

**MONTGOMERY TOWNSHIP COMMITTEE
REGULAR MEETING
THURSDAY, APRIL 18, 2024
7:00 P.M.**

AGENDA TO THE EXTENT KNOWN

1. **MEETING CALLED TO ORDER**

2. **ROLL CALL** – Singh (), Barragan (), Keenan (), Taylor 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 12, 2024 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. **PUBLIC COMMENT** – Members of the public wishing to address the Township Committee on matters pertaining to the Township will be limited to three minutes per person. If comments are similar to those already stated, please indicate your support or opposition. Groups are asked to select a spokesperson.

6. **PRESENTATION** – **Eagle Scout Project** – **Adrian Mascarenhas**

7. **PRESENTATION** – **Girl Scout Gold Award Project** – **Maya Shamiyeh**

8. **ORDINANCES – INTRODUCTION AND FIRST READING**
 - A. **ORDINANCE #24-1726** – **An Ordinance of the Township of Montgomery in Somerset County, New Jersey Amending Subsection 9-9.e of the Code of the Township of Montgomery (1984) Pertaining to Permit Requirements for Deer Management in Parks and Open Space**

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 according to law with a public hearing and a vote scheduled for the meeting of May 2, 2024.

MOTION to introduce Ordinance #24-1726 _____ Second _____

8. **ORDINANCES – INTRODUCTION AND FIRST READING (CONT.)**

ROLL CALL VOTE:

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

B. ORDINANCE #24-1727 – An Ordinance of the Township of Montgomery in Somerset County, New Jersey Providing for the Acquisition of Block 34001, Lot 40 Located on Cherry Valley Road in the Township of Montgomery (“Jefferson”)

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 according to law with a public hearing and a vote scheduled for the meeting of May 2, 2024.

MOTION to introduce Ordinance #24-1727 _____ Second _____

ROLL CALL VOTE:

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

C. ORDINANCE #24-1729 – An Ordinance Amending Chapter 5, Entitled “Animal Control,” and Chapter 9, Entitled, “Parks and Recreation Areas,” of the Code of the Township of Montgomery (1984), County of Somerset, New Jersey, Updating Regulations Concerning Dogs in Veterans Memorial

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 according to law with a public hearing and a vote scheduled for the meeting of May 2, 2024.

MOTION to introduce Ordinance #24-1729 _____ Second _____

8. **ORDINANCES – INTRODUCTION AND FIRST READING (CONT.)**

ROLL CALL VOTE:

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

D. ORDINANCE #24-1730 - Bond Ordinance Providing for Various Capital Improvements in and by the Township of Montgomery, in the County of Somerset, New Jersey, Appropriating \$2,556,800 Therefor and Authorizing the Issuance of \$2,433,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

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 according to law with a public hearing and a vote scheduled for the meeting of May 2, 2024.

MOTION to introduce Ordinance #24-1730 _____ Second _____

ROLL CALL VOTE:

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

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

A. ORDINANCE #24-1721 – An Ordinance Amending Chapter 16, “Land Development,” of the Code of the Township of Montgomery (1984), County of Somerset, State of New Jersey, Adding the Requirements for Privately Owned Salt Storage for Compliance with the Municipal Stormwater Regulation Program Requirements Set Forth by the New Jersey Department of Environmental Protection

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 18th day of April, 2024 and that the ordinance summary be published in an official newspaper as required by law.

9. **ORDINANCES – PUBLIC HEARING/FINAL ADOPTION (CONT.)**

MOTION to adopt Ordinance #24-1721 _____ Second _____

ROLL CALL VOTE:

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

B. ORDINANCE #24-1722 – An Ordinance Amending Chapter 16, “Land Development,” of the Code of the Township of Montgomery (1984), County of Somerset, State of New Jersey, Updating and Amending the Requirements for Stormwater Management for Development Within the Township

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 18th day of April, 2024 and that the ordinance summary be published in an official newspaper as required by law.

MOTION to adopt Ordinance #24-1722 _____ Second _____

ROLL CALL VOTE:

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

C. ORDINANCE #24-1723 – An Ordinance Amending Chapter 2, “Administration,” Chapter 14, “Soil and Soil Removal,” and Chapter 16, “Land Development,” of the Code of the Township of Montgomery (1984), County of Somerset, State of New Jersey, Updating and Amending the Requirements for Soil Disturbance, Soil Hauling, and Tree Removal Within the Township (Tree Ordinance)

MOTION to CLOSE the Public Hearing _____ Second _____

9. **ORDINANCES – PUBLIC HEARING/FINAL ADOPTION (CONT.)**

BE IT RESOLVED by the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 18th day of April, 2024 and that the ordinance summary be published in an official newspaper as required by law.

MOTION to adopt Ordinance #24-1723 _____ Second _____

ROLL CALL VOTE:

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

D. ORDINANCE #24-1724 – An Ordinance of the Township of Montgomery, County of Somerset, State of New Jersey, Adding Chapter 8-9 Lead-Based Paint Inspections, to the Code of the Township of Montgomery (1984)

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 18th day of April, 2024 and that the ordinance summary be published in an official newspaper as required by law.

MOTION to adopt Ordinance #24-1724 _____ Second _____

ROLL CALL VOTE:

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

E. ORDINANCE #24-1725 - An Ordinance Reappropriating \$1,759,536 Proceeds of Obligations not Needed for Their Original Purpose in Order to Provide for the Township’s Obligation Under its Redevelopment Agreement by and Between the Township and RPM Development, LLC to Provide for Costs Related to Construction of Affordable Housing in and by the Township of Montgomery, in the County of Somerset, New Jersey

9. **ORDINANCES – PUBLIC HEARING/FINAL ADOPTION (CONT.)**

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 18th day of April, 2024 and that the ordinance summary be published in an official newspaper as required by law.

MOTION to adopt Ordinance #24-1725 _____ Second _____

ROLL CALL VOTE:

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

10. **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 #24-4-144 – Authorizing Redemption of Tax Sale Certificate #23-00031

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #23-00031 in the amount of \$664.93.

BE IT RESOLVED that a refund in the amount of \$664.93 be given to Chakli Capital, LLC, 357 Felice Place, Cocoa Beach, FL 32931 for the redemption of Tax Sale Certificate #23-00031 on Block 24002, Lot 12.04.

Tax Lien Redemption

Certificate Amount	\$	201.63
Redemption Penalty	\$	4.03
Subsequent Charges	\$	387.76
Interest	\$	14.51
Recording Fees	\$	45.00
Search Fee	\$	12.00
TOTAL	\$	<u>664.93</u>

MOTION to adopt Consent Agenda, **Resolution #24-4-144** _____ Second _____

10. **CONSENT AGENDA (CONT.)**

ROLL CALL VOTE:

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

11. **RESOLUTIONS**

A. **RESOLUTION #24-4-145 – Authorizing Montgomery Township to Conduct a Self-Examination of the 2024 Budget**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, Montgomery Township has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer’s certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges.
 - b. Deferred charges and statutory expenditures.
 - c. Cash deficit of preceding year.
 - d. Reserve for uncollected taxes.
 - e. Other reserves and non-disbursement items.
 - f. Any inclusions of amounts required for school purposes.

11. **RESOLUTIONS (CONT.)**

2. That the provisions relation to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth,
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

MOTION to adopt Resolution #24-4-145 _____ Second _____

ROLL CALL VOTE:

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

B. RESOLUTION #24-4-146 – Amending Resolution #22-9-204 Authorizing Contract for Submersible Pump Repair Services for Contract Amount

WHEREAS, Resolution #22-9-204 authorizing a two-year extension of contract for submersible pump repair services to September 15, 2024 was adopted September 15, 2022; and

WHEREAS, the not to exceed amount was \$150,000; and

WHEREAS, the not to exceed amount has been depleted and requires an amendment to the original amount by \$95,000 or a total of \$245,000; and

11. **RESOLUTIONS (CONT.)**

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this service in Account Number 08-215-55-901-1685A.

NOW, THEREFORE, BE IT RESOVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey that the total not to exceed amount for the contract for submersible pump repair services be amended to \$245,000 from \$150,000.

MOTION to adopt Resolution #24-4-146 _____ Second _____

ROLL CALL VOTE:

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

C. **RESOLUTION #24-4-147 – Authorizing Grant Agreement Between the Township of Montgomery and State of New Jersey (Grant Identifier: SWM-2022-Mont Twp-00078)**

WHEREAS, the Township Committee of the Township of Montgomery desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$431,120.00 to fund the following project: Stormwater Basin Retrofits Phase 1.

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

1. Lori Savron, or the successor to the office of Township Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the state for a grant in an amount not less than \$431,120.00 and not more than \$431,120.00 and (c) to execute any amendments thereto.
2. The Governing Body authorizes and hereby agrees to match 2.12% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified up to 18.25% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).
3. The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

MOTION to adopt Resolution #24-4-147 _____ Second _____

11. **RESOLUTIONS (CONT.)**

ROLL CALL VOTE:

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

D. RESOLUTION #24-4-148 – Accepting the 2024 Emergency Operations Plan (EOP) for the Township of Montgomery

WHEREAS, the Township of Montgomery is required to have an Emergency Operations Plan (EOP) to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

WHEREAS, the Montgomery Township Office of Emergency Management has received approval of the Township’s EOP from the State of New Jersey Department of Law and Safety, Division of State Police April 1, 2024.

BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey the 2024 Township of Montgomery Emergency Operations Plan (EOP) approved by the New Jersey Division of State Police is hereby accepted.

MOTION to adopt Resolution #24-4-148 _____ Second _____

ROLL CALL VOTE:

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

E. RESOLUTION #24-4-149 – Authorizing 2024 New Hires/Promotions

BE IT RESOLVED by the Township Committee of the Township of Montgomery, County of Somerset, New Jersey, that the following new hires/promotions are hereby authorized:

Travis Guerrero promotion to Equipment Operator 1, effective April 1, 2024 at a salary of \$20.72/hour;

Mathew Galan, Zoning Officer, effective April 8, 2024 at a salary of \$80,000;

11. **RESOLUTIONS (CONT.)**

Bryanna Long, Graduate Nurse, Public Health, effective April 17, 2024, at a salary of \$36.26/hour (21-hour work week);

Paula Mendelsohn, Senior Engineering Aide, effective April 29, 2024, at a salary of \$33.87/hour (35-hour work week)

MOTION to adopt Resolution #24-4-149 _____ Second _____

ROLL CALL VOTE:

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

F. RESOLUTION #24-4-150 – Approving and Authorizing the Execution of a Memorandum of Understanding Between the Township of Montgomery and Bridgeway Behavioral Health Services to Establish Joint Participation in the ARRIVE Together Program to Enhance and Support Response to Certain Behavioral Health Crisis Calls

WHEREAS, pursuant to N.J.S.A. 30:4-27.1, *et seq.* (“Screening Law”) and N.J.A.C. 10:31-1.1., *et seq.* (“Screening Regulations”), it is the policy of the State of New Jersey to provide a public mental health system that delivers treatment consistent with a person’s clinical condition, and that screening services be developed as the public mental health system’s entry point in order to provide accessible crisis intervention, evaluation and referral services to persons with mental illness, to offer persons with mental illness clinically appropriate alternatives to inpatient care, and when necessary, to provide a means for involuntary commitment to treatment; and

WHEREAS, the Screening Law provides officers and mental health specialists with legal authority to transport or authorize transport of individuals who are experiencing a behavioral health crisis to an emergency department for a full assessment where appropriate; and

WHEREAS, law enforcement officers may request the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screening; and

WHEREAS, the Township Committee of the Township of Montgomery finds that it is in the best interest of the health, safety and welfare of its residents to ensure the safety of every person involved in civilian-law enforcement interactions, while recognizing that many of the negative outcomes that have resulted from such interactions may stem from individuals having underlying behavioral health crises; and

WHEREAS, Bridgeway Behavioral Health Services (“BBHS”) has been designated by the New Jersey Department of Human Services to provide screening and other medical health services in accordance with state law and regulations; and

11. **RESOLUTIONS (CONT.)**

WHEREAS, BBHS participates in the ARRIVE Together (“Alternative Responses Reduce Instances of Violence and Escalation”) Pilot Program with participating police departments in Somerset County; and

WHEREAS, the Township Committee supports the Montgomery Police Department entering into the attached Memorandum of Understanding with BBHS to participate in the ARRIVE Together Pilot Program.

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

Section 1. The above recitals are hereby incorporated by reference as though specifically set forth herein below.

Section 2. The Township Committee hereby approves and endorses the Montgomery Township Police Department’s participation in the ARRIVE Together Program to enhance and support law enforcement and response to certain behavioral health crisis calls.

Section 3. The Township Committee hereby authorizes Township Staff and the Police Director/Captain to take all necessary steps to enter into the Memorandum of Understanding, substantially consistent with the form of agreement attached hereto, between the Township of Montgomery Police Department and Bridgeway Behavioral Health Services, 282 East Main Street, Somerville, NJ 08876 for the establishment of a pilot program for the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises.

BE IT FURTHER RESOLVED that if any part(s) of this resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, and that a copy of this resolution shall be filed in the Office of the Township Clerk.

MOTION to adopt Resolution #24-4-150 _____ Second _____

ROLL CALL VOTE:

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

12. **APPROVAL OF MINUTES**

a. **MOTION** to approve the Executive Session Meeting Minutes of March 21, 2024 _____ Second _____
Favor _____ Opposed _____ Abstain _____

13. **RESOLUTION #24-4-151 - 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 #24-4-151 _____ Second _____

ROLL CALL VOTE:

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

14. **CORRESPONDENCE**

- a. Letter commending a Montgomery Township family and Officer Salvatore Intilli

15. **NEW BUSINESS AND OLD BUSINESS**

- a. Dance for the Cure – Tie the Town Pink

16. **TOWNSHIP COMMITTEE REPORTS**

17. **ADMINISTRATOR’S REPORT**

18. **FUTURE AGENDA ITEMS**

19. **RESOLUTION #24-4-152 – 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:
 - Potential Acquisition of Property for Open Space, Conservation, Recreation and/or Municipal Purposes
 1. Block 27001, Lot 57 and Block 34001, Lot 7 (“Braverman/Washington Well”)
 - Personnel
 1. Police Lieutenant Interviews
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.

MOTION to adopt Resolution #24-4-152 _____ Second _____

ROLL CALL VOTE:

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

MOTION to CLOSE Executive Session and open Regular Session _____ Second _____ Favor ____ Opposed _____

20. **ADJOURNMENT**

MOTION to adjourn _____ Second _____ Favor _____ Opposed _____