

**COUNCIL OF THE TOWNSHIP OF MONROE**

**MINUTES**

**AGENDA MEETING - FEBRUARY 24, 2014**

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. He asked that everyone remain standing for a moment of silence in observance of the passing of former Councilman, Irwin Nalitt, on Sunday.

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

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

There were approximately fifteen (15) members of the Public present in the audience.

Council President Tamburro requested the Township 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 3, 2014 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 3, 2014;
3. Posted 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 Vice-President.

The following **PROCLAMATIONS** of Mayor Richard Pucci were read into the record:

**READ ACROSS AMERICA  
March 3, 2014**

**YOUTH ART MONTH  
March 2014**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, March 3, 2014** Regular Council Meeting:

- a. **ORDINANCE ACCEPTING A WATER MAIN EASEMENT FROM TOLL NJ II, LP ON A PORTION OF LOT 1 (NEW PROPOSED LOT 1.10) IN BLOCK 16.**

- b. **ORDINANCE FURTHER AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT".**  
(If adopted, will delete Extended Intermediate & Long Term Care facilities as conditional uses from the R20, R30 & RRFLP zones & eliminate Hospitals as conditional uses in the RRFLP zones)

Council President Tamburro announced that Item #7.r. regarding a Shared Services Agreement between the County, Township and Rossmoor, will not be listed under the Consent Agenda and will be voted on as a separate line item. This item deals with flooding conditions on Applegarth Rd, Prospect Plains Road, Nantucket Lane & Nautilus Lane in the Township. Councilwoman Schneider is a Mutual Director in Rossmoor and as such, will be required to recuse herself from voting.

He also explained there will be an additional Resolution added to the Consent Agenda entitled "Resolution authorizing foreclosures under the in-rem tax foreclosure act of 1948 and establishing a tax foreclosure list of liens to be foreclosed. It came in too late to appear on tonight's Agenda, however, it is necessary and will appear on the Agenda for approval at next Monday's meeting.

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, March 3, 2014** Regular Council Meeting be reviewed and any questions will be addressed:

- a. **RESOLUTION REFERRING LAND USE CODE AMENDMENT TO THE PLANNING BOARD.**
- b. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ANNUAL MAINTENANCE AGREEMENT FOR YEAR 2014 WITH MOTOROLA SOLUTIONS, INC., AN AUTHORIZED VENDOR UNDER THE STATE COOPERATIVE PURCHASING PROGRAM.**
- c. **RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR HVAC MAINTENANCE AND REPAIR.** (Bids to be received 2/19/2014)
- d. **RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR DISPOSABLE CUSTODIAL PRODUCTS.** (Bids to be received 2/19/2014)
- e. **RESOLUTION AUTHORIZING AND APPROVING A PERSON-TO-PERSON TRANSFER OF LIQUOR LICENSE ISSUED TO TAYLOR RAE TAVERN, LLC D/B/A DOCK'S CORNER TAVERN.**
- f. **RESOLUTION AUTHORIZING AND APPROVING A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF LIQUOR LICENSE ISSUED TO FORSGATE HOSPITALITY, LLC D/B/A FORSGATE COUNTRY CLUB.**
- g. **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. FOR REPRESENTATION OF THE TOWNSHIP IN A MATTER OF EXTRAORDINARY LITIGATION RELATED TO THE TOLL BROS. INTERSECTION CONDEMNATION.**
- h. **RESOLUTION AUTHORIZING BUDGET APPROPRIATIONS RESERVE TRANSFERS.**
- i. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR THE FRANCES E. PARKER MEMORIAL HOME, INC.**
- j. **RESOLUTION AUTHORIZING THE PURCHASE OF MOTOROLA RADIO COMMUNICATIONS EQUIPMENT UNDER THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

- k. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AMENDMENT TO THE DEVELOPER'S AGREEMENT BY AND BETWEEN BLOCK 17 ASSOCIATES, LLC, THE GABLES AT APPEGARTH VILLAGE, LLC, THE GARDENS AT MONROE HEALTHCARE AND REHABILITATION CENTER, LLC, THE VERDE GROUP, LLC AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITY DEPARTMENT'S PUMP STATION 2.**
- l. **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") UPON THE POSTING OF A MAINTENANCE GUARANTEE FOR W&S 1101 GARIBALDI AVENUE – (BLK. 109.02 LOTS 1.01, 3-4-5)**
- m. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- n. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- o. **RESOLUTION AUTHORIZING THE EXECUTION OF A 2014 FUNDING AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE FOR SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM. (NJ Transit Grant Funds in the amt. of \$13,000)**
- p. **RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2014 ANNUAL BUDGET TO APRIL 7, 2014.**
- q. **RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 09-23, PUBLIC ROAD.**
- r. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, THE TOWNSHIP OF MONROE AND THE ROSSMOOR COMMUNITY ASSOCIATION, INC. WITH REGARDS TO DECREASING FLOODING CONDITIONS ON APPEGARTH ROAD (C.R. 619), PROSPECT PLAINS ROAD (C.R. 614), NANTUCKET LANE AND NAUTILUS LANE IN THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY.**
- s. **RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 427 – "PATCH PAVING AND CONCRETE REPAIR FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (Bids to be received on 2/20/2014)**
- t. **RESOLUTION AUTHORIZING PURCHASE OF A VEHICLE UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS. (1 2013 Ford F250 4WD Pickup w/plow option)**
- u. **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT EXECUTED BY FEIST ENGINEERING, INC. FOR IMPROVEMENTS TO THE DEY FARM HISTORIC SITE, PHASE 1.**
- v. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION OF OPEN SPACE PARCELS OF LAND.**
- w. **RESOLUTION ENDORSING THE 2014 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE.**

**Mayor Pucci** – Spoke about the passing of former Councilman Irwin Nalitt. Councilman Nalitt was a Councilman for 24 years/6 terms in our Township. After retiring from the Council, he remained on the Library Board and also the Office on Aging.

**Administrator Hamilton** – Also spoke on the passing of Councilman Irwin Nalitt.

Reference was made to the number of pot holes throughout the town and asked anyone having knowledge of same to please call DPW with the location.

He further advised that Budget Workshops will be held on Wednesday, March 12<sup>th</sup> in the meeting room and Thursday, March 13<sup>th</sup> downstairs. Times have not been determined as of yet.

**Engineer** – No Report.

**Council:**

Councilman Leibowitz spoke on pothole complaints and how the potholes in our town are not as bad as in many of the other towns.

He also spoke on Councilman Nalitt's funeral services.

He mentioned the passing of Fred Perrine Senior's wife, Angie Mercado's son Anthony and Abby Goldman's daughter Lisa.

Councilman Dalina – spoke regarding Councilman Irwin Nalitt and how he will always be with him in both the seat he sits in & in his heart.

He advised that he attended the Applegarth Fire Officers installation dinner and helped out at the fund raising pasta dinner for Mikey Nichols in which over 300 people attended. Please keep him in your thoughts.

Council Vice-President Koppel – spoke about running with Mr. Nalitt for office. He was a sharp & witty person with great stories about his childhood. He has a place in the towns' history.

She mentioned the paper shredding event that will take place on April 11<sup>th</sup> and Sept. 12<sup>th</sup> from 9am-12pm in Thompson Park.

Councilwoman Schneider – spoke of Mr. Nalitt's kindness & wit.

She also attended the fund raiser for Mikey Nichols on Sunday. She commented on how the people in Monroe have rallied around the family.

Council President Tamburro – Thanked Council Vice-President Koppel for filling in for him while he was away.

He spoke of his fond memories of Irwin Nalitt, being his mentor and he being his night time driver.

He also commented on the great turn-out at the fund raiser and of the out of pocket expenses the family will incur. He stated he would like to look into providing more fund raisers to help this family with the serious financial impact they will be facing.

Read Across America will take place this week and he will be visiting & reading at the Academy Learning Center.

He also mentioned Budget Workshops that will be held on Mar. 12<sup>th</sup> & 13<sup>th</sup>.

**PUBLIC:**

Tom Nothstein, Nathaniel St. – Commented on the amazing job that the DPW is doing.

Mr. Nothstein questioned the following Agenda line items:

Item #7.a. – Land Use Code Amendment, verifying that Item #7.a. is the presentation of Ordinance and Item #6.b. is to the Planning Board.

Item #7.g. - Add'l fees to Shain, Schaffer & Rafanello for representation of the Township in a matter of Extraordinary Litigation related to Toll Bros. Intersection Condemnation.

Administrator Hamilton responded that this was legal expenses paid for by Toll Bros. for the property acquisition for the traffic signal.

Item # 7.h. – Budget Transfers

Administrator Hamilton responded that it is \$650,000 and involves moving money into the DPW snow account and Insurance Reserves.

Item #7.r. – Rossmoor Tri-Party Agreement - questioned the cost to the Township.

Council President Tamburro explained that it is an Agreement between the Township, the County and Rossmoor due to the flooding on Applegarth into Rossmoor. The dollar amount for the Township is \$100,000.

Item #7.s. – Who won the paving contract? PA Contractors

Item #7.u.- Modification to a Feist Engineering Contract to the Dey Farm Historic Site.

Council President Tamburro explained that the project has been downsized. This is an additional \$10,000 for the redesign.

Last, he asked when can the tax rateables go out?

Administrator Hamilton explained they started going out Friday and the balance will go out this week. The Assessor has to certify the books by March 15<sup>th</sup>. Another wave of hearings will be held April 1<sup>st</sup>. Tax Appeals can be filed up until May 1<sup>st</sup>.

Brian Fabiano, Talmadge – reported that the “Heritage Chase” issue has not received anything in writing. Administrator Hamilton responded and the Mayor stated he expects an answer by the next meeting on 3/3/14.

Michele Arminio, 9 Nathaniel St. – Expressed her condolences regarding Mr. Nalitt.

Item #7.w. – Endorsing the 2014 Project Proposals as recommended by the Housing & Community Development Citizens Advisory Committee, asking the projects.

Administrator Hamilton explained that there are (2) two Projects totaling \$127,000; 85% - for the construction of the Food Pantry at the new Senior Center and 15% for the Friend in Need Program, which is a continuing Program providing, for example, home health aids for people leaving the hospital. This is Housing & Community Development Funding, which is Federal Funding that goes through Middlesex County. No matching funds are involved.

She asked the cost of the Food Pantry.

Administrator Hamilton responded that it is approximately \$200,000. There are other funds earmarked for it also. The architectural design has been completed by Anthony Arcaro.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, the Regular Meeting was Adjourned at 7:43pm.

ROLL CALL: Councilman Stephen Dalina	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Leslie Koppel	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 April 7, 2014