

**MONTGOMERY TOWNSHIP COMMITTEE
REGULAR MEETING
THURSDAY, AUGUST 17, 2023
7:00 P.M.**

1. **MEETING CALLED TO ORDER**

2. **ROLL CALL** – Keenan (), Singh (), Barragan (), Todd (), Ahn ()

ALSO PRESENT – Rubinstein Quiroga (), Savron (), Fania ()

3. **NOTICE OF MEETING** – In compliance with the Open Public Meetings Act, adequate notice of this meeting was provided on January 5, 2023, to the Courier News and the Star Ledger, posted on the municipal bulletin board, and filed with the Township Clerk.

4. **SALUTE TO THE FLAG**

5. **RECOGNIZING THE MILITARY ORDER OF THE PURPLE HEART**

6. **PUBLIC COMMENT** – Members of the public wishing to address the Township Committee on matters pertaining to the Township will be limited to five minutes per person. If comments are similar to those already stated, please indicate your support or opposition. Groups are asked to select a spokesperson.

7. **ORDINANCES – INTRODUCTION AND FIRST READING**

There are no ordinances for introduction.

8. **ORDINANCES – PUBLIC HEARING/FINAL ADOPTION**

A. **ORDINANCE #23-1704 -** **An Ordinance Creating a New Section 7.3-8 “Public Parking Spaces for Electric Vehicles,” of the Township of Montgomery Code**

MOTION to CLOSE the Public Hearing _____ Second _____

BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 17th day of August, 2023 and that the ordinance summary be published in an official newspaper as required by law.

MOTION to adopt Ordinance #23-1704 _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh, Deputy Mayor				
Keenan, Mayor				

9. **CONSENT AGENDA** – All matters listed on the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

A. **RESOLUTION #23-8-221 – Refund Overpaid 2023 Taxes – Block 4067, Lot 2**

BE IT RESOLVED that a refund in the amount of \$6,832.13 be given to Lucas and Krystyn Kitto, 35 Johnson Drive, Belle Mead, NJ 08502 for the overpayment of 2023 taxes on Block 4067, Lot 2. Property is owned by 100% disabled veteran and is therefore exempt.

B. **RESOLUTION #23-8-222 – Redemption of Tax Sale Certificate #22-000049**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #22-000049 in the amount of \$73,712.60.

BE IT RESOLVED that a refund in the amount of \$73,712.60 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN, 38119 for the Redemption of Tax Sale Certificate #22-000049 on Block 37003 Lot 1.007.

Tax Lien Redemption

Certificate Amount	\$ 5,184.69
Subsequent Charges	\$ 15,056.24
Redemption Penalty	\$ 207.39
Interest	\$ 699.28
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 52,500.00
 TOTAL	 \$73,512.60

C. **RESOLUTION #23-8-223 - Redemption of Tax Sale Certificate #21-00005**

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #21-00005 in the amount of \$90,987.83.

BE IT RESOLVED that a refund in the amount of \$90,987.83 be given to Ram Tax Lien Fund, LP, 4450 Cedar Glen Court, Moorpark, CA for the redemption of Tax Sale Certificate #21-00005 on Block 7013 Lot 8.

Tax Lien Redemption

Certificate Amount	\$ 1,726.40
Redemption Penalty	\$ 34.53
Subsequent Charges	\$ 2,254.19
Interest	\$ 507.71
Recording Fees	\$ 53.00
Other Fees	\$ 12.00
PREMIUM	\$ 86,400.00
 TOTAL	 \$ 90,987.83

D. **RESOLUTION #23-8-224 – Refund Overpaid 2023 Taxes – Block 31003, Lot 5**

BE IT RESOLVED that a refund in the amount of \$2,614.22 be given to Ellen Crayton & Raynelle Mensah, 131 Rolling Hill Road, Skillman, NJ 08558 for the overpayment of 2023 taxes on Block 31003, Lot 5. Overpayment is due to Tax Appeal #13-2300003A.

E. **RESOLUTION #23-8-225 – Authorizing Temporary Road Closing – Block Party – Knickerbocker Drive**

BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey, that authorization is hereby given for the temporary closing of the Cul-de-sac of Kilpatrick Lane to accommodate a neighborhood block party scheduled for September 9, 2023 from approximately 4:00 p.m. to 9:00 p.m. (rain date – September 16, 2023). The Montgomery Township Police have no objection to the road closing provided that:

- The roadway must be made accessible to emergency vehicles.
 - The roadway must be made accessible to traffic originating and terminating on the closed section.
 - Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.
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F. **RESOLUTION #23-8-226 – Amending Resolution #23-8-215 Award of Bid for Chemicals for Wastewater Treatment to Correct Award Amounts**

BE IT RESOLVED that Resolution #23-8-215 authorizing the award of bid for chemicals for wastewater treatment to Miracle Chemical Company be amended to reflect the following award amounts:

Sodium Bisulfite	\$29,850
Sodium Hypochlorite (bulk)	\$44,620

G. **RESOLUTION #23-8-227 - Authorizing Release of Maintenance Guarantee #S-295916M – Estates at Montgomery**

WHEREAS, by Resolution #23-8-218 adopted August 3, 2023, the Township Committee authorized retention, transfer and use of escrow funds for the Estates at Montgomery Development as the Developer failed to complete certain maintenance guarantee obligations; and

WHEREAS, the Phase I Maintenance Guarantee has expired and no longer serves its intended purposes; and

WHEREAS, Mark Herrmann, Township Engineer, recommends that the Township Committee consider the release of the posted Maintenance Guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that Maintenance Guarantee #S-295916M in the amount of \$125,546.31 be released to Estates at Montgomery Development.

H. **RESOLUTION #23-8-228 - Authorizing Release of Maintenance Guarantee #S-299478M – Estates at Montgomery**

WHEREAS, by Resolution #23-8-218 adopted August 3, 2023, the Township Committee authorized retention, transfer and use of escrow funds for the Estates at Montgomery Development as the Developer failed to complete certain maintenance obligations; and

WHEREAS, the Phase II Maintenance Guarantee has expired and no longer serves its intended purposes; and

WHEREAS, Mark Herrmann, Township Engineer, recommends that the Township Committee consider the release of the posted Maintenance Guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that Maintenance Guarantee #S-299478M in the amount of \$90,730.89 be released to Estates at Montgomery Development.

I. **RESOLUTION #23-8-229– Authorizing Maintenance Guarantee Extensions for the Completion of Improvements – Various Projects**

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

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

<u>Development</u>		<u>New Completion Date</u>
Country Club Meadows Phase 1	Wet Ponds	8/11/2024
Country Club Meadows Phase 1	Single Family Homes Landscaping	8/11/2024
Country Club Meadows Phase 1	Single Family Homes	8/11/2024
Country Club Meadows Phase 2	Single Family Homes	8/11/2024
Country Club Meadows Phase 3	Single Family Homes	8/11/2024
Country Club Meadows Phase 4	Single Family Homes	8/11/2024

MOTION to adopt Consent Agenda, **Resolutions #23-8-221 through #23-8-229** _____ Second _____

10. RESOLUTIONS

A. RESOLUTION #23-8-230 – Authorizing Adoption of Amendments to the Montgomery Township Personnel Policies and Procedures Manual

WHEREAS, the Township of Montgomery has heretofore adopted a Personnel Policies and Procedures Manual adopted and approved by the Township Committee of the Township of Montgomery; and

WHEREAS, the Township Committee have determined that certain revisions to the Township's Personnel Policies and Procedures shall be incorporated into the Personnel Policies and Procedures Manual, attached hereto; and

WHEREAS, it is the intent of this Resolution to approve and adopt the amended Personnel Policies and Procedures Manual.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Montgomery, County of Somerset, State of New Jersey, that the Personnel Policies and Procedures Manual, annexed hereto, is hereby adopted effective immediately; and

BE IT FURTHER RESOLVED that these Personnel Policies and Procedures shall apply to all Township officials, appointees, employees, volunteers, and independent contractors, and in the event of a conflict between these rules and any Collective Bargaining Agreement, or Federal or State law, the terms and conditions of that Agreement or law shall prevail. In all other cases, these Policies and Procedures shall prevail; and

BE IT FURTHER RESOLVED that the aforesaid Personnel Policies and Procedures Manual are intended to provide guidelines governing public service by Township employees and is not a Contract. The provisions of this Manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee; and

BE IT FURTHER RESOLVED that, to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "Employment at Will"; and

BE IT FURTHER RESOLVED that all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator shall supervise and manage such personnel in the implementation of the Policies and Procedures in this Manual.

MOTION to adopt Resolution #23-8-230 _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh, Deputy Mayor				
Keenan, Mayor				

B. RESOLUTION #23-8-231– Authorizing Award of Bid – Collection and Disposal of Solid Waste

WHEREAS, the following bids for Collection & Disposal of Solid Waste, Bid #03-2023, were received and publicly opened on August 10, 2023:

BIDDERS:

1. Republic Services - 9 Frontage Road, Clinton NJ 08009

WHEREAS, it is the recommendation of the Purchasing Agent, that Republic Services be awarded the bid; they being the lowest responsible bidder; and

WHEREAS, there exists the following accounts 01-201-32-465-269 and 07-201-55-544-295 which will fund these goods; 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 contract for the Collection and Disposal of Solid Waste is hereby awarded to: Republic Services - 9 Frontage Road, Clinton NJ 08009 as follows:

Year 1: \$90,337.62

Year 2: \$90,337.62

Year 3: \$90,337.62

Total: \$271,012.86

BE IT FURTHER RESOLVED that the Township Administrator and Purchasing Agent are authorized to sign said contracts.

MOTION to adopt Resolution #23-8-231 _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh, Deputy Mayor				
Keenan, Mayor				

11. **APPROVAL OF MINUTES**

MOTION to approve the Regular Meeting Minutes of July 20, 2023 ____ Second ____ Favor ____
____ Opposed ____ Abstain

MOTION to approve the Regular Meeting Minutes of August 3, 2023 ____ Second ____ Favor ____
____ Opposed ____ Abstain

MOTION to approve the Executive Session Meeting Minutes of August 3, 2023 as to form only ____ Second
____ Favor ____ Opposed ____ Abstain ____

12. **RESOLUTION #23-8-232 - PAYMENT OF BILLS – Posted**

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

WHEREAS, the Chief Financial Officer and the Township Administrator have reviewed these bills and have
certified that these bills represent goods and/or services received by the Township, that these are authorized and
budgeted expenditures and that sufficient funds are available to pay these bills.

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

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries
are made; and
3. That the proper Township Officials are authorized to sign the checks.

MOTION to adopt Resolution #23-8-232 _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh, Deputy Mayor				
Keenan, Mayor				

13. **CORRESPONDENCE**

- a. OEM Coordinator Appointment of Patrol Officer, Thomas Connell, as Deputy Coordinator for the Office of
Emergency Management

MOTION to adopt Resolution #23-8-233 _____ Second _____

ROLL CALL VOTE:

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh, Deputy Mayor				
Keenan, Mayor				

MOTION to close Executive Session and open Regular Session ____ Second ____ Favor ____ Opposed ____

19. **ADJOURNMENT**

MOTION to adjourn ____ Second ____ Favor ____ Opposed ____