such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED That the Employer hereby adopts a revised Plan 76-PD-Lincoln-120709.

BE IT FURTHER RESOLVED That The Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED That the Lincoln National Life Insurance Company and Lincoln Financial Group it's agent, will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

(CONSENT AGENDA Item K Cont.)

BE IT FURTHER RESOLVED That there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED That the Finance Director or Business Administrator is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, (12-SA-Lincoln-072595) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED That the Finance Director or Business Administrator is authorized to serve as the "Administrator" of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED By the Employer that the Clerk forward a certified true copy of this resolution to the Finance Director or Business Administrator; and

BE IT FURTHER RESOLVED That a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

L. **RESOLUTION #10-10-252 - AUTHORIZATION TO SIGN SETTLEMENT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION - Township's Stage II Treatment Plant**

BE IT RESOLVED That the Mayor and Clerk are authorized to sign a settlement agreement with the New Jersey Department of Environment Protection, with respect to the Township's Stage II Treatment Plant and a violation of the Water Pollution Control Act, and that settlement is herewith approved.

8-1. Deputy Mayor Dyer moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeeman Fay and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

9. **MAYORAL APPOINTMENT - Environmental Commission**

BE IT RESOLVED That Bhwana Goel be hereby appointed Environmental Commission, Alternate II, replacing Fred Mechini, 2 year term expiring December 31, 2010.

10. **RESOLUTION #10-10-253 - AWARDING CONTRACT FOR USED STEP VAN**

WHEREAS, The Township has a need to procure a used 1986 GMC step van for use in the Township Public Works Department; and

WHEREAS, The proposal sheet for the purchase allowed for a trade-in of the Township's 1991 John Deere backhoe; and

WHEREAS, After proper notice and advertising, one bid was received from Robert C. Hamilton, 19 Mill Lot Road, Middlesex, N.J. 11953, who offered an even exchange for the two vehicles; and

WHEREAS, The Director of Public Works has inspected the step van and has determined that the vehicles are of equal value, i.e., \$9800.00, and has recommended that the Township accept the offer; and

WHEREAS, The Qualified Purchasing Agent has reviewed and approved the transaction; and

WHEREAS, The Chief Financial Officer has certified that no funds are necessary in order to award the contract and perform the exchange:

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

1. The Township Administrator is hereby authorized to enter into a contract with Robert C. Hamilton, 19 Mill Lot Road, Middlesex, N.J. 11953 for an even exchange of the of the two vehicles, the Township to receive the step van, and Mr. Hamilton to receive the John Deere backhoe, for a net bid price of \$0.00.
2. This Resolution and the contract shall be placed on file in the office of the Township Clerk.

10-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

11. RESOLUTION #10-10-254 - AWARD OF BID - 2009 Model Year Dump Truck with Spreader

WHEREAS, The following bids for one (1) 2009 Model Year Dump Truck with Spreader were received and publicly opened on October 5, 2010:

<u>BIDDER</u>	<u>AMOUNT</u>
Trius, Inc.	\$124,999.00*
Ransome International, LLC	\$125,050.00

WHEREAS, It is the recommendation of the Purchasing Agent and Superintendent of Public Works that Trius, Inc. be awarded the bid; it being the lowest responsible and responsive bidder; and

WHEREAS, There exists an account 04-216-55-901-1361B which will fund this purchase; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the order for one (1) 2009 Model Year Dump Truck with Spreader is hereby awarded to Trius, Inc., 2049 Industrial Road, Farmingdale, NJ 07727 in the amount of \$124,999.00.

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

11-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Fay and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

12. RESOLUTION #10-10-255 - EMPLOYEE EFFICIENCY INCENTIVE PROGRAM AWARDS - Cancellation of Unused Phone Lines

WHEREAS, The Montgomery Township Committee has established an "Employee Efficiency Incentive Program" the purpose of which is to enhance municipal services, save taxpayer money, enhance municipal employee morale, and to secure for the Township and its taxpayers the maximum benefit from the conservation of Township resources; and

WHEREAS, The program recognizes that the employees of the Township represent an unlimited source of ideas for better ways to serve the public; and

WHEREAS, Monetary awards are intended to offer a significant Efficiency Incentive for employees to become involved in the creative process and to amplify the capabilities of management; and

WHEREAS, Employees whose suggestions result in actual dollar savings or costs avoidance of at least \$1,000 shall receive 20%, and the department head shall receive 10% of the actual dollar savings for that year providing that no award shall exceed \$10,000.00 or one-third of the award recipient's annual base salary; and

WHEREAS, Jeff Goldberg identified 38 unused phone lines and arranged for them to be disconnected; and

WHEREAS, The Employee Efficiency Incentive Committee reviewed Jeff's suggestion and assessed the savings associated with the elimination of the 38 phone lines; and

WHEREAS, The elimination of this service will save the Township \$9,438.00 per year.

NOW, THEREFORE, BE IT RESOLVED That because of Mr. Goldberg's assessment of the savings associated with the elimination of the 38 phone lines, the Montgomery Township Committee authorizes monetary awards of \$1,888.00 to Jeff Goldberg for his suggestion and \$944.00 to Bill Pauwels as Department Head.

12-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

13. RESOLUTION #10-10-256 - EMPLOYEE EFFICIENCY INCENTIVE PROGRAM AWARDS - Change in Web Host

WHEREAS, The Montgomery Township Committee has established an "Employee Efficiency Incentive Program" the purpose of which is to enhance municipal services, save taxpayer money, enhance municipal employee morale, and to secure for the Township and its taxpayers the maximum benefit from the conservation of Township resources; and

WHEREAS, The program recognizes that the employees of the Township represent an unlimited source of ideas for better ways to serve the public; and

WHEREAS, Monetary awards are intended to offer a significant Efficiency Incentive for employees to become involved in the creative process and to amplify the capabilities of management; and

WHEREAS, Employees whose suggestions result in actual dollar savings or costs avoidance of at least \$1,000 shall receive 20%, and the department head shall receive 10% of the actual dollar savings for that year providing that no award shall exceed \$10,000.00 or one-third of the award recipient's annual base salary; and

(Item #13 Cont.)

WHEREAS, Tammy Garaffa suggested a change in web hosting services; and

WHEREAS, The Employee Efficiency Incentive Committee reviewed Tammy's suggestion and assessed the savings associated with the change in web hosting service; and

WHEREAS, The change of this service will save the Township \$1,700.00 per year.

NOW, THEREFORE, BE IT RESOLVED That because of Ms. Garaffa's assessment of the savings associated with the change in web hosting service, the Montgomery Township Committee authorizes monetary awards of \$340.00 to Tammy Garaffa for her suggestion and \$170.00 to Donna Kukla as Department Head.

13-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

14. **RESOLUTION #10-10-257 - AUTHORIZATION TO SIGN SETTLEMENT AGREEMENT - Providence Corporation (DuFour)**

BE IT RESOLVED That the Mayor and Clerk are authorized to sign a settlement agreement, with respect to litigation entitled Township of Montgomery v. Providence Corporation, et al., bearing docket number SOM-L-1972-06 pending in Superior Court, Somerset County, Law Division, and that settlement is herewith approved.

14-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

15. **RESOLUTION #10-10-258 - REVIEW OF ANNUAL AUDIT REPORT OF 2009**

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 2009 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

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."

(Item #15 Cont.)

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.

15-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

16. **RESOLUTION #10-10-259 - AUTHORIZING THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY OF CERTAIN AGREEMENTS AND CERTAIN OTHER ACTIONS TO BE TAKEN ALL IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S COUNTY OF SOMERSET GUARANTEED RENEWABLE ENERGY PROGRAM LEASE REVENUE BONDS, SERIES 2010 [FEDERALLY TAXABLE]**

WHEREAS, The Somerset County Improvement Authority (including any successors and assigns, the "Authority") has been duly created by resolution duly adopted by the Board of Chosen Freeholders (the "Board of Freeholders") of the County of Somerset (the "County") in the State of New Jersey (the "State") as a public body corporate and politic of the State pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the "Act"), and other applicable law;

WHEREAS, The Authority is implementing a program (the "Renewable Energy Program") for the financing, design, permitting, acquisition, construction, installation, operation and maintenance of renewable energy capital equipment and facilities, including solar panels and any related electrical modifications, work related to the maintenance of roof warranties, or other work required, desirable or convenient for the installation of such systems (collectively, the renewable energy capital equipment and facilities, the "Renewable Energy Projects") for and on behalf of the County and its affiliates, and the local governmental units within the County, including without limitation municipalities, boards of education for school districts, local authorities and any other local government instrumentalities, public bodies or other local government entities (collectively, including the County, the "Local Units");

WHEREAS, The Renewable Energy Projects procured under the Renewable Energy Program are to be installed on, in, affixed or adjacent to and/or for any other Local Unit controlled buildings, other structures, lands or other properties of the Local Units (collectively, the "Local Unit Facilities");

WHEREAS, It may be necessary, desirable or convenient, in connection with the financing, design, permitting, acquisition, construction, installation, operation and maintenance of the Renewable Energy Projects, to finance, design, permit, acquire, construct, renovate and install certain capital improvements to the Local Unit Facilities, including without limitation, improvements to or replacement of, roofing systems, if any (the "Capital Improvement Projects" and together with the Renewable Energy Projects and any Completion Project as defined in the hereinafter defined Bond Resolution, the "Projects"), and to the extent no Capital Improvement Projects are so financed, references herein shall have no meaning;

WHEREAS, The primary goal of the Renewable Energy Program is to expand the use of renewable energy sources available and utilized by the Local Units for their Local Unit Facilities, with the attendant environmental and financial benefits associated thereby, and to reduce the energy related operating costs to the Local Units for their Local Unit Facilities, all intended to be offered at no scheduled net cost to the Local Units;

WHEREAS, In order to implement the initial tranche of the Renewable Energy Program, the Authority has determined to finance the respective Renewable Energy Projects (there being no Capital Improvement Projects for this tranche) on the respective Local Unit Facilities for each of the following participating Local Units:

- (i) Borough of Bound Brook, Township of Bridgewater, Township of Franklin, Borough of Manville, Borough of Somerville, Township of Montgomery (collectively, the "Municipal Series 2010 Local Units"); and
- (ii) Board of Education of the Township of Branchburg, Bridgewater-Raritan Regional Board of Education, Franklin Township Board of Education, Board of Education of Green Brook Township, Manville Board of Education, Montgomery Township Board of Education, Somerville Board of Education (collectively, the "Board of Education Series 2010 Local Units"); and
- (iii) County and Raritan Valley Community College (collectively, the "County Series 2010 Local Units");

(including the hereinafter defined Participant, each a "Series 2010 Local Unit", and collectively, the "Series 2010 Local Units"), through the issuance by the Authority of one or more series of its notes or bonds entitled "County of Somerset Guaranteed Renewable Energy Program Lease Revenue [Notes] Bonds, Series 2010 (Federally Taxable)" dated their date of delivery, Outstanding (in the aggregate at any one time under and as defined in the Bond Resolution) in principal amount (including sinking fund installments, if any) not to exceed \$55,000,000 (the "Series 2010 Bonds");

(Item #16 Cont.)

WHEREAS, Pursuant to N.J.S.A. 40:37A-77 of the Act, N.J.S.A. 40A:65-4 of the Uniform Shared Services and Consolidation Act (as amended and supplemented from time to time, the "Shared Services Act") and other applicable law, upon or prior to the issuance of the Series 2010 Bonds, the Authority shall have entered into a "License and Access Agreement (Somerset County Renewable Energy Program, Series 2010)" to be dated as of the first day of the month of issuance of the first series of Series 2010 Bonds (as the same may be amended or supplemented from time to time in accordance with its terms, each agreement shall constitute a "Local Unit License Agreement", and collectively, the "Local Unit License Agreements") with each Series 2010 Local Unit, including the Participant, that would, among other things, provide the Authority and/or its assignees the right and obligation to (i) access the Local Unit Facilities of each such Series 2010 Local Unit, most particularly their roofs and electrical systems (the "Local Unit License"), (ii) finance, design, permit, acquire, construct, install, operate and maintain the Renewable Energy Projects for a term of fifteen (15) years on, in, affixed or adjacent to, or for the benefit of such Local Unit Facilities, (iii) receive the right to the renewable energy produced from the Renewable Energy Projects financed by the Series 2010 Bonds, and (iv) sell all or a portion of the renewable energy produced from such Renewable Energy Projects through the Authority to the respective Series 2010 Local Units, pursuant to an assignment (under each Local Unit License Agreement) from the Authority to the Series 2010 Local Units of the Power Purchase Agreement (as hereinafter defined), the terms of which Power Purchase Agreement could be entered into directly by the Series 2010 Local Units under N.J.S.A. 40A:11-15(45) of the Local Public Contracts Law (for the municipality/County Series 2010 Local Unit) and under N.J.S.A. 18A:18A-42(o) of the Public Schools Contracts Law (for the board of education Series 2010 Local Units);

WHEREAS, Pursuant to (i) N.J.S.A. 40A:11-4.1(k) of the Local Public Contracts Law, (ii) Local Finance Board Notice 2008-20, December 3, 2008, *Contracting for Renewable Energy Services*, (iii) the Board of Public Utilities ("BPU") protocol for measuring energy savings in PPA agreements dated February 20, 2009 (*Public Entity Energy Efficiency and Renewable Energy Cost Savings Guidelines*), (iv) Local Finance Board Notice 2009-10 dated June 12, 2009, *Contracting for Renewable Energy Services: Update on Power Purchase Agreements*, (v) all other applicable law, and (vi) pursuant to a competitive contracting process governed thereby, the Authority selected a successful respondent solar developer (the "Company") to implement the Renewable Energy Projects for the Series 2010 Local Units, including the Participant, at the Local Unit Facilities; and

WHEREAS, Upon or prior to the issuance of the Series 2010A Bonds, the Authority and the Company shall enter into that certain "Power Purchase Agreement (Somerset County Renewable Energy Program, Series 2010)" to be dated as of the first day of the month of issuance of the initial series of Series 2010 Bonds (as the same may be amended or supplemented from time to time in accordance with its terms, the "Power Purchase Agreement"), which Power Purchase Agreement shall, among other things, obligate the Company to develop the Renewable Energy Projects for the Series 2010 Local Units, including the Participant, on their Local Unit Facilities, and combined with the Local Unit License Agreement, provide for the sale of the electricity produced by the Renewable Energy through the Authority to the Series 2010 Local Units, including the Participant, Projects at a fixed price, plus fixed escalation, set forth in the Power Purchase Agreement (the "PPA Price"), all as authorized pursuant to N.J.S.A. 40:37A-77 and -78 of the Act, N.J.S.A. 40A:65-4 of the Shared Services Act, N.J.S.A. 40A:11-15(45) of the Local Public Contracts Law and N.J.S.A. 18A:18A-42(o) of the Public Schools Contracts Law, and the guidelines applicable to such contracts promulgated by the State Board of Public Utilities.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery (the "Participant"), in the County of Somerset, New Jersey, as follows:

Section 1. The Participant's Renewable Energy Projects and the financing of the Participant's Renewable Energy Projects through the Local Unit License Agreement, the Power Purchase Agreement, the resolutions and agreements in connection with the Series 2010 Bonds, and the other Renewable Energy Program documents, is hereby approved.

Section 2. The Mayor, the Clerk, and the Chief Financial Officer (collectively, the "Authorized Officer") are hereby each severally authorized and directed to execute or acknowledge, as the case may be, and deliver (i) the Local Unit License Agreement for the Participant and the Power Purchase Agreement to be acknowledged by the Participant, both in substantially the forms attached hereto as Exhibit A, with such changes thereto as the Authorized Officer deems in their sole discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence the Authorized Officer's approval of any changes to the forms. The Authorized Officer is hereby further authorized and directed to execute such other closing certificates (the "Closing Certificate") deemed necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence the Authorized Officer's approval of the provisions and form of such Closing Certificate, which shall include without limitation, (x) the PPA Price, including escalation, (y) affirming that the PPA Price is less than the exiting tariff paid by the Participant for electricity, and (z) that Participant has received a copy of the report of the Authority's energy engineering consultant regarding the selection of the Company and the establishment of the PPA Price.

Section 3. The Secretary and any Assistant Secretary of the Participant are each hereby severally authorized and directed, upon the execution or acknowledgment of the documents set forth in Section 2 hereof: to attest to the Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed, when required by the Authority, to thereupon affix the seal of the Participant to such documents.

(Item #16 Cont.)

Section 4. Upon the execution or acknowledgment and attestation of and if required, the placing of the seal on the documents set forth in Section 2 hereof as contemplated by Sections 2 and 3 hereof the Authorized Officer is hereby authorized and directed to (i) deliver such fully executed or acknowledged, attested and sealed Local Unit License Agreement of the Participant to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The governing body of the Participant hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or Closing Certificates, including without limitation any solar renewable energy certificate auction or other applications or documents, which the Authorized Officer deems necessary, desirable or convenient in connection with this contemplated transaction, and the governing body of the Participant hereby directs the Authorized Officer. to execute or acknowledge, attest and affix (or cause the attestation or affixation of) the seal to any such documents, instruments or Closing Certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons.

Section 6. This resolution shall take effect immediately.

Section 7. Upon the adoption hereof, the Participant shall forward certified copies of this resolution to Richard E. Williams, Chairperson of the Authority, and Stephen B. Pearlman, Esq., Inglesino, Pearlman, Wyciskala & Taylor, LLC, Bond Counsel to the Authority.

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

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

17. **ORDINANCE #10-1369 - Administration-Copying Fees - Introduction**

A. Mayor Caliguire read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY CONCERNING COPYING FEES FOR GOVERNMENT RECORDS AND AMENDING CHAPTER II OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984).

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 October 21, 2010 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

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

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

18. **ORDINANCE #10-1371 - Opatut Land Locked Tract Acquisition - Introduction**

A. Mayor Caliguire read the title of the ordinance as follows:

ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LOT 36 IN BLOCK 34001, "OPATUT LAND LOCKED TRACT," IN THE TOWNSHIP OF MONTGOMERY.

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 October 21, 2010 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

18-1. Committeewoman Wilson moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

19. ORDINANCE #10-1372 - Smoking on Township Property - Introduction

A. Mayor Caliguire read the title of the ordinance as follows:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY (1984) TO ESTABLISH A NEW SECTION, 3-18 "SMOKING PROHIBITED ON TOWNSHIP PROPERTY."

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 October 21, 2010 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

19-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

20. PAYMENT OF BILLS

WHEREAS, The Township Committee of the Township of Montgomery has received bills to be paid as listed; and

WHEREAS, The Chief Finance 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.

20-1. Committeeman Fay moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Dyer and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

21. HAMPTON COURT UPDATE

Attorney Hadinger reported there was no progress, to the best of her knowledge, on the Hampton Court property. She stated that the hold up was with CitiMortgage.

Committeewoman Wilson asked if Attorney Hadinger thought that CitiMortgage would respond quicker to Congressman Lance. Attorney Hadinger answered that they might and she would help by getting some contact names. Mayor Caliguire said that he would contact Congressman Lance to ask if he would be willing to contact CitiMortgage about this issue.

22. VAN HORNE PARK BRUSH FIRE

Administrator Nieman reported that there had been a brush fire at Van Horne Park. Approximately 7 acres were effected. There was no damage to any structures.

23. ROCKY HILL MEETING

Administrator Nieman reported on a meeting he and the Mayor had with Rocky Hill to discuss the Sewer Agreement.

24. HEALTH INSURANCE

Administrator Nieman reported on the new Health Insurance plan change that was planned. The representatives from the proposed new Health Insurance company would be attending the October 21 Township Committee meeting to present their plans. He stated that there was a potential savings to the Township of well over \$100,000.00 with this change

25. **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 subjects to be discussed in this session is as follows:
 - Advice of counsel with respect to the Rossmassler Preservation Project request (Block 33001 Lots 24 & 32);
 - Advice of counsel with respect to negotiation of terms and conditions of sale of Skillman Village to Somerset County;
 - Advice of counsel with respect to COAH litigation and substantive certification.

It is unknown precisely when, if ever, the matters will be disclosed to the public. No agreement shall be approved except by action of the Township Committee in open session. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation. It is possible that at the conclusion of the closed session, the Township Committee will reconvene in open session for the purpose of taking action.

25-1. Committeeman Fay moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Wilson and carried unanimously.

26. Meeting reconvened in Open Session.

27. **RESOLUTION #10-10-260 - AUTHORIZING EXECUTION OF 1031 EXCHANGE NOTICE TO BUYER IN CONNECTION WITH THE TOWNSHIP'S PURCHASE OF DEVELOPMENT RIGHTS IN LOTS 24 AND 32 IN BLOCK 33001, "ROSSMASSLER TRACT," ON MOUNTAIN VIEW ROAD IN THE TOWNSHIP OF MONTGOMERY**

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

1. The Township Committee approved a certain contract entitled "Contract for Sale of Development Easement" between Peter R. Rossmassler and Frances Scott Rossmassler, husband and wife, and Jacob F. Brown, II, and Peter R. Rossmassler, Trustees under the Will of Eleanor R. Rossmassler, collectively the "Seller," and the Township of Montgomery in Somerset County, New Jersey, a municipal corporation of the State of New Jersey, the "Buyer."
2. Pursuant to Ordinance No. 10-1345 entitled, "Ordinance of the Township of Montgomery in Somerset County, New Jersey, Providing for the Acquisition of Interests in Lots 24 and 32 in Block 33001, "Rossmassler Tract," on Mountain View Road in the Township of Montgomery" the Mayor and Clerk were authorized by Township Committee Resolution #10-8-210 to execute the aforementioned Contract to purchase a Development Easement on the aforesaid Rossmassler Tract for the purchase price of Twenty-Five Thousand Five Hundred (\$25,500.00) Dollars per acre for approximately 53.346 acres. Said Resolution authorized the Mayor, Clerk, Administrator, Chief Financial Officer and Township Attorney to attend closing on said acquisition, prepare and execute documents as may be reasonably required to effectuate closing in the normal course, and deliver payment therefor.
3. The Seller intends to complete a Section 1031 Exchange, and the Township consents to the Seller assigning its rights under the Contract to Exeter 1031 Exchange Services, LLC ("Exeter"). The Mayor, Clerk, Administrator, Chief Financial Officer and Township Attorney are hereby authorized to execute the "Notice to Buyer" section of the "Assignment, Acceptance, Notice and Direction to Convey" prepared by Exeter, indicating that the Township has been notified that Seller is assigning its rights under the Contract to Exeter. The Chief Financial Officer is hereby authorized to make the settlement check at closing payable to "Exeter 1031 Exchange Services, LLC." as the Seller's 1031 Exchange Qualified Intermediary. Any legal fees or other costs incurred by the Township as a result of Seller's 1031 transaction shall be paid by the Seller at closing. After execution of the "Notice to Buyer" at closing, the Township shall have no other responsibilities pre-closing, at closing or post-closing with regard to the Seller's 1031 Exchange.

27-1. Deputy Mayor Dyer moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Fay and carried on the following:

ROLL CALL - Ayes - Dyer, Wilson, Fay, Caliguire
Nays - None
Absent - Carter

ADJOURNMENT was at 8:47 p.m. on a motion by Deputy Mayor Dyer. The motion was seconded by Committeeman Fay and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk