

**TOWNSHIP OF MONTGOMERY  
TOWNSHIP COMMITTEE**

**REGULAR MEETING MINUTES  
OCTOBER 19, 2023  
7:00 P.M.**

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

**ROLL CALL:** The following were present: Mayor, Devra Keenan; Deputy Mayor, Neena Singh (arrived at 7:02 p.m.); Committee Member, Dennis Ahn; Committee Member, Vincent Barragan; Committee Member, Patricia Taylor Todd, Esq.

**ABSENT:** None

Also present were: Township Administrator, Lori Savron; Township Attorney, Wendy Rubinstein Quiroga; Township Clerk, Lisa Fania

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**MEETING NOTICE:** Mayor Keenan noted that adequate notice of the meeting was provided to the Courier News and Start Ledger, posted on the municipal bulletin board and filed with the Township Clerk as required by law on January 5, 2023.

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

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**PROCLAMATION – RECOGNIZING MONTGOMERY TOWNSHIP EMPLOYEES FOR YEARS OF DEDICATION AND SERVICE** – Mayor Keenan read the proclamation into the record.

**WHEREAS,** the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

**WHEREAS,** the following employees have achieved the following service milestones with the Township of Montgomery:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Years of Service</u>
Claire Higgins	Finance	Assistant CFO	38
Roy Mondi	Code & Fire	Construction Official/Fire Marshall	38
Sue Weidenfeller	Finance	Senior Purchasing Aide	36
Chery Chrusz	Planning & Zoning	Assistant Planning Director	36
Keith DeFrancesco	Sewer	Chief Sewer Plant Operator	32
Alicia Herold	Code/Construction	Technical Assistant to the Construction Official	31
Silvio Bet	Police	Director/Captain	30
Chris Bleistine	Police	Officer	25
Gina Rojek	Finance	Senior Finance Aid	25
Michelle Mistretta	Public Works	Administrative Assistant	20
Dan Balinski	Police	Sergeant	20
Tammy Garaffa	IT	Community Information Officer	20
Rob Jensen	Sewer	Sewer Plant Operator II	20
Wilbur Hart	Sewer	Sewer Collections Equipment Operator	20

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Years of Service</u>
Sean Sullivan	Police	Sergeant	20
Laura Pavan	Police	Police Services Aide	10
Leo Wisniewski	Code/Construction	Electrical Subcode Official	10
Joe Ceccato	Police	Officer	10
John Colucci	Police	Officer	10
Tim Dubovick	Police	Officer	10
Matt Boehm	Public Works	Senior Equipment Operator	5
Glenn Stives	Tax Assessor/Finance	Tax Assessor	5
Chris Lalicato	Sewer	Director of Wastewater Operations	5
Olu Ochei	Finance	Senior Financial Analyst	5
Don Moon	Public Works	Senior Equipment Operator	5
John Groeger	Parks & Recreation	Director of Parks & Recreation	5
John Brown	Public Works	Equipment Operator III	5
Thomas Connell, Jr.	Police	Officer	5
Salvatore Intili	Police	Officer	5

;and

**WHEREAS**, these employees have shown dedication and commitment to their positions providing outstanding public service and demonstrating exemplary performance throughout their careers; and

**WHEREAS**, the success of the Township of Montgomery's municipal departments is dependent on the knowledge, professionalism and commitment of its personnel.

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Mayor Devra Keenan, and the Township Committee of the Township of Montgomery, County of Somerset, New Jersey on this nineteenth day of October, two-thousand twenty-three, do hereby recognize all of the aforementioned Township employees for their professionalism, efforts and devotion throughout their many years of service with the Township of Montgomery and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

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## **PUBLIC COMMENT**

The following members of the public spoke during Public Comment:

**Mr. Batliwala**, a resident of the Township, inquired about the possibility of sewer connections for residences in the vicinity of Stacey Drive including the process and cost.

During Public Comment, Administrator Savron advised that there are state regulations regarding sewer service areas and that she will follow up with the Township's Engineering Department for the next steps and will follow up with Mr. Batliwala.

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## **ORDINANCES – INTRODUCTION AND FIRST READING**

There were no ordinances for introduction.

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## **ORDINANCES – PUBLIC HEARING/FINAL ADOPTION**

Mayor Keenan read by title Ordinance #23-1705.

### **AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET, STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE TOWNSHIP IN EMERGENCY ACCESS AND UTILITY EASEMENT RIGHTS LOCATED ON LOTS 46 AND 77, BLOCK 34001**

Mayor Keenan asked for a motion to open the public hearing.  
Motion by Deputy Mayor Singh, seconded by Barragan  
Motion unanimously carried

There was no public comment.

Mayor Keenan asked for a motion to close the public hearing and adopt Ordinance #23-1705 on final consideration, same to be published according to law.

Motion by Deputy Mayor Singh, seconded by Barragan

### **ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

### **ORDINANCE ADOPTED**

Ordinance advertised on October 25, 2023 in the Courier News. Posted on municipal bulletin board as required by law.

## **ORDINANCE #23-1705**

### **AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE TOWNSHIP IN EMERGENCY ACCESS AND UTILITY EASEMENT RIGHTS LOCATED ON LOTS 46 and 77, BLOCK 34001, TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET, STATE OF NEW JERSEY**

An ordinance releasing, extinguishing and vacating the emergency access and utility easement rights located across lots 46 and 77, Block 34001 on the Tax Maps of the Township of Montgomery (the "Property").

**WHEREAS**, the Township of Montgomery ("Township") was granted an easement for municipal purposes including public roadway access, utility access and emergency access across a portion of Block 34001, Lot 46, by deed of easement dated October 6, 1999 and modified on January 29, 2000 ("First Deed"); and

**WHEREAS**, the Township was granted an easement for municipal purposes including utility access and emergency access across a portion of Block 34001, Lot 77, by deed of easement dated October 6, 1999 and modified on January 29, 2000 ("Second Deed"); and

**WHEREAS**, the property owner of Block 34001, Lots 46 and 77 has received approval from the Montgomery Planning Board to develop the Property, together with adjoining lots under the same ownership; and

**WHEREAS**, it has been determined that the development of the Property together with the adjoining lots will obviate the necessity for the easements granted by the First Deed and the Second Deed and new utility and access rights will be deeded to the Township; and

**WHEREAS**, the Township has determined with respect to Deed 1, that the Township has alternate means of emergency access to the property identified on the Tax Map of the Township of Montgomery as Block 34001, Lot 57 by means of U.S. Highway Route 206, a public right-of-way, or otherwise; and

**WHEREAS**, it has been determined by the Township Committee, after due investigation and consideration as follows: (1) that the utility easements described hereinbelow were never constructed and are no longer necessary because the location of the utility lines will be changed as part of the overall development of the Property and the adjoining lots; (2) the emergency access easements are no longer needed as they were never utilized and the Township has alternated means of emergency access to the property identified on the Tax Map of the Township of Montgomery as Block 34001, Lot 57 by means of U.S. Highway Route 206, a public right-of-way, or otherwise; (3) the public roadway access is no longer needed because the roadway was never constructed and a proposed loop road will be constructed to connect Route 518 and 206 instead; and (4) that it is in the best interest of the general public and the Township of Montgomery that any public easements, right and interest in and to the Property shall be vacated, released and extinguished once the new utility easements and roadway dedications are completed.

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

#### **SECTION I**

All public easements, rights and interests to the access and utility easement in Lots 46 and 77, Block 34001, described hereinbelow, are hereby vacated, released and extinguished:

**DESCRIPTION OF  
EASEMENTS  
LOCATED ON LOTS 46 AND 77, BLOCK 34001  
TOWNSHIP OF MONTGOMERY  
SOMERSET COUNTY, NEW JERSEY**

(Tax Lot 77, Block 34001):

**BEGINNING** at a point in the southerly line of Lot 56, Block 34001, said point being at the northwesterly corner of Lot 78, Block 34001 (as shown on the Montgomery Township Tax Records) said point also being measured North 72 degrees 36 minutes 35 seconds West 726.18 feet from concrete monument in the westerly line of New Jersey State Highway Route 206 (66.00 feet wide), said concrete monument also being the southeasterly corner of Lot 79, Block 34001 and running; thence

- (1) Along the westerly line of said Lot 78, Block 34001 South 17 degrees 01 minutes 15 seconds East 719.91 feet to a point in the northerly line of Lot 57, Block 34001; thence
- (2) Along the said northerly line of said Lot 57, Block 34001 South 89 degrees 26 minutes 04 seconds West 1,045.81 feet to a point in the southeasterly corner of said Lot 46, Block 34001; thence
- (3) Along the easterly line of said Lot 46, Block 34001 North 16 degrees 22 minutes 23 seconds East 1,042.47 feet to a point in the southwesterly corner of said Lot 56, Block 34001; thence along the said southerly line of Lot 56, Block 34001 South 72 degrees 36 minutes 35 seconds East 1,008.68 feet to the point and place of **BEGINNING**.

**TOGETHER WITH:**

As to Lot 46.01 (A portion of Lot 46 Block 34001)

BEGINNING at a concrete monument set on the southerly line of Georgetown-Franklin Turnpike (a.k.a Blawenburg - Rocky Hill Road, a.k.a County Route 518-66-foot-wide Right-of-Way), said point being located the following two (2) courses from a concrete monument set at the northerly corner of Lot 46, Block 34001:

- a) Along a curve to the left, having a radius of 3581.62 feet, turning a central angle of 02 degrees - 24 minutes - 20 seconds, an arc length of 150.37 feet, the chord of which bears South 72 degrees - 31 minutes - 25 seconds East, a chord distance of 150.36 feet to an iron bar with cap set, thence;
- b) South 73 degrees - 43 minutes - 35 seconds East, a distance of 230.92 feet to the point of beginning and from said beginning point running, thence;
1. Along the southerly line of the aforementioned Georgetown-Franklin Turnpike, South 73 degrees - 43 minutes - 35 seconds East, a distance of 411.64 feet to a point at the northerly corner of Lot 51 (N/F lands of Gerald L. Cooper - Deed Book 1951, Page 568), Block 34001, thence;
2. Along the westerly line of said Lot 51, Block 34001, South 16 degrees - 16 minutes - 25 seconds West, a distance of 220.00 feet to a point on the northerly corner of Lot 56 (N/F lands of CGEM Group, L.L.C. - Deed Book 5530, Page 3464 – Tract 1), Block 34001, thence;
3. Along the westerly line of said Lot 56, Block 34001, South 16 degrees - 31 minutes - 25 seconds West, a distance of 491.53 feet to a point at the existing northerly corner of Lot 77 (N/F lands of CGEM Group, L.L.C. - Deed Book 5530, Page 3460 - Tract 2), Block 34001, thence; through Lot 46 (N/F lands of John W. Drake - Deed Book 2288, Page 508), Block 34001 the following four (4) courses:
4. South 89 degrees - 26 minutes - 04 seconds West, a distance of 33.21 feet to a point, thence;
5. Along a curve to the left, having a radius of 730.00 feet, turning a central angle of 14 degrees - 05 minutes - 08 seconds, an arc length of 179.46 feet, the chord of which bears North 07 degrees - 38 minutes - 08 seconds West, a chord distance of 179.01 feet to an iron bar with cap set, thence;
6. North 14 degrees - 40 minutes - 42 seconds West, a distance of 593.10 feet to an iron bar with cap set, thence;
7. North 16 degrees – 08 minutes – 36 seconds East, a distance of 48.85 feet to the point and place of BEGINNING.
- 8.

This description is prepared with reference to a map entitled "Minor Subdivision Plat, Madison Marquette, Georgetown-Franklin Turnpike, Lot 46, Block 34001, Township of Montgomery, Somerset County, State of New Jersey", prepared by Control Point Associates, Inc. dated May 31, 2006, last revised June 16, 2006 as revision number 1, about to be filed in the Somerset County Clerk's Office.

**AND ALSO INCLUDING THE FOLLOWING:**

Beginning at a point at the northerly corner of Lot 77 (N/F Lands of CGEM Group, L.L.C. – Deed Book 5530, Page 3460 – Tract 2), Block 34001, said point being the westerly corner of Lot 56 (N/F) Lands of CGEM Group L.L.C. – Deed Book 5530, Page 3464 – Tract 1), Block 34001, said point also being located the following four courses from a concrete monument set at the northerly corner of Lot 46 (N/F Lands of John W. Drake – Deed Book 2288, Page 508), Block 34001:

- A) Along a curve to the left, having a radius of 3581.62 feet, turning a central angle of 02 degrees – 24 minutes – 20 seconds, an arc length of 150.37 feet, the chord of which bears south 72 degrees – 31 minutes – 25 seconds east, a chord distance of 150.36 feet to an iron bar with cap set, thence;
- B) South 73 degrees – 43 minutes – 35 seconds east, a distance of 642.56 feet to a point at the northerly corner of Lot 51, Block 34001, thence;
- C) Along the westerly line of said Lot 51, Block 34001, south 16 degrees – 16 minutes – 25 seconds west, a distance of 220.00 feet to a point at the northerly corner of Lot 56, Block 34001, thence;
- D) Along the westerly line of said Lot 56, Block 34001, south 16 degrees – 31 minutes – 25 seconds west, a distance of 491.53 feet to the point of beginning and from said beginning point running thence;
  - 1. Along the westerly line of Lot 77, Block 34001, south 16 degrees – 31 minutes – 25 second west, a distance of 222.69 feet to an iron bar with cap set, thence; through Lot 46, Block 34001 the following two (2) courses;
  - 2. Along a curve to the left, having a radius of 730.00 feet, turning a central angle of 16 degrees – 57 minutes – 57 seconds, an arc length of 216.62 feet, the chord of which bears north 07 degrees – 53 minutes – 25 seconds east, a chord distance of 215.37 feet to a point, thence;
  - 3. North 89 degrees – 26 minutes – 04 seconds east, a distance of 33.21 feet to a point and place of beginning.

Containing 2,390 square feet or 0.055 acre.

This description is prepared with reference to a map entitled “Minor Subdivision Plat, Madison Marquette, Georgetown-Franklin Turnpike, Lot 46, Block 34001, Township of Montgomery, Somerset County, State of New Jersey”, prepared by Control Point Associates, Inc. dated May 31, 2006, last revised November 8, 2006 as revision number 4, about to be filed in the Somerset County Clerk’s Office.

## **SECTION II**

Specifically reserved and excepted from the vacation which is described in Section I above are all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, for existing overhead lines and underground telephone lines and any other utilities that are in, adjacent to, over or under the street, and by any Cable Television Company, as defined in the “Cable Television Act”, N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof.

## **SECTION III**

The Township Clerk shall, within sixty (60) days after the effective date of this Ordinance, file a copy of the within Ordinance, certified by the Clerk, under the seal of the Township of Montgomery, to be a true copy, together with proof of publication, in the Office of the Register of Deeds of the County of Somerset, all in accordance with N.J.S.A. 40:67-21.

## **SECTION IV**

Any and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

## **SECTION V**

This Ordinance shall take effect upon adoption and publication in accordance with law.

Mayor Keenan read by title Ordinance #23-1706.

**AN ORDINANCE AMENDING FEES OF CHAPTER 8, BUILDING, HOUSING AND FARMING AND CHAPTER 13, FIRE PREVENTION OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET, NEW JERSEY**

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

Motion by Deputy Mayor Singh, seconded by Barragan

Motion unanimously carried

Mayor Keenan asked for a motion to close the public hearing and adopt Ordinance #23-1706 on final consideration, same to be published according to law.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised on October 25, 2023 in the Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #23-1706**

**AN ORDINANCE AMENDING FEES OF CHAPTER 8, BUILDING, HOUSING AND FARMING AND CHAPTER 13, FIRE PREVENTION OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET, NEW JERSEY**

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Montgomery, that Chapter 8, Building, Housing and Farming, Section 8-1.6, Smoke-Sensitive Alarm Devices and Chapter 13, Fire Prevention, Section 13-1.7 Registration Fees and Inspection Requirements for Non-Life Hazard Uses, and Section 13-1.9 Permit Fees of the Code of the Township of Montgomery is hereby amended and supplemented as follows:

**SECTION 1.** § 8-1.6 Smoke-Sensitive Alarm Devices is hereby amended and supplemented by inserting the text **marked in bold** and deleting the text ~~{bolded and stricken through in brackets}~~ to read as follows:  
§ 8-1.6 Smoke-Sensitive Alarm Devices.

c. Before any one- and two-family or attached single-family structure is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC). The application fees for CSACMAPFEC, as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupancy is expected as follows:

1. Requests for CSACMAPFEC received more than 10 business days prior to change of occupancy shall be \$~~[50]~~ **65.00**.
2. Requests for CSACMAPFEC received four to 10 business days prior to the change of occupancy shall be \$ ~~[100]~~ **125.00**.
3. Requests for CSACMAPFEC received fewer than four to 10 business days prior to the change of occupancy shall be \$ ~~[165]~~ **185.00**.
4. The inspection fee shall include an initial inspection and one (1) reinspection (if needed). Any additional reinspection shall be ~~[-An additional \$50.00]-an additional fee of \$65.00~~.

5. A no-show inspection shall be subject to a \$~~[50]~~ 65.00 fee.

(a) A no-show inspection means:

- (1) The owner/agent fails to meet inspector within ten (10) minutes of the appointed time for inspection or reinspection; or
- (2) The owner/agent does not have a key or is unable to give the Fire Official access to the premises for the scheduled inspection; or
- (3) Electrical power to the premises is disconnected and smoke [detectors] alarms to be tested are powered by electrical current from the building wiring system.

d. An owner who sells, leases, rents or otherwise permits to be occupied for residential purposes any premises subject to the provisions of this section when the premises do not comply with the requirements hereof, or without complying with the inspection and certification requirements hereof, shall be subject to a fine of not more than \$~~[500.00]~~ 600.00 [dollars], which shall be collected and enforced by the Bureau of Fire Prevention. No certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance shall be issued until all fees due and penalties assessed under this subsection are paid.

**SECTION 2.** § 13-1.7 Registration Fees and Inspection Requirements for Non-Life Hazard Uses of the Code of the Township of Montgomery is hereby amended and supplemented by inserting the text **marked in bold** and deleting the text ~~[bolded and stricken through in brackets]~~ to read as follows:

§ 13-1.7 Registration Fees and Inspection Requirements for Non-Life Hazard Uses.

In addition to the inspection requirements of the Uniform Fire Code, the following registration fees shall be required in the Township of Montgomery:

a. Industrial and commercial uses not classified as "life hazard uses" by the Uniform Fire Code:

Gross Floor Area (square feet)	Fee
Under 499	\$ <del>[50]</del> 70.00
500 to 999	\$ <del>[75]</del> 100.00
1,000 to 2,999	\$ <del>[100]</del> 125.00
3,000 to 5,999	\$ <del>[125]</del> 150.00
6,000 to 11,999	\$ <del>[200]</del> 225.00
12,000 to 23,999	\$ <del>[300]</del> 325.00
24,000 to 40,000	\$ <del>[400]</del> 450.00
For every additional 1,000 square feet above 40,000	\$ <del>[5]</del> 10.00
Religious uses or places of worship or similar uses	Exempt
Agricultural uses or farm structures or similar uses	\$50 per structure

The payment of the above fees shall be the responsibility of the occupant of the premises.

b. Multiple-family dwellings.

Number of Units	Fee
3 to 5	\$ <del>[50]</del> 65.00
6 to 25	\$ <del>[125]</del> 150.00
25 and above	\$ <del>[400]</del> 500.00

The payment of the fees shall be the responsibility of the owner of the premises.



**SECTION 3.** § 13-1.9 Permit Fees and of the Code of the Township of Montgomery is hereby amended and supplemented by inserting the text **marked in bold** and deleting the text ~~**{bolded and stricken through in brackets}**~~ to read as follows:  
§ 13-1.9 Permit Fees.

The following fees are hereby established for the types of permits described in the New Jersey Uniform Fire Code at N.J.A.C. 5:70.

Type	Fee
Type 1	\$ <del>[65]</del> 85.00
Type 2	\$ <del>[250]</del> 275.00
Type 3	\$ <del>[480]</del> 500.00
Type 4	\$ <del>[700]</del> 800.00
Type 5	Reserved

**SECTION 4. REPEALER**

Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed as to such inconsistencies.

**SECTION 5. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6. EFFECTIVE DATE**

This ordinance shall take effect immediately upon final passage and publication as required by law.

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Mayor Keenan read by title Ordinance #23-1707.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT," OF THE CODE OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 16-5.5K.11(B)(2) PERTAINING TO THE BULK STANDARDS FOR PATIOS AND DECKS FOR THE TOWNHOUSES THAT ARE PART OF THE DEVELOPMENT IN AREA 2 (A-2) OF AN OPTIONAL PLANNED MIXED-USE DEVELOPMENT WITHIN DESIGNATED PORTIONS OF THE "ARH," "HC," AND "REO-3" DISTRICTS**

Mayor Keenan asked for a motion to open the public hearing.  
Motion by Deputy Mayor Singh, seconded by Barragan  
Motion unanimously carried

There was no public comment.

Mayor Keenan asked for a motion to close the public hearing and adopt Ordinance #23-1707 on final consideration, same to be published according to law.  
Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**ORDINANCE ADOPTED**

Ordinance advertised on October 25, 2023 in the Courier News. Posted on municipal bulletin board as required by law.

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**ORDINANCE #23-1707**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 16-6.5 k.11(b)(2) PERTAINING TO THE BULK STANDARDS FOR PATIOS AND DECKS FOR THE TOWNHOUSES THAT ARE PART OF THE DEVELOPMENT IN AREA 2 (A-2) OF AN OPTIONAL PLANNED MIXED-USE DEVELOPMENT WITHIN DESIGNATED PORTIONS OF THE "ARH", "HC" & "REO-3" DISTRICTS**

**WHEREAS**, on October 5, 2017, following a public hearing, the Township adopted Ordinance #17-1557 amending Chapter XVI and specifically, subsection 16-6.5.k of the Code; and

**WHEREAS**, following the adoption of Ordinance #17-1557, it was determined that providing for larger area for patios and decks of the townhouses would allow for more flexible options for patios or decks to be installed without compromising the original design intent and restrictions in the current PMUD zoning and governing documents, but doing so requires minor modifications to certain bulk requirements; and

**WHEREAS**, on June 3, 2021, the Township introduced on first reading Ordinance #21-1662, proposing certain amendments to Chapter XVI "Land Development" of the Code of the Township of Montgomery (1984) (the "Code"), and specifically, Subsection 16-6.5.k .11(b)(2) pertaining to the bulk standards for patios and decks for the townhouses that are part of the development in Area 2 (A-2) of an optional planned mixed use development within designated portions of the "ARH", HC" and "REO-3" districts; and

**WHEREAS**, proposed Ordinance #21-1662 was referred to the Montgomery Township Planning Board (the "Board") for review and comment pursuant to N.J.S.A. 40:55D-26a, and at its review held on June 7, 2021, the Board found that the ordinance was consistent with the Master Plan and recommended that the ordinance be adopted by the Township Committee; and

**WHEREAS**, having received the report from the Board, on June 17, 2021, following a public hearing, the Township adopted Ordinance #21-1662 amending Chapter XVI and specifically, subsection 16-6.5.k .11(b)(2) of the Code; and

**WHEREAS**, the Township now seeks to further amend the provisions regarding bulk requirements for permitted accessory uses of patios and decks for the townhouses including the setbacks.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONTGOMERY**, in the County of Somerset and the State of New Jersey, that Chapter XVI, "Land Development", of the Code of the Township of Montgomery (1984) is hereby amended and supplemented as follows:

**SECTION 1. Subsection 16-6.5 k.11 (b) (2) of Code Amended.** Subsection 16-6.5 k.11 (b) (2) of the Code of the Township of Montgomery (1984) regarding, "Patos & Decks" is amended in its entirety to read as follows (additions to text area indicated by underlining, and deletions from text by ~~striketrough~~):

- (2) Patios and Decks (see subsection 16-6.3 for additional design requirements for townhouses). [Amended 6-17-2021 by Ord. No. 21-1662

(i) Townhouses: End Units

- [a] All patios and decks, excluding steps and landings shall conform to the following requirements:
  - [1] Shall not be higher than the finished floor elevation of the end unit townhouse to which it is accessory.
  - [2] Shall not be located closer than eight (8) feet to the right-of-way of an alley or street that is located to the side of a townhouse building.
  - [3] Shall not be located closer than thirteen (13) feet to the right-of-way of an alley that is located to the rear of a townhouse building.
  - [4] Shall have a planted evergreen buffer with a minimum width of three (3) feet between the patio/deck and an alley or street.
  - [5] Shall have an opaque fence, having a minimum height of five (5) feet and a maximum height of six (6) feet between the patio/deck and an alley or street.
  - [6] Shall not be located closer than eighteen (18) inches to a fence located between a patio/deck and an alley or street, except for stairs or landings leading to a gate in the fence.
  - [7] Shall not encroach in any required sight distances at intersections.
- [b] Patios or decks accessory to end unit townhouses that exceed twenty-four (24) inches from the adjacent existing grade shall not project more than three (3) feet beyond the principal building wall and shall be set back a minimum of twenty-five (25) feet from the rear property line. The portion of the building used as a garage shall not be used in determining compliance with this requirement. The requirements of (2)(i)[a] that are not superseded by these requirements remain applicable.
- [c] The total area of all patios and decks, excluding steps and landings, shall not exceed seven hundred (700) square feet. Stairs and landings connecting the patio or deck to the ground do not count towards this requirement, provided that the treads of the stairs do not exceed a width of twelve (12) inches each. Additionally, the area of a patio or deck that is located within the principal building envelope and is covered by an upper floor or roof is excluded from the total maximum square footage calculation in this section.
- [d] The design of any fence shall be substantially consistent with that which has been installed by the developer as part of the original development approval. However, if the homeowner association replaces the fences that were originally installed, then all fences shall be substantially consistent with said fence design.
- [e] Patio/deck buffers required by this section shall consist of a continuous planting, composed of evergreen plants with a minimum height of five (5) feet at the time of planting and with an anticipated mature height of no less than seven (7) feet.
- [f] All patios or decks, including steps or landings, are subject to the building and lot coverage requirements for the PMUD Zoning District.

(ii) Townhouses: Interior Units.

[a] Patios or decks on interior unit townhouse lots shall comply with the following requirements:

- [1] Shall not be higher than the finished first floor elevation of the interior unit townhouse to which it is accessory.
- [2] Shall not be located closer than thirteen (13) feet to the right-of way of an alley that is located to the rear of a townhouse building.
- [3] Shall have a planted evergreen buffer with a minimum width of three (3) feet between the patio/deck and an alley or street.
- [4] Shall have an opaque fence, having a minimum height of five (5) feet and a maximum height of six (6) feet between the patio/deck and an alley or street.
- [5] Shall not be located closer than eighteen (18) inches to a fence located between a patio/deck and an alley or street, except for stairs or landings leading to a gate in the fence.
- [6] Shall not be located closer than eighteen (18) inches to the exterior wall of the adjacent townhouse dwelling unit.

[b] Patios or decks on an interior unit townhouse unit that exceed twenty-four (24) inches from the adjacent existing grade shall not project more than fifteen (15) feet from the rear wall of the principal building and shall be set back a minimum of eighteen (18) inches from the exterior building wall or fence of an adjacent unit. The portion of the building used as a garage shall not be used in determining compliance with this requirement. The requirements of (2)(ii)[a] that are not superseded by these requirements remain applicable.

[c] Patio/deck buffers required by this section shall consist of a continuous planting, composed of evergreen plants with a minimum height of five (5) feet at the time of planting and with an anticipated mature height of no less than seven (7) feet.

[d] The design of any fence shall be substantially consistent with that which has been installed by the developer as part of the original development approval. However, if the homeowner association replaces the fences that were originally installed, then all fences shall be substantially consistent with said fence design.

[e] The total area of all patios and decks, excluding any stairs or landings, shall not exceed three hundred (300) square feet. Additionally, the area of a patio or deck that is located within the principal building envelope and is covered by an upper floor or roof is excluded from the total maximum square footage calculation in this section.

[f] All patios or decks, including steps or landings, are subject to the building and lot coverage requirements for the PMUD Zoning District.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 3.** This Ordinance shall take effect upon final adoption, publication and the filing of a copy of said Ordinance with the Somerset County Planning Board, all in accordance with the law.

Mayor Keenan read by title Ordinance #23-1708.

**AN ORDINANCE AUTHORIZING AN AGREEMENT FOR POLICE MUTUAL AID WITH THE COUNTY OF SOMERSET AND CERTAIN MUNICIPALITIES**

Mayor Keenan asked for a motion to open the public hearing.  
Motion by Deputy Mayor Singh, seconded by Barragan  
Motion unanimously carried

There was no public comment.

Mayor Keenan asked for a motion to close the public hearing and adopt Ordinance #23-1708 on final consideration, same to be published according to law.  
Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised on October 25, 2023 in the Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #23-1708**

**AN ORDINANCE AUTHORIZING AN AGREEMENT FOR POLICE MUTUAL AID WITH THE COUNTY OF SOMERSET AND CERTAIN MUNICIPALITIES THEREIN**

**WHEREAS**, municipal corporations of the State of New Jersey are authorized, pursuant to N.J.S.A. 40A:14-156, to provide police assistance outside their jurisdictions; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-156.1, governing bodies of two or more municipalities, may by reciprocal ordinances, enter into agreements with each other for mutual police or fire aid in case of emergency; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1 et seq., counties and municipalities may enter into shared services agreements for the provision of any services which they are authorized to provide individually; and

**WHEREAS**, the Borough of Bound Brook, the County of Somerset, the Somerset County Prosecutor's Office, the Somerset County Sheriff's Department, the Township of Bedminster, Township of Bernards, Borough of Bernardsville, Township of Bridgewater, Township of Branchburg, Borough of Far Hills, Township of Franklin, Township of Green Brook, Township of Hillsborough, Borough of Manville, Borough of Millstone, Township of Montgomery, Borough of North Plainfield, Borough of Peapack-Gladstone, Borough of Raritan, Borough of Rocky Hill, Borough of Somerville, Borough of South Bound Brook, Township of Warren, and Borough of Watchung (collectively, "Local Units") desire to enter into a Mutual Aid Agreement pursuant to N.J.S.A. 40A: 14-156.1 to provide supplemental police assistance to each other as may be necessary or required in order to preserve the health, safety, and welfare of the residents of the Township of Montgomery and the other Local Units.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Montgomery, County of Somerset, New Jersey, being the governing body thereof, as follows:

1. A Mutual Aid Agreement between the Township of Montgomery and the other Local Units set forth above for the provision of supplemental police assistance and mutual aid as may be necessary or required to preserve the health, safety and welfare of the residents of the Township of Montgomery and the other Local Units be and is hereby authorized.
2. The Mayor is hereby authorized to execute and the Township Clerk to witness such Mutual Aid Agreement in a form to be approved by the Township Attorney.
3. A copy of such Mutual Aid Agreement shall be kept on file in the Township Clerk's office.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication according to law.

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## **CONSENT AGENDA**

### **Resolutions #23-10-280 through #23-10-282.**

Mayor Keenan asked for a motion to adopt the Consent Agenda, Resolutions #23-10-280 through #23-10-282.  
Motion by Motion by Deputy Mayor Singh, seconded by Barragan

#### **ROLL CALL**

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

### **RESOLUTION #23-10-280**

#### **AUTHORIZING INSERTION OF SPECIAL ITEM OF REVENUE IN THE 2023 MUNICIPAL BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) – EMERGENCY MANAGEMENT AGENCY ASSISTANCE GRANT (EMAA)**

**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; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Montgomery, County of Somerset, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the NJ Department of Public Safety:

EMAA Grant	\$10,000.00
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**BE IT FURTHER RESOLVED** that a like sum, be, and the same, hereby is appropriated under the above appropriation titles for the sole purpose of enhancing and sustaining the Township's all-hazard emergency management capabilities including preventing, responding to, and recovering from acts of terrorism, natural disasters or other catastrophic events; and salaries and wages for the Montgomery Township Office of Emergency Management.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer shall file an electronic Special Item of Revenue Resolution submittal form to the Division of Local Government Services.

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**RESOLUTION #23-10-281**

**AUTHORIZING TEMPORARY USE AGREEMENT – 1060 ROUTE 206**

**WHEREAS**, the Montgomery Arts Council ("MAC"), a subcommittee of the Montgomery Township Economic Development Commission, is hosting its annual "A Return to Art" fine art show event, Friday, October 27 through Sunday, October 29, 2023; and

**WHEREAS**, the event utilizes a venue located at 1060 Route 206 in Montgomery Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that the Township Administrator is authorized to execute a Temporary Use Agreement between Hilton Management, LLC and Montgomery Township for use of 1060 Route 206 for the MAC-sponsored "A Return to Art" fine art show.

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**RESOLUTION #23-10-282**

**AMENDING RESOLUTION #23-6-159 MUNICIPAL ALLIANCE GRANT**

**WHEREAS**, Resolution #23-4-114 authorizing the submission of a municipal alliance grant was adopted by the Township Committee April 20, 2023; and

**WHEREAS**, Resolution #23-6-159, adopted June 15, 2023 amended Resolution #23-4-114 to reflect a corrected "In-kind" amount of \$5,147.75; and

**WHEREAS**, the "In-kind" amount needs to be corrected to the amount of \$5,147.74; and

**WHEREAS**, the total alliance budget listed on Form 1A needs to be corrected to the amount of \$13,727.32.

**NOW, THEREFORE, BE IT RESOVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that the "In-kind" amount is hereby corrected to the amount of \$5,147.74 and the Total Alliance Budget to the amount of \$13,727.32.

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Resolution #23-10-283. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-283.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #23-10-283**

**CLASSIFICATION OF PERMANENT POLICE OFFICER -- ROBERT DAVIS**

**BE IT RESOLVED** that Robert Davis has completed the probationary period and is now classified as a permanent police officer effective October 7, 2023.

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Resolution #23-10-284. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-284.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #23-10-284**

**AUTHORIZING THE ADOPTION OF AMENDMENTS TO THE TOWNSHIP OF MONTGOMERY PERSONNEL POLICIES AND PROCEDURES MANUAL (FAMILY LEAVE)**

**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**, by Resolution #23-8-230, the Township Committee voted to approve and adopt the amended Personnel Policies and Procedures Manual; and

**WHEREAS**, the Township Committee has determined that further revisions to the Township's Personnel Policies and Procedures: "Time Away From Work – Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA)", shall be incorporated into the Personnel Policies and Procedures Manual, attached hereto.

**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: "Time Away From Work – Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA)", annexed hereto, is hereby adopted effective immediately.



**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.

**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.

**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."

**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.

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Resolution #23-10-285. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-285.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #23-10-285**

**AUTHORIZING A SETTLEMENT AND RELEASE AGREEMENT FOR WORK RELATED TO PUMP STATION 2B UPGRADES WITH VILLAGE SHOPPES AT MONTGOMERY, LLC AND CC1377, LLC**

**WHEREAS**, the Village Walk and CC1377 (Somerset at Montgomery Apartments) projects both required upgrades and capacity expansion of the Montgomery Shopping Center Pump Station (Pump Station 2B); and

**WHEREAS**, it was determined that some of the improvements shown on the approved plans for Pump Station 2B upgrades would be more extensive than initially contemplated by the parties, specifically related to rehabilitation of a downstream sewer manhole; and

**WHEREAS**, the Township Engineer and Director of Wastewater Operations have determined that the manhole requires replacement and in lieu of rehabilitation, the developers should contribute to the cost of the manhole replacement.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that the Mayor and Clerk are hereby authorized to execute a Settlement and Release Agreement with Village Shoppes at Montgomery, LLC, and CC1377, LLC, related to manhole rehabilitation associated with the Montgomery Shopping Center pump station upgrades required for the Village Walk and CC1377 (Somerset at Montgomery Apartments) projects, subject to review and approval of the Township Engineer and Township Attorney as to form and content.

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Resolution #23-10-286. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-286.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #23-10-286**

**AUTHORIZING EXECUTION OF DEED, EASEMENT AGREEMENTS AND OTHER DOCUMENTS  
NECESSARY FOR THE TRANSFER OF TITLE AND CLOSING OF  
BLOCK 23001, LOT 13.03 (1860 HOUSE) TO 124 CLUB, INC.**

**WHEREAS**, the Township Committee of the Township of Montgomery authorized the transfer of certain property formerly known as p/o Lot 13, Block 23001, and now known as Lot 13.03, Block 23001 by adoption of Ordinance #16-1535, adopted on December 1, 2016, and in accordance with N.J.S.A. 40A:12-21(k); and

**WHEREAS**, pursuant to Ordinance #16-1535, the Township executed an installment purchase agreement with the 124 Club, Inc.; and

**WHEREAS**, pursuant to the terms of the installment purchase agreement, the Township must now effectuate the transfer of Lot 13.03, Block 23001 to the 124 Club, Inc.

**BE IT RESOLVED** that the Mayor and Clerk are hereby authorized to execute a deed, easement agreements, and any documents necessary for the transfer of title and closing of Lot 13.03, Block 23001 to 124 Club, Inc., subject to the review and approval of the Township Attorney

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**APPROVAL OF MINUTES**

Deputy Mayor Singh moved to approve the Regular Meeting Minutes of October 5, 2023, seconded by Barragan and carried unanimously.

Deputy Mayor Singh moved to approve the Executive Session Meeting Minutes of October 5, 2023, seconded by Barragan and carried unanimously.

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Resolution #23-10-287. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-287.

Motion by Deputy Mayor Singh, seconded by Barragan

**ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #23-10-287**

**PAYMENT OF BILLS**

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

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

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

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

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**CORRESPONDENCE**

There was no correspondence.

At this time, Mayor Keenan advised Committee Members that the Blawenburg Band had contacted her inquiring if the Township could provide financial assistance. Mayor Keenan explained that the Band is facing financial difficulties including finding affordable space to practice. Mayor Keenan continued that she had suggested contacting the Township's Director of Parks and Recreation, as well as come to a Township Committee meeting and address the governing party.

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**NEW BUSINESS**

There were no items of new business.

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**TOWNSHIP COMMITTEE REPORTS**

Committee Member Ahn announced the upcoming dates for the Montgomery Arts Council's "Return to Art" Event, October 27 to October 29, 2023; and the Hops and Shops Event at Iron Peak, November 4, 2023.

Committee Member Taylor Todd reported that the Sankofa Collaborative sponsored by the New Jersey Council for the Humanities and the New Jersey Historical Commission is sponsoring a series of workshops, "Slavery In New Jersey," focusing on the history of slavery in New Jersey.

Committee Member Barragan announced the date for the upcoming Veterans Day ceremony, Saturday, November 11, 2023 at Montgomery Veterans Memorial Park, 10:15 a.m. Committee Member Barragan advised that in the event of inclement weather the ceremony will be moved to the High School.

Deputy Mayor Singh announced that a Diwali celebration will be held Friday, November 3, 2023 at the High School from 6:00 p.m. to 8:00 p.m.

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### **ADMINISTRATOR'S REPORT**

Administrator Savron reported that the Township recently held an Employee Recognition luncheon, October 18, 2023, acknowledging employment milestones and dedicated service with the Township. Administrator Savron spoke on the importance of customer service and the commitment of its employees in providing exemplary service to the community. Administrator Savron also extended gratitude to Committee Members for their acknowledgement of the dedicated staff.

Administrator Savron announced that the Food Pantry is seeking the following donations: Thanksgiving baskets; turkey donations from ShopRite; and non-perishable items including soup, laundry detergent, and paper goods.

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Resolution #23-10-288. Read by title.

Mayor Keenan asked for a motion to adopt Resolution #23-10-288.

Motion by Deputy Mayor Singh, seconded by Barragan

### **ROLL CALL**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

### **RESOLUTION #23-10-288**

### **EXECUTIVE SESSION**

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

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
  2. The general nature of the subjects to be discussed in this session are as follows:
    1. Real Estate:
    1. Municipal Property
    2. Anticipated/Pending Litigation:
    1. Country Club Meadows v. Township of Montgomery
  3. It is unknown precisely when the matter discussed in this session will be disclosed to the public. Acquisition of property and settlement of litigation shall only be approved by the Township Committee in a public session.
  4. The Township Committee will return to Regular Session and may take further action.
  5. This Resolution shall take effect immediately.
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### **RETURN TO REGULAR SESSION**

The Township Committee reconvened the regular session at 8:01 p.m. on motion by Deputy Mayor Singh, seconded by Barragan and carried unanimously.

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### **ADJOURNMENT**

The Township Committee adjourned at 8:01 pm. on motion by Deputy Mayor Singh, seconded by Barragan and carried unanimously.

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

Date Approved: December 7, 2023