

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - - SEPTEMBER 13, 2010

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

The Regular Meeting was Called to Order at 7:30 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: Councilwoman Leslie Koppel, Councilmen Michael Leibowitz and Irwin Nalitt, 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 Township Engineer Ernest W. Feist.

There were approximately twenty five (25) members of the Public present in the audience.

Council President Tamburro requested the following **SUNSHINE LAW** be read 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 8, 2010 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 the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 8, 2010;
3. Posted on January 8, 2010 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 that the Historic Preservation Commission has a representative here this evening from the Flemington-Neshanic Baseball Club, Brad Brooklyn Shaw. Mr. Shaw announced that Flemington-Neshanic Baseball Club will be playing the Philadelphia Athletics in a double header of 1864 and 1873 baseball at the Dey Farm. The games will be played with the uniforms worn and rules played by during that era. The two games will take place on October 2, 2010 at 12 p.m. at the Dey Farm and admission is free. Mr. Shaw presented the Mayor with the baseball cap worn during that era and passed around to the Mayor and Council a ball from the 1864 era and the ball now used by baseball players and explained the difference.

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Nalitt, the **MINUTES** of the **May 3, 2010 Regular Meeting, May 26, 2010 Agenda Meeting, June 9, 2010 Regular Meeting, June 28, 2010 Special & Agenda Meeting** and **July 7, 2010 Regular Meeting** were approved as written and presented.

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

UPON MOTION made by Councilman Nalitt and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE ACCEPTING LANDS TO BE DEDICATED FOR THE PURPOSE OF DETENTION BASINS BY THE "RESERVE AT STONEBRIDGE"**.

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-3-2006-010 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON MARCH 27, 2006 ENTITLED, "BOND ORDINANCE PROVIDING FOR VARIOUS 2006 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 \$20,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$18,839,275 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF", AS AMENDED AND SUPPLEMENTED, TO REALLOCATE APPROPRIATIONS, AUTHORIZATIONS AND DOWN PAYMENTS THEREIN.**

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Miller, the following entitled Resolution was moved for adoption: **RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE CHARLES DEY BARN AND FARM SITE.**

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

R-9-2010-281 RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE CHARLES DEY BARN AND FARM SITE.

Copy of Resolution Duly Filed.

Freeholder Director Christopher D. Rafano presented a check in the amount of \$1,000,000 to John Katerba, Historian and Chairman of the Historic Preservation Commission for the Dey Farm Improvements.

Mayor Pucci advised that without the help of the State of New Jersey and the Board of Chosen Freeholders at the County level, Open Space and Farmland Preservation would not be a reality.

John Katerba, Chairman of the Historical Commission, thanked Freehold Director Christopher D. Rafano for the generous check and for the support provided to Monroe in these endeavors.

Council President Tamburro requested that the members of Council review the Resolutions listed under the Consent Agenda prior to taking action.

Councilman Leibowitz had a question on Resolution 11.j. - Tough Books for the EMS. Administrator Hamilton explained that the Tough Books enable EMS to meet the new requirements set by the Department of Health for Electronic Call Charting. Along with the books, the contract also includes mounting brackets and installation in all (17) seventeen EMS Vehicles.

UPON MOTION made by Councilman Nalitt and seconded by Councilman Leibowitz, the following entitled **RESOLUTIONS** were adopted under the **CONSENT AGENDA**, as hereinbelow set forth:

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

RESOLUTIONS as follows:

- R-9-2010-282** RESOLUTION APPROVING AFFORDABLE HOUSING DEED RESTRICTIONS ON A PORTION OF THE IMPROVEMENTS ON PROPERTY LOCATED AT BLOCK 13, LOT 80 IN THE RESIDENTIAL DEVELOPMENT KNOWN AS STRATFORD AT MONROE.
- R-9-2010-283** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEES WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W & S 832 - DYNASTY ESTATES - PB #891-04.
- R-9-2010-284** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEES WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W & S 832.4 - PALACE COURT - PB #929-04.
- R-9-2010-285** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W & S 832.6 - PRINCESS COURT - PB#1044-07.
- R-9-2010-286** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH FEIST ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES UNDER THE 2010 CAPITAL PROJECTS.
- R-9-2010-287** RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OKTOBERFEST CELEBRATION.
- R-9-2010-288** RESOLUTION APPROVING PROCEDURE FOR REIMBURSEMENT OF AFFORDABLE HOUSING SUBSIDIES TO VILLAGE AT STRATFORD, LLC.
- R-9-2010-289** RESOLUTION APPROVING PROCEDURE FOR REIMBURSEMENTS OF AFFORDABLE HOUSING SUBSIDIES TO MONROE MANOR, INC.
- R-9-2010-290** RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO TIMOTHY HOFFMAN, LLC FOR APPRAISAL SERVICES FOR VARIOUS BLOCKS & LOTS FOR CONDEMNATION/RIGHT-OF-WAY.

- R-9-2010-291 RESOLUTION AUTHORIZING A CONTRACT WITH WPCS INTERNATIONAL, INC. FOR THE PURCHASE OF MOBILE DATA TERMINALS (TOUGHBOOKS) FOR THE EMS DEPARTMENT UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-9-2010-292 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE LIBRARY BOARD OF TRUSTEES.
- R-9-2010-293 RESOLUTION AMENDING THE "PARKS, OPEN SPACE & RECREATION PLAN" PORTION OF THE MONROE TOWNSHIP MASTER PLAN.
- R-9-2010-294 RESOLUTION AMENDING RESOLUTION NO. R-6-2010-201 REFUNDING TAX OVERPAYMENTS.
- R-9-2010-295 RESOLUTION REFUNDING TAX APPEAL OVERPAYMENTS.
- R-9-2010-296 RESOLUTION AUTHORIZING EXPENDITURES FROM THE TREE ESCROW FUND. (Fall tree planting)
- R-9-2010-297 RESOLUTION AUTHORIZING EXPENDITURES FROM THE TREE ESCROW FUND. (Tree Assessor – site evaluation)
- R-9-2010-298 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-9-2010-299 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-9-2010-300 RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 FOR AMOUNTS OWING TO TAXPAYERS FOR TAXES LEVIED IN THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES PURSUANT TO N.J.S.A. 40A:4-51.

Copies of Resolutions Duly Filed.

Mayor – No Report.

Administrator – Mr. Hamilton explained that in Item #8 on the Agenda, the Amended Bond Ordinance, there will be no additional debt being created. It is an amendment to an existing Bond Ordinance. They are moving dollars between three different projects.

Engineer – Mr. Feist explained that they are receiving bids for four projects and will be opening Bids on September 29, 2010 at 10 am. The four projects are: the Municipal Complex Roof Replacement, LED Lighting for the Applegarth Park & Ride West on Applegarth Road across from Clearbrook and Oak Tree School Baseball Field Lighting.

Council Reports:

Councilwoman Koppel – advised the Nelson Riddle Orchestra will be performing on Oct. 2nd at 8pm and the Chinese Shangri-la Chinese Acrobats on Sunday, Oct. 31st at 2 pm at the Richard Marasco Performing Arts Center.

Councilman Leibowitz – No Report.

Councilman Nalitt – attended a moving ceremony at Fire District #3 where the Lieutenant Governor and former Senator Baroni presented Monroe Twp. and the Fire Company with a piece of steel in remembrance of the Twin Towers.

Council Vice-President Miller - spoke about the Dey Farm Grant and the various improvements that the money would be used for and the many hours of hard work that went into requesting Grant monies.

Council President Tamburro – commented on the team work at every level. He also commented on the 9-11 service that took place at Veterans Memorial Park, Prospect Plains Road.

PUBLIC:

William Rogove, 22 Steeple Road (Stonebridge) – asked the Council if there was a possibility to have an emergency exit put in on the northern end of the property (Old Church Rd.). Engineer Feist responded that there is an MTUD easement that runs through that area which is at least 20 feet wide. He does not see much of a problem asking Lennar if this would be a possibility.

Rudy Chorborda, Nelson Ave. – questioned the status of the flooding issue and Engineer Feist gave an update.

Michele Arminio, 9 Nathaniel St. – Item #11.l. – Resolution Amending the “Parks, Open Space & Recreation Plan” portion of the Master Plan – stated that it was not on the Agenda Meeting and therefore the public did not have time to review.

Questioned Items #11.n.,11.q., 11.r., & 11.s., asking if they were all pertaining to the five million dollar bond ordinance to which Administrator Hamilton responded, advising:

Item # 11.n. - tax appeal overpayments – covers \$791,911 in commercial tax appeal refunds and not a part of the five million bond issue.

Item # 11.q. – Third party tax lien premiums – routine redemptions.

Item # 11.r. – These are just duplicate payments as a result of refinancing.

Item # 11.s. – Emergency appropriation for amounts owing to tax payers for taxes levied - This corresponds to Item # 11.n. – tax appeal overpayments.

She further questioned the following Agenda items:

Item #7 – Ordinance accepting lands for detention basin – who is responsible for maintenance and how many acres. Engineer Feist advised they are maintained through the detention basin maintenance ordinance which requires developers to pay a fee per house and is adjusted from year to year and this particular property consists of 27 acres.

Item #11.e. – Feist Engineering Contract for 2010 Capital Projects – Item #4 Road Paving, Curbs & Sidewalks - questioned if it was open ended or specific areas. Engineer Feist responded that there is a list of roadways included in the Ordinance.

Steve Gorbe, 113 Gravel Hill-Spotswood Rd. – Stated that double lines are need between Hoffman Station & Gravel Hill Roads. Engineer Feist advised that striping of roads will take place in September on a priority basis. Mr. Gorbe also spoke on the need for police presence on Gravel Hill – Spotswood Road.

UPON MOTION made by Councilman Nalitt and seconded by Councilman Leibowitz, the meeting was Adjourned at 8:12pm.

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes adopted on _____