

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

AGENDA MEETING - - MAY 28, 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.

UPON ROLL CALL by Deputy Township Clerk, Patricia Reid, the following members of Council were present: Councilman Stephen Dalina, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, and Council President Gerald W. Tamburro.

ABSENT: Council Vice-President Leslie Koppel

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

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

Council President Tamburro requested the Deputy 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 President.

The following **PROCLAMATION** of Mayor Richard Pucci were read by Title into the record:

CLICK IT or TICKET MOBILIZATION

May 19 – June 1, 2014

Council President Tamburro read the following entitled **ORDINANCE** for **SECOND READING** at the **WEDNESDAY, JUNE 4, 2014** Regular Council Meeting:

- a. **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO PORTIONS OF FULTON STREET AND LIBERTY STREET.**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **WEDNESDAY, JUNE 4, 2014** Regular Council Meeting:

- a. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE.**

- b. **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "LAND DEVELOPMENT".** (Re-zoning of Block 81, Lots 3, 4, 5.03, 7.01, 7.03 & 8 from R-30 Residential to PRC-2 Planned Retirement Community)

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, JUNE 4, 2014** Regular Council Meeting be reviewed and any questions will be addressed:

- a. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR ADDITIONAL TREATMENT TO WELL NO. 22.**
- b. **RESOLUTION CANCELLING TAX CREDITS AND/OR DELINQUENCIES OF LESS THAN TEN DOLLARS.**
- c. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- d. **REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.**
- e. **RESOLUTION AUTHORIZING THE REFUND OF RAFFLE LICENSE FEES.**
- f. **RESOLUTION AMENDING RESOLUTION NO. R-4-2014-096 REGARDING THE PURCHASE OF UPGRADED RADIO EQUIPMENT FOR THE MONROE TOWNSHIP EMS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**
- g. **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO BETTINA DURMASKIN SHOLK IN CONNECTION WITH OPEN SPACE APPRAISAL SERVICES FOR BLOCK 22, LOTS 1 AND 3.**
- h. **RESOLUTION AUTHORIZING ADDITIONAL 90-DAYS OF EXTENDED SICK LEAVE.**
- i. **RESOLUTION AMENDING RESOLUTION NO. R-4-2014-108 AUTHORIZING THE PURCHASE OF TWO (2) VEHICLES FOR THE MONROE TOWNSHIP POLICE DEPARTMENT UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM**
- j. **RESOLUTION AUTHORIZING APPOINTMENTS TO THE SUSTAINABLE JERSEY GREEN TEAM ADVISORY COMMITTEE ("GTAC").**
- k. **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14.13 LOT 59 QUALIFIER C072D.**
- l. **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14.10 LOT 1 QUALIFIER C062D.**
- m. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED BY LUCILLE DI PASQUALE FOR BLOCK 119, LOTS 11, 12 & 13.**
- n. **RESOLUTION AUTHORIZING THE HIRING OF AN APPRAISER TO ESTABLISH VALUE OF PROPERTY LOCATED AT LOT 2.09, BLOCK 25 APPLGARTH ROAD AND HALF ACRE ROAD AND TO FURTHER AUTHORIZE SAID EXPENDITURES BY THE TOWNSHIP FROM A TRUST FUND ESTABLISHED BY JSM AT APPLGARTH, LLC.**

- o. **RESOLUTION MAKING APPLICATION TO NJ TRANSIT CORPORATION FOR THE PURCHASE AND INSTALLATION OF REPLACEMENT BUS SHELTERS AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT BETWEEN NEW JERSEY TRANSIT CORPORATION AND THE TOWNSHIP OF MONROE FOR THE INSTALLATION AND MAINTENANCE OF THE BUS SHELTERS.**
- p. **RESOLUTION AUTHORIZING AWARD OF CONTRACT WITH A STATE APPROVED CONTRACT VENDOR FOR 2014 MAINTENANCE SERVICE FOR THE CISCO TELEPHONE EQUIPMENT AT THE MONROE TOWNSHIP POLICE DEPARTMENT.**
- q. **RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR/QPA TO PREPARE AND ADVERTISE FOR RECEIPT OF PROPOSALS FOR INDEPENDENT SUPERVISED LIVING FACILITIES.**
- r. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT PROFESSIONAL MANAGEMENT AND SUPPORT SERVICES. (Title Only – RFQ’s to be rec’d on May 29, 2014)**
- s. **RESOLUTION IN SUPPORT OF NEW JERSEY STATE ASSEMBLY BILL NO. 2108 AND SENATE BILL NO. 1041 PROHIBITING THE TREATMENT, DISCHARGE, DISPOSAL OR STORAGE OF ANY WASTEWATER, WASTEWATER SOLIDS, SLUDGE, DRILL CUTTINGS OR OTHER BY-PRODUCTS RESULTING FROM HYDRAULIC FRACTURING FOR THE PURPOSE OF NATURAL GAS EXPLORATION OR PRODUCTION AND FURTHER AMENDED TO PROHIBIT THE USE OF SUCH WASTE ON ROADWAYS OR ITS RELEASE INTO THE ENVIRONMENT.**
- t. **RESOLUTION AMENDING RESOLUTION NO. R-12-2012-367 CONFIRMING IT’S ACCEPTANCE OF THE COST-SHARE ALLOCATED TO THE TOWNSHIP BY THE MIDDLESEX COUNTY AGRICULTURE DEVELOPMENT BOARD FOR THE PURCHASE OF A DEVELOPMENT EASEMENT ON “INDYK’S” FARM.**
- u. **RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. RELATED TO REPRESENTATION OF THE TOWNSHIP IN VARIOUS MATTERS OF EXTRAORDINARY LITIGATION.**
- v. **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2014 – 2015 LICENSE TERM.**
- w. **RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) Click It or Ticket Grant - \$4,000**
- x. **RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) Clean Communities Grant - \$75,548.84**
- y. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) UPON THE POSTING OF MAINTENANCE GUARANTEES FOR W & S 775 – RENAISSANCE @ MONROE, BLOCK 1, LOTS 4.02 & 4.04 (PB#773-02)**

REPORTS

Mayor Pucci – No Report

Administrator Hamilton – Mentioned that at the next meeting, three (3) Ordinances will be Introduced next Wednesday that are still being processed:

1. Water and Sewer Utility Capital Bond Ordinance.
2. General Capital Bond Ordinance. (Projects approved as part of the Municipal Budget & Utility Budget process.)
3. Amending the Forsgate, Applegarth & Links project to accurately represent the County's share in the project.

There will also be a Resolution Amending the Capital Budget as well as a Resolution for landscaping, terminating the services of our current landscaper and going to the second lowest bidder.

Engineer Rasimowicz – No Report

Council:

Councilman Leibowitz - reported that today he attended various events where the High School Seniors teamed up with Senior Citizens in various sporting events. It's the first time being held and nice to see the kids and adults playing together and participating as teams.

Councilman Dalina – No Report

Councilwoman Schneider – announced that at the June 4th Council Meeting the Human Relations Commission will hold its annual ceremony honoring and presenting Awards to 27 students who exemplify the six pillars of character.

Council President Tamburro – mentioned that last Tuesday, the Monroe Township Chorus, plus 400 Veterans from various communities, participated in a song-fest in remembrance of each of the wars or conflicts which have occurred over the past 70 years.

On Memorial Day a wreath laying ceremony was held at the Municipal Building which included a small contingent from the Monroe Twp. High School Band. There was also a ceremony at Veterans Park with the same group. The ceremony there was designed by a fellow who was earning his Eagle Scout Badge and is now in the Marines. Both were very moving ceremonies.

PUBLIC:

Charles Lerman, 11 Doral Dr., Regency – expressed his annoyance regarding the delay of the traffic light installation at Routes 522 & 613.

Administrator Hamilton explained there is a long legal process that must be followed on the 16 parcels of land involved and the process is coming to a close.

Jennifer Hluchy, 436 Schoolhouse Rd. – questioned the location of the property referenced in the Ordinance on tonight's Agenda amending Chapter 108.

Council President Tamburro responded that it is located on Route 535 & 522, diagonally across from Cannon.

She next inquired about the impact Parker will have on the intersection of Route 522 and Schoolhouse Road during shift changes, rush hour and school buses, all being in motion around the same time. She mentioned that an evaluation was to be done on that intersection and asked if anything has been done by the County?

Engineer Rasimowicz confirmed that it is a County intersection and the County Planning Board reviewed the Parker House application and if there was some requirement by the County needed at that intersection, they would have required it at the time of their approval. He is not aware of any improvements.

She then asked that if, when they do open, there are traffic issues resulting from this facility, how will the issues then be resolved.

Engineer Rasimowicz explained that it would be something that could be re-visited with the County.

She next inquired as to if the parcel of property that Parker was to donate to the town has been completed and Engineer Rasimowicz stated that he believes the Council has already accepted the property and the actual transfer is at the time the Performance Bond is released.

Michele Arminio, 9 Nathaniel St. – complimented Ms. Hluchy on her appointment to the Zoning Board of Adjustment and further questioned the following Items on the Agenda:

Item #8.n. – Appraiser for Block 25, Lot 2.09 - 25 Applegarth-Half Acre Road, adjacent to the Verizon Building.

Administrator Hamilton explained it is about an acre of property that JSM at Applegarth donated to the township for a Fire House. The property had soil contamination issues, and the Fire House was relocated to another location. The Developer is now looking to get this parcel of land back from the township. We are appraising the value of the land owned presently by the township for JSM to either purchase or trade the land of an equivalent value.

Ms. Arminio asked if all contamination has been cleaned up and Administrator Hamilton responded “yes”, it has been cleaned. She asked if this would be included in the appraisal report and Engineer Rasimowicz stated he will look into the matter.

Item #8.s. – Resolution supporting Assembly Bill No. 2108. (Regarding fracking).

Council President Tamburro responded that we support both Resolutions for the State and the County.

She mentioned that if anyone has any contacts in the Governors’ office or Senate, we might ask them not to approve the Governors’ Representatives for the Pinelands Preservation Alliance. They don’t seem to have the best interest regarding preservation.

Ms. Arminio then asked what Shain, Schaffer & Rafanello were being paid for various matters of litigation which was responded to as follows:

2014 Tax Appeals	- \$100,000
JSM Route 33 Litigation	- 10,000
Stonebridge Homeowners Assn. Litigation	- 5,000

Stephen Riback, 23 Riviera Dr. – had a follow-up to Mr. Lerman regarding the intersection of Route 613 & 522, asking if it would be possible, as an interim measure, to put up a 4-Way Stop sign. Administrator Hamilton responded that by the time we got the County’s permission to do that we should have the permission to forge ahead with the existing plan.

Robert Zeglarski, 162 Tournament Drive – mentioned that at a previous Council Meeting Charles Lerman discussed the issue of development within Monroe and its impact on the school districts and the Council President mentioned there was a parcel of land originally slated for light industrial and was approved for 167 residential units. He questioned a statement made that “if the public would be at a certain meeting, we might have been able to forestall those residential units and keep it as light industrial”. He asked for an explanation of that statement.

Council President Tamburro explained that the Master Plan Review Committee last year recommended that the parcel that is on for a zone change tonight, Item #7.b. for Introduction, be Light Industrial because there was an approval for 166 homes. It was presented to the Planning Board and 15-20 people spoke out against it and no one spoke out in favor of it. That was Council President Tamburro’s comment to Mr. Lerman. He suggested that since there may be a change in that parcel, that people were needed to come out and say if the proposed zone change of PRC2 was to the benefit of all the residents of the Township. The Planning Board recommended it to Council and the Council is the only body that has the authority to change the Zoning and it is on the Agenda this evening for action by Council at the June 4th meeting to change the zone. The zoning in place right now is for 166 single family homes in which preliminary approval has been given. This approval was given approximately 2 years ago.

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

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council President Gerald Tamburro	Aye

PATRICIA REID, Deputy Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on 7/07/2014