

AGENDA FOR  
MONTGOMERY TOWNSHIP COMMITTEE  
January 19, 2023  
7:00 p.m.

**It is the Township Committee's intention to conclude this meeting no later than 11:00 p.m.**

**ROLL CALL** - Keenan ( ), Singh ( ), Barragan ( ), Todd ( ), Ahn ( )

**ALSO PRESENT** - Rubenstein-Quiroga ( ), Savron ( ), Kukla ( )

**MAYOR'S STATEMENT** - 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.

**SALUTE TO THE FLAG**

**1. RECOGNIZING LORI HUFF**

WHEREAS, a community possesses no greater treasure than the dedicated service of its citizens and volunteers; and

WHEREAS, Municipal Alliance Chairperson Lori Huff, was awarded the Somerset County Volunteer of the Year Award through the Governor's Council on Alcoholism and Drug Abuse Prevention; and

WHEREAS, Lori has been a champion for mental health issues and substance use disorder prevention by working diligently to maintain open conversations in the Montgomery and Rocky Hill communities; and

WHEREAS, Lori was responsible for such events as the Don't Give Up, Monty Winter Bingo Challenge, Fresh Start February, and Mindful March Campaigns while also maintaining the Municipal Alliance Facebook and Instagram accounts, and advocated for a DEA Collection Site located at the Police Department to support proper disposal of medications; and

WHEREAS, Lori, a firm believer that knowledge is power, volunteered to attend the Montgomery High School and Montgomery Upper Middle School 2022 Back to School Nights, where she set up an informational table on mental health awareness. Her meaningful conversations with parents on tough topics such as suicide prevention, substance use prevention, and mental health help the community feel more connected; and

WHEREAS, through the entire COVID-19 pandemic, Lori's efforts to post impactful, powerful, and supportive messaging and resources has touched many people in our community. From promoting self-care tips on the Facebook page, spreading awareness of suicide prevention resources, and talking about the latest facts on mental health to help people not feel alone, she has made a positive impact on the entire Montgomery Township community during the difficult past two years.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee recognizes the distinguished service and significant contributions made by Lori Huff and congratulates her on this significant achievement on this 19th day of January 2023.

**2. PROCLAMATION - RADON ACTION MONTH**

WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer; and

WHEREAS, prolonged exposure to radon can kill as many as 500 people in New Jersey each year; and

WHEREAS, families who reside in homes with elevated radon levels are at risk of developing serious health problems; and

WHEREAS, any home could have high levels, even when neighboring homes do not; and

WHEREAS, radon testing can be done with great ease at a relatively low expense to the homeowner, with the cost of reducing radon concentrations being comparable to a home repair; and

WHEREAS, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency are collaborating during the month of January to promote the need for radon testing in an effort to protect the lives of our State's residents; and

NOW, THEREFORE, BE IT RESOLVED that the Montgomery Township Committee on behalf of the residents of Montgomery, do hereby proclaim the month of January, 2023, as

RADON ACTION MONTH

in the Township and call upon all residents who have not yet tested, to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

3. **STAGE II WASTEWATER TREATMENT PLANT FLOOD PROTECTION PROJECT PRESENTATION**

4. **2023 BUDGET PROCESS UPDATE**

5. **PUBLIC COMMENT**

Each speaker will have a maximum of five (5) minutes to speak and should limit comments to matters pertaining to the Township. Additionally, if your comments are similar to comments already made, instead of repeating them at length, we ask that you instead indicate that you join in or support those comments previously made. Groups are asked to select a spokesperson to speak on their behalf.

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

A. **RESOLUTION #23-1-38 - REFUND OVERPAID TAXES**

<u>Name</u>	<u>Year</u>	<u>Block/Lot</u>	<u>Amount</u>
Core Logic	2022	7026/3	\$1,082.04
Simplicity Title	2022	32002/5	\$2,577.56
J. Fernando & V. Rajeswari	2022	28001/5.76	\$3,598.04
Kevin Klink	2022	24001/9	\$3,707.80

B. **RESOLUTION #23-1-39 - REMOVE 2022 TAX BILLING MADE IN ERROR**

BE IT RESOLVED that property tax billing in the amount of \$3,140.28 be removed from Block 28005 Lot 60.02. Taxes have been absorbed by Block 28007 Lot 4.

C. **RESOLUTION #23-1-40 - REDEMPTION OF TAX SALE CERTIFICATES 22000052, 22000041, 22000050**

WHEREAS, the Township received payment for the redemption of Tax Sale Certificate #22000052 in the amount of \$2,622.82.

BE IT RESOLVED that a refund in the amount of \$2,622.82 be given to US Bank Cust For Pro Cap 8, US Bank Corp Trust - TLSG, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #22000052 on Block 37003 Lot 6.55.

Tax Lien Redemption

Certificate Amount	\$ 500.80
Redemption Fee	\$ 10.02
Search Fee	\$ 12.00
PREMIUM	<u>\$2,100.00</u>
TOTAL	\$2,622.82

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #22000041 in the amount of \$5,438.95.

BE IT RESOLVED that a refund in the amount of \$5,438.95 be given to FIG 20, LLC FBO SEC PTY, P.O. Box 12225, Newark, NJ 07101 for the redemption of Tax Sale Certificate #22000041 on Block 28003 Lot 58.

Tax Lien Redemption

Certificate Amount	\$1,300.93
Redemption Penalty	\$ 26.02
Other Fees	\$ 12.00
PREMIUM	\$4,100.00
TOTAL	\$5,438.95

WHEREAS the Township received payment for the redemption of Tax Sale Certificate #22000050 in the amount of \$55,140.03.

BE IT RESOLVED that a refund in the amount of \$55140.03 be given to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119 for the Redemption of Tax Sale Certificate #22000050 on Block 37003 Lot 1.013.

#### Tax Lien Redemption

Certificate Amount	\$ 2,478.46
Redemption Penalty	\$ 49.57
Other Fees	\$ 12.00
PREMIUM	\$52,600.00
TOTAL	\$55,140.03

D. **RESOLUTION #23-1-41 - AUTHORIZING GUARANTEE EXTENSIONS FOR THE COMPLETION OF IMPROVEMENTS OF 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:

Development	New Completion Date
Montgomery Ridge - Site Improvements, Phase I Townhouses	02/01/2024
Montgomery Ridge - Site Improvements, Phase I Affordable Apts.	02/01/2024
Montgomery Crossing Phase 3 - Performance	02/12/2024
Montgomery Crossing Phase 3 - Landscaping Buffer	02/12/2024

E. **RESOLUTION #23-1-42 - AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR ROAD OPENING PERMIT 22-R-13 - 16 OTTER CREEK ROAD - BLOCK 31009, LOT 39**

WHEREAS, Mark Herrmann, Township Engineer, has recommended the release of a cash performance guarantee to James Waterwash because all work has been satisfactorily completed with respect to Street Opening Permit 22-R-13 at Block 31009, Lot 39 (16 Otter Creek Road).

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the cash performance guarantee in the amount of \$370.00 be released to James Waterwash, 16 Otter Creek Road, Skillman, NJ 08558.

F. **RESOLUTION #23-1-43 - AUTHORIZING THE ISSUANCE OF 2023 TOWING LICENSE**

WHEREAS, the Township has received a completed towing application for a light-duty towing license from Rich's Offroad Towing, LLC. to provide towing services in 2023; and

WHEREAS, the Police Department has reviewed said application and conducted an appropriate investigation pursuant to section 4A-2.2 of the Code of the Township of Montgomery (1984); and

WHEREAS, the Police Director has reviewed the results of said investigation, approved said application, and recommended the issuance of light-duty towing licenses to Rich's Offroad Towing, LLC.

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

1. The Township Clerk is hereby authorized to issue a 2023 light-duty license to Rich's Offroad Towing LLC.

2. All towing licenses are subject to the provisions set forth in Chapter IV-A of the Code of the Township of Montgomery (1984), and shall expire on December 31, 2023.
3. This resolution shall take effect immediately.

G. **RESOLUTION #23-1-44 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF HOPEWELL FOR PUBLIC HEALTH SERVICES THROUGH MARCH 31, 2023**

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

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

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

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Borough of Hopewell for public health services for a 3-month period, beginning January 1, 2023 and ending March 31, 2023.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

H. **RESOLUTION #23-1-45 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF HOPEWELL FOR ANIMAL CONTROL SERVICES THROUGH MARCH 31, 2023**

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

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

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery, Somerset County that:

1. The Mayor and Clerk shall be and are hereby authorized to execute a Shared Services Agreement with the Borough of Hopewell for animal control services for a 3-month period, beginning January 1, 2023 and ending March 31, 2023.
2. A copy of said agreement shall be kept on file with the Township Clerk and available for public inspection during normal business hours.
3. This agreement is contingent upon both parties executing a resolution authorizing the agreement.

I. **RESOLUTION #23-1-46 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF PENNINGTON FOR PUBLIC HEALTH SERVICES THROUGH MARCH 31, 2023**

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

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

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

1. The Township Committee approves the Township's participation in the shared services agreement with the Borough of Pennington for public health services for a 3-month period, beginning January 1, 2023 and ending March 31, 2023.
2. The Mayor and Clerk are authorized and directed to execute the shared services agreement.
3. A copy of said agree agreement will be available, pursuant to N.J.S.A.40A:65-5.b., at the offices of the Township Clerk for public inspection during normal business hours.

J. **RESOLUTION #23-1-47 - AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1, et seq., WITH THE BOROUGH OF PENNINGTON FOR ANIMAL CONTROL SERVICES THROUGH MARCH 31, 2023**

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

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

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

1. The Township Committee approves the Township's participation in the shared services agreement with the Borough of Pennington for animal control services for a 3-year period, beginning January 1, 2023 and ending March 31, 2023.
2. The Mayor and Clerk are authorized and directed to execute the shared services agreement.
3. A copy of said agree agreement will be available, pursuant to N.J.S.A.40A:65-5.b., at the offices of the Township Clerk for public inspection during normal business hours.

K. **RESOLUTION #23-1-48 - APPROVAL OF 2023 RECYCLING AGREEMENT WITH SOMERSET COUNTY BOARD OF COMMISSIONERS**

WHEREAS, pursuant to its duly approved Solid Waste Management Plan and amendments thereto, the County of Somerset has established a mandatory countywide recycling program; and

WHEREAS, the duly approved Solid Waste Management Plan and amendments thereto call for the execution of agreements by and between Somerset County and municipalities located within the County; and

WHEREAS, the Township of Montgomery desires to participate in the recycling program; and

WHEREAS, the award of this contract to the County pursuant to N.J.S.A. Section 13:1E-99.14 is an exception to the bidding requirements as set forth in the Local Public Contracts Law pursuant to N.J.S.A. Section 40A:11-5(2), and the Board of Public Utilities Somerset Waste Franchise for Somerset County; and

WHEREAS, the Chief Finance Officer has certified the extent to which funds for this contract are available pursuant to the temporary budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Montgomery in Somerset County that the Mayor and Clerk are hereby authorized to execute an agreement with Somerset County for the provision of recycling services for a one-year term beginning January 1, 2023 through and including December 31, 2023.

L. **TOWNSHIP COMMITTEE APPOINTMENTS**

Ellen Robins - Municipal Alliance Civic Organization Member - 1 year expiring 12/31/2023  
Kavin Mehta - Zoning Board Alternate IV - 2 years expiring 12/31/2024  
Kent Huang - Open Space (Recreation Committee Rep.) - 1 year expiring 12/31/2023

M. **TOWNSHIP COMMITTEE LIAISONS**

Dennis Ahn - Economic Development Commission  
Patricia Todd - Montgomery/Rocky Hill Municipal Alliance  
Vince Barragan - Open Space Committee  
Dennis Ahn - Shade Tree Committee

6-1. Motion to adopt **CONSENT AGENDA** \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

7. **MAYORAL APPOINTMENTS**

Bruce Daniels - Landmarks Alternate I - 1 year expiring 12/31/2023  
Kent Huang - Budget and Finance Committee Mayoral Ad Hoc

8. **RESOLUTION #23-1-49 - AUTHORIZING APPLICATION AND ACCEPTANCE OF NEW JERSEY DCA GRANT - ALL-INCLUSIVE PLAYGROUND**

WHEREAS, the Township of Montgomery desires to apply for an obtain a grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a project to construct an all-inclusive playground designed for individuals of all ages and abilities.

NOW, THEREFORE, BE IT RESOLVED that the Township of Montgomery does hereby authorized the application for such a grant and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Montgomery and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

9. **RESOLUTION #23-1-50 - AUTHORIZING THE EXTENSION OF THE CONTRACT FOR LABORATORY TESTING SERVICES (Chemical and Microbiological) - Aqua Pro-Tech Laboratories**

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WHEREAS, Resolution #17-11-244 adopted on November 2, 2017 awarded a laboratory testing services for chemical and microbiological contract for one (1) year with four (4) one year extension options to Aqua Pro-Tech Laboratories; and

WHEREAS, Resolution #18-12-255 adopted on December 6, 2018 authorized the extension of a laboratory testing services for chemical and microbiological contract for the first of four (4) one year extensions; and

WHEREAS, Resolution #19-11-243 adopted on November 7, 2019 authorized the extension of a laboratory testing services for chemical and microbiological contract for the second of four (4) one year extensions; and

WHEREAS, Resolution #20-11-218 adopted on November 5, 2020 authorized the extension of a laboratory testing services for chemical and microbiological contract for the third of four (4) one year extensions; and

WHEREAS, Resolution #21-11-267 adopted on November 4, 2021 authorized the extension of a laboratory testing services for chemical and microbiological contract for the fourth of four (4) one year extensions; and

WHEREAS, N.J.S.A. 40A:11-15 provides that a contract may include provisions for no more than one two-year or two one-year extensions subject to the following limitations: a. The contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; b. No such contract shall be extended so that it runs for more than a total of five consecutive years; c. Any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and d. The terms and conditions of the contract remain substantially the same; and

WHEREAS, the contract will not exceed \$50,000.00 for the extended year effective January 1, 2023 through December 31, 2023; and

WHEREAS, there exists Account Numbers 07-201-55-542-272; 07-201-55-543-272; 07-201-55-544-272; 07-201-55-546-272; and 07-201-55-547-272.

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 that the Montgomery Township Committee does hereby approve the one-year extension pursuant to the above-described terms.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

10. **RESOLUTION #23-1-51 - AUTHORIZING THE EXTENSION OF THE CONTRACT FOR CHRONIC TOXICITY BIOASSAY TESTING SERVICES - American Aquatic Testing, Inc.**

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WHEREAS, Resolution #17-11-245 adopted on November 2, 2017 awarded a chronic toxicity bioassay testing services contract for one (1) year with four (4) one-year extension options to American Aquatic Testing, Inc.; and

WHEREAS, Resolution #18-12-256 adopted on December 6, 2018 authorized the extension of a chronic toxicity bioassay testing services contract for the first of four (4) one year extensions; and

WHEREAS, Resolution #19-11-244 adopted on November 7, 2019 authorized the extension of a chronic toxicity bioassay services contract for the second of four (4) one year extensions; and

WHEREAS, Resolution #20-11-219 adopted on November 5, 2020 authorized the extension of a chronic toxicity bioassay services contract for the third of four (4) one year extensions; and

WHEREAS, Resolution #21-11-268 adopted on November 4, 2021 authorized the extension of a laboratory testing services for chemical and microbiological contract for the fourth of four (4) one year extensions; and

WHEREAS, N.J.S.A. 40A:11-15 provides that a contract may include provisions for no more than one two-year or two one-year extensions subject to the following limitations: a. The contract shall be awarded by resolution of the governing body upon a finding by the governing body that the services are being performed in an efficient manner; b. No such contract shall be extended so that it runs for more than a total of five consecutive years; c. Any price change included as part of the extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 consecutive months preceding the most recent quarterly calculation available at the time the contract is renewed; and d. The terms and conditions of the contract remain substantially the same; and

WHEREAS, the contract will not exceed \$20,000.00 for the extended year effective January 1, 2023 through December 31, 2023; and

WHEREAS, there exists Account Numbers 07-201-55-542-272; 07-201-55-543-272; 07-201-55-544-272; 07-201-55-546-272; and 07-201-55-547-272.

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 that the Montgomery Township Committee does hereby approve the one-year extension pursuant to the above-described terms.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

11. **RESOLUTION #23-1-52 - AWARD OF BID #B06-2022 - STAGE II WASTEWATER TREATMENT PLANT FLOOD PROTECTION PROJECT**

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WHEREAS, the following bids for the Stage II Wastewater Treatment Plant Flood Protection Project were received and publicly opened on September 20, 2022 at 11:00 AM:

Bidders	Bid Amount
Allied Construction Group, Inc.	\$18,258,600
Tomar Construction Group	\$18,998,850
CMS Construction	\$19,520,860
Coppola Services	\$19,643,000
Underground Utilities Corp	\$21,270,000
Kyle Conti Construction	\$21,777,712
Conti Civil, LLC	\$22,565,442
IEW Construction Group	\$24,072,000
Montana Construction Corp, Inc.	\$26,369,900

WHEREAS, Allied Construction Group, Inc. has agreed to have its bid extended for consideration by the Township through January 20, 2023; and



WHEREAS, it is the recommendation of the Purchasing Agent, the Director of Wastewater Operations, and the Township Engineer that Allied Construction Group, Inc. be awarded the bid, it being the lowest responsible bidder; 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; and

WHEREAS, there exists the following account numbers which will fund this project: 08-215-55-901-1320, 08-215-55-901-1495C, 08-215-55-901-1495E, 08-215-55-901-1495F, 08-215-55-901-1519, 08-215-55-901-1522A, 08-215-55-901-1522C, 08-215-55-901-1522E, 08-215-55-901-1543C, 08-215-55-901-1575B, 08-215-55-901-1575D, 08-215-55-901-1610B, 08-215-55-901-1610D, 08-215-55-901-1610E, 08-215-55-901-1610F, 08-215-55-901-1610G, 08-215-55-901-1661A.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the contract for the Stage II Wastewater Treatment Plant Flood Protection is hereby awarded, subject to a formal Authorization to Award by the New Jersey Department of Environmental Protection, to:

Allied Construction Group, Inc.  
499 Washington Road  
Parlin, NJ 08859

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign said contracts.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

12. **RESOLUTION #23-1-53 - AWARD OF BID #B10-2022 - ORCHARD ROAD IMPROVEMENTS - (STATE AID PROJECT)**

WHEREAS, the following bids for the Orchard Road Improvement Project were received and publicly opened on January 10, 2023 at 11:00 AM:

Bidders	Bid Amount
DeSantis Construction, Inc.	\$458,771.39
Top Line Construction Corp.	\$461,970.82
S. & G., Paving, Inc.	\$516,563.25
Black Rock Enterprises, LLC	\$521,800.00
Your Way Construction, Inc.	\$549,610.30
Z Brother Concrete Contractors Inc.	\$549,979.19
Mike Fitzpatrick Contractors, Inc.	\$578,726.40
Seacoast Construction Inc.	\$628,437.37
Stilo Excavation Inc.	\$710,743.69
Capital Paving and Contracting, LLC	INCOMPLETE BID TABULATION

WHEREAS, it is the recommendation of the Purchasing Agent and the Township Engineer that DeSantis Construction, Inc. be awarded the bid, it being the lowest responsible bidder; 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; and

WHEREAS, there exists the following Engineering Department account numbers which will fund this project: 02-213-41-900-2022 and 04-215-55-901-1686B, 04-280-56-264-022.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery Township Committee that the contract for the Orchard Road Improvements Project is hereby awarded to:

DeSantis Construction, Inc.  
22 Fifth Street

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign said contracts.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

13. **RESOLUTION #23-1-54 - NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT RECOMMENDATION OF AWARD STATE AID PROJECT**

BE IT RESOLVED that the Township of Montgomery hereby recommends to the New Jersey Department of transportation that the contract for Orchard Road Improvements in the Township of Montgomery, County of Somerset be awarded to DeSantis Construction, Inc., whose bid amounted to \$458,771.39 subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

14. **ORDINANCE #23-1693 - Appropriate Authority - Introduction**

A. Title: AN ORDINANCE AMENDING SECTION 2-3.2 "APPROPRIATE AUTHORITY", OF THE TOWNSHIP OF MONTGOMERY MUNICIPAL CODE

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 February 2, 2023 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				

Todd				
Barragan				
Singh				
Keenan				

15. **APPROVAL OF MINUTES**

If there are no corrections, the Regular Session minutes for November 10, December 1, and December 15, 2023 stand approved.

Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_ Abstain\_\_\_\_\_

16. **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 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 \_\_\_\_\_ Second \_\_\_\_\_

**ROLL CALL VOTE:**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Ahn				
Todd				
Barragan				
Singh				
Keenan				

**COMMITTEE CORRESPONDENCE**

Candy Willis

**NEW & UNFINISHED BUSINESS**

**ADMINISTRATOR'S REPORT**

**COMMITTEE REPORTS**

**UPCOMING MEETINGS**

February 2

- Budget Presentation - Capital
- Q-4 Financial Report
- Shared Services Presentation

February 16

- Opie's Mill - Landmarks Commission
- Police Update
- Revenue and Other Expenses

17. **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 subject to be discussed in this session is as follows:
  - Advice of Counsel regarding matter involving the potential lease of real property
3. It is unknown precisely when the matter discussed in this session will be disclosed to the public.

Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_ Abstain\_\_\_\_\_

17-1. **MOTION TO REOPEN THE MEETING IN PUBLIC SESSION**

Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_ Abstain\_\_\_\_\_

**ADJOURNMENT** at \_\_\_\_\_ p.m. Motion\_\_\_\_\_ Second\_\_\_\_\_ Favor\_\_\_\_\_ Opposed\_\_\_\_\_