

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
SPECIAL & AGENDA MEETING – JUNE 30, 2014

The Council of the Township of Monroe met in the Municipal Building, 1 Municipal Plaza, for Special and Agenda Meetings.

The Special 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, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Leslie Koppel and Council President Gerald W. Tamburro.

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

ABSENT: Mayor Richard Pucci

There were approximately eight (8) members of the Public present in the audience.

Council President Tamburro requested the Clerk 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 June 24, 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** on June 26, 2014 and in the **CRANBURY PRESS** on June 27, 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.

Council President Tamburro announced the Special Meeting is being Called to Order for the Consideration of various Resolutions and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Koppel, the following Resolutions were moved for adoption under the **CONSENT AGENDA**, as hereinbelow set forth:

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

RESOLUTIONS adopted under **CONSENT AGENDA** are as follows:

R-6-2014-169 **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2014-2015 LICENSE TERM.**

R-6-2014-170 RESOLUTION AUTHORIZING A GRANT APPLICATION UNDER “RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES PROGRAM” SPONSORED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS.

Copies of Resolutions Duly Filed.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Koppel, the Special Meeting was Adjourned at 7:05 p.m. and the regularly scheduled Agenda Meeting was Called to Order.

ROLL CALL: Councilman Stephen Dalina	Aye
Councilman Michael Leibowitz	Aye
Councilman Elizabeth Schneider	Aye
Council Vice-President Leslie Koppel	Aye
Council President Gerald W. Tamburro	Aye

Council President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, JULY 7, 2014** Regular Council Meeting:

- a. **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)
- b. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE.**
- c. **BOND ORDINANCE PROVIDING FOR VARIOUS 2014 WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,455,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$3,455,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**
- d. **BOND ORDINANCE PROVIDING FOR VARIOUS 2014 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,332,400 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**
- e. **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-5-2002-017 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON MAY 6, 2002 ENTITLED, “BOND ORDINANCE PROVIDING FOR VARIOUS 2002 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$1,435,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,080,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF”, AS AMENDED BY BOND ORDINANCE NUMBER O-5-2003-015 FINALLY ADOPTED ON MAY 5, 2003, BY BOND ORDINANCE NUMBER O-5-2004-022 FINALLY ADOPTED ON MAY 24, 2004, AND BOND ORDINANCE NUMBER O-7-2008-013 FINALLY ADOPTED ON JULY 7, 2008, TO INCREASE THE TOTAL APPROPRIATION THEREIN BY \$380,000 TO INCREASE THE AUTHORIZED SECTION 2:20 COSTS THEREIN BY \$75,000 AND TO APPROPRIATE \$380,000 IN MIDDLESEX COUNTY GRANT MONEYS TO FINANCE THE INCREASED APPROPRIATION THEREIN.**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, JULY 7, 2014** Regular Council Meeting:

- a. **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE NEW OPEN SPACE PROPERTY ACQUISITIONS, TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$7,350,000 TO \$12,850,000, TO INCREASE THE TOTAL DEBT AUTHORIZATION THEREIN FROM \$6,999,784 TO \$12,237,784 AND TO INCREASE THE TOTAL DOWN PAYMENT THEREIN FROM \$350,216 TO \$612,216.**
- b. **ORDINANCE ACCEPTING THE CONVEYANCE OF A CONSERVATION EASEMENT AND DEED OF DEDICATION OF RIGHT-OF-WAY FROM KEITH AND GINA KURCZESKI.**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, JULY 7, 2014** Regular Council Meeting be reviewed and will be happy to address any questions:

- a. **RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR REVIEW AND INSPECTION OF ON-GOING CONSTRUCTION AT W&S SITE 682.1 FOR COSTCO WHOLESALE CORPORATION.**
- b. **RESOLUTION AUTHORIZING THE PURCHASE OF EXTERIOR DOORS FOR THE MONROE TOWNSHIP COMMUNITY CENTER.**
- c. **RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GIFT BEQUEATHED TO THE MONROE TOWNSHIP OFFICE ON AGING IN THE LAST WILL AND TESTAMENT OF CHARLOTTE EDER.**
- d. **RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE FOR THE TOWNSHIP OF MONROE.**
- e. **RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ON-LINE AUCTION WEBSITE FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT.**
- f. **RESOLUTION AUTHORIZING APPLICATION FOR PARTICIPATION IN THE LOCAL GOVERNMENT ENERGY AUDIT PROGRAM ADMINISTERED BY THE NEW JERSEY BOARD OF PUBLIC UTILITIES, OFFICE OF CLEAN ENERGY.**
- g. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.**
- h. **RESOLUTION CANCELLING MUNICIPAL TAX SALE CERTIFICATE.**
- i. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF 211 CRANBURY STATION RD., LLC v. THE TOWNSHIP OF MONROE AS EXTRAORDINARY LITIGATION.**
- j. **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR APPRAISAL SERVICES RELATED TO BLOCK 77, LOTS 2.3 & 2.3QFARM.**
- k. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FEIST ENGINEERING, INC. FOR TITLE SURVEY, PROPERTY DESCRIPTION & PHASE 1 ENVIRONMENTAL ANALYSIS FOR OPEN SPACE ACQUISITION.**
- l. **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES.**

- m. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR SECTIONS B, C1, C2, D, AND F OF CONTRACT NO. 428 FOR "WATER & SEWER SYSTEM APPURTENANCES" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- n. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO KENNEDY CULVERT SUPPLY CO. FOR SECTIONS A, C3, E2, G AND H OF CONTRACT NO. 428 - "WATER & SEWER SYSTEM APPURTENANCES" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- o. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO J. FLETCHER CREAMER & SON, INC. FOR CONTRACT NO. 429 - "SYSTEM REPAIR SERVICES" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- p. **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) "Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund" Grant - \$59.08**
- q. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY A. TAKTON CONCRETE CORPORATION IN CONNECTION WITH 2014 ROAD IMPROVEMENTS – CONCRETE CURB, GUTTER AND SIDEWALK REPLACEMENT.**
- r. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- s. **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 04-02, 12TH AND BUDAPEST STREETS.**
- t. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO PROCEED WITH CONDEMNATION OF VARIOUS PROPERTIES WITHIN THE TOWNSHIP FOR OPEN SPACE ACQUISITION.**
- u. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR REGENCY AT MONROE, SECTIONS 8C, 8D, AND 8E.**
- v. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. BERGEN MILLS ESTATES, LLC AS EXTRAORDINARY LITIGATION.**
- w. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ADDENDUM TO THE COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIPS FUNDS.**
- x. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED FOR GREEK CORP. – BLOCK 53, LOT 21.05, UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- y. **RESOLUTION CONSENTING TO THE INSURANCE SETTLEMENT FOR STONEBRIDGE COMMUNITY ASSOCIATION, INC. v. THE TOWNSHIP OF MONROE.**
- z. **RESOLUTION AUTHORIZING THE ENTERING INTO AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING ("MOU") BY AND BETWEEN THE MIDDLESEX COUNTY OFFICE OF EMERGENCY MANAGEMENT, THE TOWNSHIP OF MONROE EMERGENCY MEDICAL SERVICE AND THE MIDDLESEX COUNTY EMERGENCY MEDICAL SERVICES TASK FORCE REGARDING THE DEPLOYMENT OF AN EMS TASK FORCE TRAILER ON AN "AS-NEEDED" BASIS.**

- aa. **RESOLUTION AUTHORIZING THE EXECUTION OF APPLICATION DOCUMENTS WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE INSTALLATION OF IMPROVEMENTS, INCLUDING A WALKING PATH, IN THE WETLAND BUFFER AREAS LOCATED AT BLOCK 1, LOTS 1.01, 3 & 6 AND FURTHER AUTHORIZING THE ACTING TOWNSHIP ENGINEER TO ACT AS THE AUTHORIZED AGENT/REPRESENTATIVE.**
- bb. **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP SHIRTS AND HATS.** (Bids to be received 7/2/2014)
- cc. **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP SECURITY, FIRE, CAMERAS & ACCESS SYSTEMS.** (Bids to be received 7/2/2014)
- dd. **RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN.**

Councilman Dalina questioned Item #9.b. – replacement of the Community Center Doors and Administrator Hamilton explained that this is part of the Settlement Agreement with the bonding company. Funds were set aside for ADA accessibility.

Mayor's Report – Absent

Administrator's Report – Mr. Hamilton commented on Item #9.c. regarding the Charlotte Eder Estate donation to the Monroe Township Office on Aging in the amount of \$711,115.99 which will be used specifically for programming and transportation.

He also mentioned that starting tomorrow construction will begin at the Applegarth and Forsgate Drive intersection. Mailers are going out to the residents who live in the Forsgate Communities as well as the Rossmoor Community making them aware of the construction.

Engineer Rasimowicz further explained there will be some temporary lane closures during construction at that site. A more realistic start date will be Monday, July 7th. An alternate route is advised due to delays.

Lighted billboards are on Applegarth and on both sides of Forsgate Drive advising commuters of the construction. There is also a nixel going out today and it will also be on the Township website.

Engineer's Report – Mr. Rasimowicz advised there is another intersection that is scheduled to start within about a week. It is the intersection of Route #522 (Buckelew Ave.) and Route #613 (Spotswood-Englishtown Rd.)

Council Report's

Councilman Leibowitz – No Report

Councilman Dalina – Happy 4th of July to everyone

Councilwoman Schneider – commented on a tour that she made with the Business Administrator to the various Departments and the Police Department which she found to be very informative.

She further commented on the Human Relations Commission Awards that were presented at the last Council Meeting and the wonderful turn-out of students and their families.

She was also impressed by the mock trial put on by 3rd Grade Students at Mill Lake School.

She also attended two Court of Honor ceremonies for Eagle Scout Awards presentations.

Council Vice-President Koppel – mentioned that she received a picture from John Katerba of a painting done on the Dey Farm by an Eagle Scout and recommended that the Eagle Scout be recognized for this work at a Council Meeting. She also wished everyone a happy 4th of July.

Council President Tamburro – reminded everyone about the 4th of July Fireworks in Thompson Park and advised that the programs will start about 5pm in Thompson Park and Shuttles will be provided.

PUBLIC:

Charles Lerman, 11 Doral Drive – appreciates the start of work at the corner of Routes 613 & 522. Earthwork will start on July 7, 2014.

Engineer Rasimowicz added that not everything is complete but Toll Bros. will be starting on Monday in the areas that have been finalized.

Administrator Hamilton added that one property owner who the town thought they had come to terms with, changed their mind and Condemnation proceedings were immediately filed.

Attorney Shain stated this will not hold back the project. Once the condemnation papers are filed, the Township is able to proceed.

Michele Arminio, 9 Nathaniel St. questioned the following Agenda Items:

Item #9.aa. – Rocky Brook Estates

Engineer Rasimowicz explained there was a Planning Board approval for “Rocky Brook Estates” which is located on the southern side of Route #33 at Etra Road near the border with East Windsor. There is a proposed walking trail that the Planning Board required throughout the wetland buffer area. There is a small stone parking lot and Township land, which will provide a walking/nature trail. The township will be the applicant signing the application, but the developer will do all engineering work and paying any fees required to the State. All engineering fees will be paid through Planning Board escrow fees.

Item #9.v. – Extraordinary Litigation for Shain, Schaffer & Rafanello to handle Township of Monroe v. Bergens Mills Estates.

Administrator Hamilton explained there is an unfinished punch-list for Bergen Mills Estates – Kara Homes. Attorney Shain will become involved with the bonding company. The amount is \$5,000.

Item #9.t. – Amount to be paid to Shain, Schaffer & Rafanello, P.C. to proceed with condemnation of various properties within the township for open space acquisition

Administrator Hamilton explained there is no amount. It is a Resolution authorizing Shain, Schaffer & Rafanello, P.C. to proceed. Monies would come out of the open space fund.

Item #9.q. – Change Order No. 1 for 2014 road improvements by Takton Concrete Corp

Administrator Hamilton explained there were sidewalk problems surrounding the municipal building and that the sidewalks that were lifting were replaced as part of the improvements.

Item #9.o. – MTUD award of contract to J. Fletcher Creamer & Son

Tim Stoessler, Purchasing Agent for the MTUD responded that it is an annual contract in the amount of \$75,000. It is for repair of hydrants that are struck or for a broken pipe that cannot be handled in-house. This contractor is not expected to be needed, but wanted the contract in place in case of an emergency.

She asked “what happens to the money not used” and Administrator Hamilton responded that it would go back into the operating fund balance.

Item #9.k. – Resolution authorizing a professional service contract with Feist Engineering for Title Survey, Property Description & Phase 1 Environmental Analysis for Open Space acquisition. She asked if this is what Feist does on a regular basis or is that an in-house report or are they going to contract out for that.

Administrator Hamilton explained that in order to close on the properties, the Township Attorney's office has requested that a Title Survey and a Phase 1 Environmental Analysis be done on the two properties i.e. Block 77, Lots 10.02 & 11.02, that cost of which for both properties will be \$13,000.

Ms. Arminio stated that this does not answer her question. Engineer Rasimowicz responded that this is similar to what has been done in the past. Some are farmed out to an Environmental subcontractor and some is done in-house.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Koppel, the meeting was Adjourned at 7:25pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on August 4, 2014