

**COUNCIL OF THE TOWNSHIP OF MONROE**

**MINUTES**

**AGENDA MEETING – SEPTEMBER 30, 2013**

The Council of the Township of Monroe met in the Municipal Building, 1 Municipal Plaza, for an Agenda Meeting.

The Agenda Meeting was Called to Order at 7:00 p.m. by Council President Gerald W. Tamburro with a Salute to the Flag.

**UPON ROLL CALL** by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilwoman Leslie Koppel, Councilman Michael Leibowitz, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

**ALSO PRESENT** for Council was: Mayor Richard Pucci, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Engineer Mark Rasimowicz for Feist Engineering.

There were approximately ten (10) members of the Public present in the audience.

Council President Tamburro requested the Clerk to read the following **SUNSHINE LAW** into the record:

In accordance with the Open Public Meetings Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice of this meeting has been provided by the following:

1. Posted on January 4, 2013 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 4, 2013;
3. Posted on January 4, 2013 on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

In accordance with Chapter 3, Section 17 of the Monroe Township Code, Public Comment shall be limited to five (5) minutes unless further time is granted by the Council President.

The following **PROCLAMATION** of Mayor Richard Pucci was read into the record by title:

***NATIONAL BREAST CANCER AWARENESS MONTH  
OCTOBER 2013***

Council President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, OCTOBER 7, 2013** Regular Council Meeting:

- a. **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT"**. (Block 35, Lots 6.01 and 6.02)
- b. **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

- c. **A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2013 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$691,320, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2013 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**
- d. **AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2013 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**
- e. **ORDINANCE AUTHORIZING THE DEDICATION BY DEED TO THE COUNTY OF MIDDLESEX CERTAIN PORTIONS OF PARCELS OF LAND ADJACENT TO BUCKELEW AVENUE (COUNTY ROUTE 522) AND SPOTSWOOD-ENGLISHTOWN ROAD (COUNTY ROUTE 613) FOR THE PURPOSE OF EXPANDING THE ROADWAYS AND INTERSECTION.**

Council President Tamburro read the following entitled **ORDINANCE** for INTRODUCTION at the **MONDAY, OCTOBER 7, 2013** Regular Council Meeting:

- a. **ORDINANCE PROVIDING FOR THE ACQUISITION OF PORTIONS OF, AND EASEMENTS ON, CERTAIN PARCELS OF LAND IDENTIFIED AS LOT 14.5 IN BLOCK 18, LOT 14.7 IN BLOCK 18 AND LOT 28 IN BLOCK 27.6 ON THE TAX MAP OF MONROE TOWNSHIP.**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, OCTOBER 7, 2013** Regular Council Meeting be reviewed and will be happy to address any questions:

- a. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ESTABLISHING MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR LUCILLE DIPASQUALE, W&S 1097 AVE "J".**
- b. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR REGENCY AT MONROE, PHASE 8A.**
- c. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR REGENCY AT MONROE, PHASE 8B.**
- d. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- e. **RESOLUTION AMENDING RESOLUTION NO. R-11-2012-311 AUTHORIZING THE PURCHASE OF UPGRADED RADIO EQUIPMENT FOR THE MONROE TOWNSHIP EMS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**
- f. **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR / QPA TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS ("RFQ's") FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2014.**

- g. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MASER CONSULTING, P.A. FOR CONSTRUCTION ENGINEERING AND OBSERVATION SERVICES RELATING TO THE ROUTE 33 DECELERATION LANE PROJECT.**
- h. **RESOLUTION AUTHORIZING THE PURCHASING MANAGER FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS (“RFQ’s”) FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2014 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- i. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES.**
- j. **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEE FOR REGENCY @ MONROE, PHASE 7 (PB-1061-08) MOUNT MILLS ROAD CURVE REALIGNMENT.**
- k. **RESOLUTION AUTHORIZING THE ENTERING INTO AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING (“MOU”) BY AND BETWEEN THE STATE OF NEW JERSEY, OFFICE OF EMERGENCY MANAGEMENT (“NJOEM”) AND TOWNSHIP OF MONROE RELATING TO THE FILING OF APPLICATIONS FOR GRANTS UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA”) PUBLIC ASSISTANCE AND/OR HAZARD MITIGATION PROGRAMS FOR PRESIDENTIALLY DECLARED MAJOR DISASTERS.**
- l. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SETTLEMENT AGREEMENT IN CONNECTION WITH THE EXPANSION AND RENOVATION OF THE MONROE TOWNSHIP COMMUNITY CENTER.**
- m. **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING A MAINTENANCE GUARANTEE FOR MYRNA NASHED (ALPHA OMEGA PRACTICE, LLC) BA-5039-11.**
- n. **RESOLUTION AUTHORIZING THE PURCHASE OF TWO MOTOR VEHICLES USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- o. **RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (Drive Sober or Get Pulled Over – 2013 Year End Crackdown)**

**Mayor’s Report** – No Report.

Council President Tamburro wished Administrator Hamilton a Happy Birthday.

**Administrator’s Report** – No Report.

**Engineer’s Report** – No Report.

**Council Reports:**

Councilman Leibowitz – No Report.

Councilman Dalina – reported that “Octoberfest” will be held on Oct. 20<sup>th</sup> at the Community Center from 12-4pm.

Councilwoman Koppel – mentioned that the “Green Fair” will be held this Oct. 5<sup>th</sup> from 10am-3pm.

Council Vice-President Miller – talked about the “Old Time Baseball Game” that was held at the Dey Farm with 75-80 people present.

Council President Tamburro – also mentioned the Old Time Baseball Game, in which he threw out the 1<sup>st</sup> ball. Saturday will be the “Green Fair” and this Saturday at noon there will be a re-enactment and celebration of Monroe’s 175<sup>th</sup> Anniversary. Rossmoor has a 5K Run later in the day as cancer fund raiser.

Council President Tamburro then reported on the Energy Aggregation meetings and how well received they were, with a major concern being the risk and reward. This is a question that cannot yet be answered. There will be another mailing this month. It will then give the JCP&L customers the opportunity to opt-out if they so choose. There also will be an opportunity for residents with 3<sup>rd</sup> party providers to opt-in. It is anticipated that we will be going out to bid by Nov. 14<sup>th</sup>. It will be a fixed rate for a period of time of no less than 12 months and no longer than 24 months.

**PUBLIC:**

Charles Petretti, 4A Wingate Ct. – would like clarification on Items 8.h. & 8.i. Item 8.h. is regarding RFQ’s for Various Professionals for 2014 for MTUD and Item 8.i. is for authorization to prepare specs and advertise for receipt of bids for various goods and services for the MTUD.

Mr. Petretti asked if the Purchasing Manager was handling both items and Administrator Hamilton responded that Tim Stoessler, the Purchasing Agent for MTUD, will be handling both.

Item #8.g. – Professional Service Contract with Maser Consulting for construction engineering services & observation services relating to the Route 33 Deceleration Lane Project; asked for an explanation. Administrator Hamilton explained that the State requires that since we are doing work on a State Highway, an independent agency must be employed to inspect & oversee the work being performed. The fee is in an amount not to exceed \$40,000.

Item #8.i. – Settlement Agreement in connection with the Community Center. Administrator Hamilton explained the circumstances of closing this project out.

Item #8.n. – Purchase of (2) Motor Vehicles for the MTUD – asked if they would be for personal use to which Administrator Hamilton explained that one is a pick-up truck and the other a cargo van, which are not for personal use.

He next asked about development in the town and if there are a projected number of homes to be developed over the next 5-7 years in the form of senior housing, individual housing, multiple unit housing, and low income housing. He believes this is going to be a serious matter to deal with in the next 5-7 years in terms of education in this town. He himself has added up 3,000 units of various types over the next 5-7 years.

Various developments were named with Administrator Hamilton mentioning that the Stratford approval was gotten over 15+/- years ago. He feels that the question is, has the School properly planned for the growth and build-out of those homes. Certainly their demographer speaks with the Planning Department to get an idea of what developments have been approved and what is not built yet. These questions need to be addressed by the Board of Education.

Tom Nothstein, 15 Nathaniel St.- Item #6.a. – Amendment to Chapter 108 (Blk. 35; Lots 6.01 & 6.02) asking when there will be deliberative talks about this item.

Council President Tamburro responded that, as he previously stated, there has to be a substantial agreement between the developer and the people with concerns. He has heard from the Manager of Regency, who stated there is another group of residents in favor of this proposal. The town is waiting until next Monday’s meeting for responses from all concerned.

Item #7. – Acquisition of portions of and easements to Block 18, Lots 14.5 & 14.7 and Block 27.6, Lot 27.6 – asking for the location and what it is needed.

Council President Tamburro responded that it is right-of-ways at the intersection of Perrineville Road and Union Valley Road for a Traffic Light.

Mr. Nothstein then asked for the status of the COAH Trust Fund monies and Council President Tamburro responded that on a regular basis there are rent subsidies that are paid and remediations for private homes for qualified residents for Affordable Housing. Monies are still in the "Irrevocable Trust" which is slightly under eleven million dollars. As developers build, monies are put in the trust.

Mayor Pucci stated that we are anticipating Round 3 within the next five months. A new COAH Board will be established as well as a possible new formula.

Michele Arminio, 9 Nathaniel St. – asked if Mr. Rogers had a T3/T4 License and Administrator Hamilton responded "no" he did not. Mr. Barnes, who is a professional engineer and here this evening, has taken over the position and has T3/T4 licenses. She asked if there was anyone in the Utility Department that had the T4 license. Council President Tamburro responded that the Water Superintendent has a T4 license. The State now requires that there be at least (2) T-4's employed. She asked when the change came about and Council President Tamburro responded "April 2013".

She asked about the term of Middlesex Water's (Utility Services Associates) contract and was told it is for one year.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 7:30pm.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

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SHARON DOERFLER, Township Clerk

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GERALD W. TAMBURRO, Council President

Minutes were adopted on \_\_\_\_\_