

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**AGENDA MEETING - - SEPTEMBER 29, 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 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: Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain, and Engineer Mark Rasimowicz.

**ABSENT:** Mayor Richard Pucci

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 President.

Council President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, OCTOBER 6, 2014** Regular Council Meeting:

- a. **ORDINANCE AMENDING CHAPTER 116 ENTITLED "TOWING AND STORING OF VEHICLES"**.
- b. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE.**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, OCTOBER 6, 2014** Regular Council Meeting:

- a. **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "STREETS AND SIDEWALKS", SPECIFICALLY ARTICLE VI ENTITLED, "REIMBURSEMENT TO HOMEOWNERS' ASSOCIATION FOR STREET LIGHTING, SNOW REMOVAL, RECYCLING AND ROADS MAINTENANCE"**.
- b. **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

- c. **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF WATER ALLOCATION RIGHTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, OCTOBER 6, 2014** Regular Council Meeting be reviewed and any questions will be addressed:

- a. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR 2014.**
- b. **RESOLUTION AUTHORIZING FORECLOSURE UNDER THE IN REM TAX FORECLOSURE ACT (1948) AND ESTABLISHING A TAX FORECLOSURE LIST OF LIENS TO BE FORECLOSED.**
- c. **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 1, LOT 10.02, MONROE TOWNSHIP, NEW JERSEY.**
- d. **RESOLUTION AUTHORIZING THE ACTING TOWNSHIP ENGINEER TO PREPARE QUALIFICATIONS AND ADVERTISE FOR RECEIPT OF QUALIFICATIONS ("RFQs") FOR POND TREATMENT AND MAINTENANCE SERVICES FOR ALL TOWNSHIP OWNED WET PONDS, BASINS AND PUMPS.**
- e. **RESOLUTION REFUNDING FEES FOR UNUSED CONSTRUCTION PERMIT NO. 2-1409 FOR BLOCK 67, LOT 20.26.**
- f. **RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR COLTS RUN AT MONROE – SECTION 1.**
- g. **RESOLUTION AUTHORIZING THE REDUCTIONS OF PERFORMANCE GUARANTEES POSTED FOR REGENCY @ MONROE, PHASE 8 - 8F, 8G, & 8J AND REGENCY @ MONROE, PHASE 8 – 8C, 8D, & 8E.**
- h. **RESOLUTION AUTHORIZING THE TOWNSHIP UTILITY DEPARTMENT PURCHASING MANAGER TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS (RFQ'S) FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2015.**
- i. **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR /QPA TO PREPARE AND ADVERTISE A REQUEST FOR QUALIFICATIONS ("RFQ") FOR FINANCIAL ADVISOR FOR 2015.**
- j. **RESOLUTION REJECTING BIDS RECEIVED FOR THE RESTORATION AND RECONSTRUCTION PROJECTS FOR THE DEY FARMSTEAD AND AUTHORIZING THE PROJECT BE RE-ADVERTISED FOR RECEIPT OF BIDS.**
- k. **RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2013 ANNUAL AUDIT.**
- l. **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) (Recreational Opportunities for Individuals with Disabilities Program)**
- m. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**

- n. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN ROCLENE MANOR, LLC AND JAMESBURG MANOR, LLC AND THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.) REGARDING THE PAYMENT OF WATER AND SANITARY SEWER CONNECTION FEES IN INSTALLMENTS.
- o. RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) PICK-UP TRUCK WITH SNOW PLOW AND ONE (1) SPORTS UTILITY VEHICLE (SUV) USING THE NEW JERSEY STATE CO-OPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- p. RESOLUTION AUTHORIZING AWARD OF A CONTRACT WITH WATER WORKS SUPPLY CO. FOR CONTRACT 430, "WATER METERS" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- q. RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR MONROE CHASE (a/k/a SOUTHFIELD GRAND).
- r. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE METAL ROOF REPAIRS TO THE MONROE TOWNSHIP LIBRARY.
- s. RESOLUTION APPROVING THE SETTLEMENT OF 211 CRANBURY STATION, LLC'S CLAIMS AGAINST THE TOWNSHIP OF MONROE.
- t. RESOLUTION REFUNDING TAX OVERPAYMENTS.
- u. RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT WITH HATCH MOTT MACDONALD FOR WATER SYSTEM HYDRAULIC MODELING OF PROPOSED DEVELOPMENTS FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.)
- v. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH UTILITY SERVICE COMPANY, INC. FOR THE ABEEL ROAD WATER TANK DEMOLITION FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- w. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND GRANT ACCEPTANCE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ("NJDOT") FOR NJDOT LOCAL AID FOR FY2015 FOR SPOTSWOOD AVENUE, ELLINGHAM AVENUE, AND AVENUE G PEDESTRIAN, DRAINAGE, AND ROAD IMPROVEMENT PROJECTS.
- x. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND GRANT ACCEPTANCE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ("NJDOT") FOR NJDOT LOCAL AID FOR FY2015 FOR SPOTSWOOD - GRAVEL HILL ROAD IMPROVEMENTS.
- y. RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2014 AS EXTRAORDINARY LITIGATION.
- z. RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF MOZES KOVACS v. TOWNSHIP OF MONROE, ET ALS. AS EXTRAORDINARY LITIGATION.
- aa. RESOLUTION APPROVING AGREEMENT IN PRINCIPLE FOR PURCHASE OF WATER RIGHTS FROM SWM INTERNATIONAL.
- bb. RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN SHARED PROPERTIES, L.L.C. AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITIES DEPARTMENT PUMP STATION NO. 2.

- cc. **RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE DEVELOPER'S AGREEMENT BY AND BETWEEN BLOCK 17 ASSOCIATES, L.L.C. (HIDDEN POND), THE GABLES AT APPEGARTH VILLAGE, L.L.C., THE GARDENS AT MONROE HEALTHCARE AND REHABILITATION CENTER, L.L.C., THE VERDE GROUP, L.L.C., PULTE HOMES OF NEW JERSEY, L.P. AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITY DEPARTMENT'S PUMP STATION NO. 2.**
- dd. **RESOLUTION GRANTING ITS ADVICE AND CONSENT TO THE APPOINTMENT OF WAYNE HORBATT, C.P.W.M., AS DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWNSHIP OF MONROE.**
- ee. **RESOLUTION GRANTING ITS ADVICE AND CONSENT TO THE APPOINTMENT OF MARK RASIMOWICZ, P.E., C.M.E., C.P.W.M., AS DIRECTOR OF THE DEPARTMENT OF ENGINEERING AND SHALL THEREBY ACT AS TOWNSHIP ENGINEER.**

**REPORTS:**

**Mayor Pucci – Absent**

**Administrator Hamilton** - spoke regarding the Channel 28 problems we are experiencing. The server is down and has had to be shipped out to Michigan for repair and should be back on-line shortly.

He next discussed the 1.15% rate on the MCIA financing which had been asked at the last meeting.

He next mentioned that he, the Township Clerk and Chief Financial Officer will be finishing up the "Best Practices" questionnaire and it will be further discussed at the next Council Meeting.

**Engineer Rasimowicz – No Report**

**Council Reports:**

**Councilman Leibowitz** – mentioned the Library's 25<sup>th</sup> Anniversary. Also, there was a new Sign dedication for the "Daniel Ryan Field".

**Councilman Dalina** – questioned if the server was a "dedicated server" and Administrator Hamilton responded "yes" it is. He added that there was a question about bringing it into the new High School and being able to broadcast on Verizon as well. It is currently being looked into.

**Councilwoman Schneider** – attended the NJ Training School Graduation on Friday. She "threw out the ball" at the Vintage Baseball Game at the Dey Farm on Saturday, which she found rather exciting and she was also at the new Sign dedication for the "Daniel Ryan Field".

**Council Vice-President Koppel** – on Saturday evening she attended an ICAM (Indian Cultural Association of Monroe) Event with over 500 people in attendance.

She announced that the Library will be holding a "Blood Drive" this Thursday from 1:30-7:30PM at the Senior Center and that the event is sponsored by a Senior.

She also extended "Happy New Year Wishes".

**Council President Tamburro** – also wished Council Members and the Public a “Happy New Year”.

He stated he also attended the new Sign dedication for the “Daniel Ryan Field” and spoke on Danny Ryan and the great qualities he exhibited as a sports figure during his short lifetime.

Announced that Flu Shots will be offered at the Senior Center and more information will be offered at Monday night’s meeting.

**Public:**

**Mark Klein**, 7 Crenshaw Ct. – questioned Item #7.g. – Bond Reduction for Regency @ Monroe Phases 8, 8F, 8G, & 8J and Phases 8, 8C, 8D & 8E, asking for an explanation of the reductions.

Engineer Rasimowicz responded that they are performance bond reductions for the above mentioned projects by as much as 30%.

Mr. Klein complained about an existing problem with the first six phases and the irrigation system. The development is in transition and has a concern with the irrigation system not working and asked the Council to communicate with Toll Bros. regarding this problem. Engineer Rasimowicz advised he will look into the matter.

**Alan Kahn**, 11 Cranshaw – asked for an explanation of Item #6.A. - Ordinance amending Chapter 105 “Streets & Sidewalks” reimbursements to Associations.

Administrator Hamilton explained that the amendment was due to litigation brought against the Township by Stonebridge regarding the calculations for snow removal reimbursement.

**Audrey Cornish**, 431 Schoolhouse Rd. – Item #7.d. – asked what kind of preparation is made for Township owned wet Ponds, Basins & Pumps.

Engineer Rasimowicz responded that this is in regards to all storm water basins, wet basins & ponds where our storm water systems are empty. It involves an annual chemical treatment at various basins and ponds within the town.

She asked if the pond in Heritage Chase is owned by the township and he stated he will look into it.

Next she questioned the change to the triangle intersection of Schoolhouse Road and Spotswood-Gravel Hill Road and feels it is now a dangerous intersection. Engineer Rasimowicz will do a site evaluation and report back.

**Michael Tobyn**, 96 Kings Mill Rd – at the new intersection on Route 522 & 613 there is a building at the corner that has a “garage sale” every weekend. He is concerned with the construction at the intersection and the garage sales every weekend and now the occupancy in the small building next to the garage. It needs to be investigated. Administrator Hamilton stated he will have the matter looked into.

**Robert Zeglarski**, 162 Tournament Dr. – questioned Item #7.d. referencing “Acting Township Engineer” and item #7.ee. granting advice & consent to appoint Mark Rasimowicz as Director of Engineering. Council President Tamburro explained.

**Michele Arminio**, 9 Nathaniel St. – Item #7.cc. MTUD Amendment to a Developers Agreement Between Block 17 Associates, The Gables at Applegarth Village, The Gardens @ Monroe, The Verde Grp., Pulte Homes & Twp. of Monroe.

MTUD Director Michael Barnes explained it is a multi-developer agreement for which the developers are responsible for payment. Pulte is new to agreement. It is for off-site storage of sewage until it can be delivered to the County.

Item #7.aa. – Agreement in principal for water rights from SWM International.

Administrator Hamilton explained SWM, previously known as Kimberly Clark/Schwitzer's, a specialty paper mill in Spotswood have available for sale, water allocation rights. The township has been looking for an opportunity to locate a well in the north end of town. We are currently paying approximately \$3,000 per million gallons with NJ American Water and are currently obligated to pay them for 500 thousand gallons a day for the purchase of water. That amounts to approximately \$565,000. With these water allocation rights, it will give us the opportunity to drill a well in that vicinity. This is a 2.1 million gallon opportunity and has great financial benefits.

Item #7.y. – Additional money for Shain, Schaffer & Rafanello for State Tax Court Appeals. She asked the year to date cost and the additional amount of money being allocated. Administrator Hamilton advised this Resolution is for \$75,000 and the year to date amount is \$275,000.

Item #7.z. – Authorizing Shain, Schaffer & Rafanello to handle Kovacs vs. Twp. of Monroe. \$15,000. Asked what this is regarding and Administrator Hamilton advised it is a noise complaint.

**Tom Bartley**, Spotswood-Englishtown Rd. – asked the cost of the water allocation rights with SWM and Administrator Hamilton responded \$4.5 million dollars and the Bond Ordinance is for \$5.5 million, which includes well testing & development.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Schneider, the meeting was Adjourned at 7:35pm.

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 10/06/2014