

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**REGULAR MEETING - - OCTOBER 6, 2014**

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 7:00 p.m. by Council President Gerald W. Tamburro who asked everyone to stand and join him in a Salute to the Flag.

**UPON ROLL CALL** by the 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:** Business Administrator Wayne Hamilton, Township Attorney Joel L. Shain, and Engineer Mark Rasimowicz.

**ABSENT:** Mayor Richard Pucci

There were approximately one hundred forty (140) 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.

Council President Tamburro introduced Jay Brown and Al Carpenito, Program Supervisors for the Monroe Township Recreation Department, for a presentation of the Mayor's Cup Awards, complimenting them on a terrific job all year.

Council President Tamburro further introduced Linda Greenstein who commended the Seniors participation & Jay Brown and Al Carpenito on the great Programs they run.

Jay Brown thanked the Mayor and Council for all their support in enabling these Programs.

Jay Brown and Council President Tamburro presented trophies to the winning teams, their Captains, and who then introduced each of their team members.

At the end of the presentations, a ten minute recess was taken and the meeting was reconvened at 7:27pm.

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

**National Breast Cancer Awareness Month**  
**October 2014**

**UPON MOTION** made by Council Vice President Koppel and seconded by Councilwoman Schneider the **CLAIMS** per run date of **9/25/2014** were approved for payment as presented.

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

**UPON MOTION** made by Councilman Leibowitz and seconded Councilman Dalina the **Minutes** of the **August 25, 2014** Agenda Meeting, the **September 3, 2014** Regular Meeting, and the **September 29, 2014** Agenda Meeting were approved as written and presented.

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

**UPON MOTION** made by Council Vice-President Koppel and seconded by Councilman Dalina, the following entitled Ordinance was moved on second reading for final passage: **ORDINANCE AMENDING CHAPTER 116 ENTITLED "TOWING AND STORING OF VEHICLES"**.

ORDINANCE as follows: (O-10-2014-021)

**BE IT ORDAINED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 116 of the Monroe Township Code entitled "Towing and Storing of Vehicles" be amended and supplemented as follows and shall become *effective on November 1, 2014*: (additions/revisions / ~~deletions~~)

**§ 116-1. Purpose.**

The purpose of this chapter is to provide criteria and standard operating procedures that are reasonably non-exclusionary and nondiscriminatory in the selection and use of towing operators, on a rotational basis, for providing towing, road services and the storage of vehicles, including but not limited to the towing of vehicles that are abandoned, disabled, illegally parked or stolen, involved in accidents and/or suspected or identified by the township as being involved in criminal activities.

**§ 116-2. Definitions. (NO CHANGE)**

**§ 116-3. Permit required. (NO CHANGE)**

**§ 116-4. Application for permit. (NO CHANGE)**

**§ 116-5. Application requirements. (NO CHANGE)**

**§ 116-6. Application fee. (NO CHANGE)**

**§ 116-7. Application review. (NO CHANGE)**

**§ 116-8. Issuance of permit. (NO CHANGE)**

**§ 116-9. Insurance. (NO CHANGE)**

**§ 116.10. Equipment specifications. (NO CHANGE)**

**§ 116-11. On-call tow list. (NO CHANGE)**

**§ 116-12. Performance standards. (NO CHANGE)**

§ 116-13. ~~[Rates]~~ Standard Towing Rates/ Road Service Fee Schedule

A. Standard Towing.

1. Standard Towing Rates (up to 6,000 lbs) The maximum rates and charges that may be charged by the permit holder for basic towing services rendered to a motor vehicle under this chapter, ~~[which rates include mileage]~~ are as follows:
  - ~~(a) One hundred dollars (\$100) for service between 6:00 a.m. and 5:59 p.m., Monday through Friday.~~
  - ~~(b) One hundred ten dollars (\$110) for service between 6:00 p.m. and 5:59 a.m., Monday through Friday.~~
  - ~~(c) One hundred twenty dollars (\$120) for service between 6:00 pm. Friday and 5:59 a.m., Monday~~
  - ~~(d) One hundred twenty dollars (\$120) for service on any federal or New Jersey State holiday between 6:00 a.m. on the day of the holiday and 5:59 a.m. on the morning following the holiday.~~
  - ~~(e) Sixty dollars (\$60) per hour for waiting time. Fees for waiting time shall not begin to accrue until the tow operator has been on the scene for fifty-nine (59) minutes without being able to begin tow/recovery efforts. Any part of an hour after the elapse of the first fifty-nine (59) minutes shall be counted as a full hour and the full hourly rate of sixty dollars (\$60) shall be charged.~~
  - ~~(f) Seventy-Five dollars (\$75.) for winching.~~
  - ~~(g) Forty dollars (\$40.) for clean-up of vehicle fluids only including but not limited to transmission fluid, engine oil and anti-freeze.~~

**NEW (a) thru (g)**

- (a) Monday-Friday 6:00am-6:00pm: \$125.00
- (b) Monday-Friday 6:00pm-5:59am: \$150.00
- (c) Weekends and Holidays: \$150.00
- (d) Clean up Fee: \$ 50.00 plus \$ 22.00  
per bag of oil absorbent
- (e) Wait Time: \$ 75.00 per hour  
after 60 minutes  
on scene
- (f) Recovering/Winching: \$100.00 per hour  
plus tow fee
- (g) Extra person: \$ 75.00 per person /  
per hour

Remainder of SECTION § 116-13.A. Standard Towing remains the same

B. Standard Storage.

1. ~~[The maximum rate that may be charged by any permit holder for storage services rendered to a motor vehicle shall be thirty dollars (\$30.) per day]~~

Standard Storage (up to 6000 lbs) - The maximum rates and charges that may be charged by the permit holder for basic towing services rendered to a motor vehicle under this chapter are as follows:

- |     |                           |                                  |
|-----|---------------------------|----------------------------------|
| (a) | <u>Outdoor:</u>           | <u>\$40.00 per day</u>           |
| (b) | <u>Indoor:</u>            | <u>\$60.00 per day</u>           |
| (c) | <u>Administration Fee</u> | <u>\$35.00 (one time charge)</u> |
| (d) | <u>Yard Fee:</u>          | <u>\$75.00 (Accidents only)</u>  |
| (e) | <u>Covering/tarping</u>   | <u>\$50.00(one time charge)</u>  |

Remainder of § 116.13.B. Standard Storage remains the same

C. Standard Service Calls.

1. **Standard Road Service** - The maximum rates and charges that may be charged by any permit holder for a service call are as follows:

- |     |   |
|-----|---|
| (a) | <del>Thirty five dollars (\$35.) plus cost of consumables between 8:00 a.m. and 6:00 p.m.</del>         |
| (b) | <del>Sixty dollars (\$60.) plus cost of consumables between 6:01 pm. And 7:59 a.m.</del>                |
| (c) | <del>A charge of sixty dollars (\$60.) will be added to any service call which involves winching.</del> |

NEW (a) thru (b)

- |     |                                    |  |
|-----|------------------------------------|--|
| (a) | <u>Monday-Friday 6:00am-6:00pm</u> | <u>\$ 85.00 plus cost of consumables</u> |
| (b) | <u>Night/Weekend/Holidays</u>      | <u>\$100.00 plus cost of consumables</u> |

Item (c) DELETE in its entirety

Remainder of § 116.13.C. Standard Service Calls Remains the same

- § 116-14. Police impounds. (NO CHANGE)
- § 116-15. Unclaimed vehicles. (NO CHANGE)
- § 116-15.1. Junk Title Certificate. (NO CHANGE)
- § 116-15.2. Standard Title Certificate. (NO CHANGE)
- § 116-16. Arrangements by persons responsible for automobile. (NO CHANGE)
- § 116-17. Administration and enforcement. (NO CHANGE)
- § 116-18. Regulations and procedures. (NO CHANGE)
- § 116-19. Revocation and suspension of permit. (NO CHANGE)
- § 116-20. Violations and penalties. (NO CHANGE)
- § 116-21. Appeals. (NO CHANGE)
- § 116-22. Severability. (NO CHANGE)
- § 116-23. Heavy duty towing and heavy duty recovery.

In addition to Sections 116-1 through 116-22, the following shall apply to any Tow Operator providing heavy duty towing and/or heavy duty recovery services in the township:

**A. thru D. contain NO CHANGES**

- § 116-23. Heavy duty towing and heavy duty recovery.

In addition to Sections 116-1 through 116-22, the following shall apply to any Tow Operator providing heavy duty towing and/or heavy duty recovery services in the township:

~~**E. Rates. The maximum rates that may be charged for heavy duty towing and heavy duty recovery are as follows:**~~

- ~~1. Conventional tow, 12,000 pounds to 25,000 pounds: \$175.00~~
- ~~2. Conventional tow, 25,001 pounds to 55,000 pounds: \$300.00~~
- ~~3. Conventional tow, 55,001 pounds to 80,000 pounds: \$450.00~~
- ~~4. Conventional tow, bus coach: \$450.00~~
- ~~5. Nights, weekends and holidays: additional \$75.00~~
- ~~6. Per mile outside Monroe Township: (all tolls additional): (except no additional mileage fee shall be charged to transport a vehicle to a base of operations located outside of the Township): \$10.00.~~

- ~~7. Extra heavy duty tilt bed low-boy tractor and trailer: \$350.00 per hour.~~
- ~~8. Winching: \$350.00~~
- ~~9. Remove bumper: \$30.00~~
- ~~10. Connect air line: \$25.00~~
- ~~11. Remove axle: \$25.00 per hour~~
- ~~12. Remove Drive Shaft: \$35.00~~
- ~~13. Remove air scoop: \$45.00~~
- ~~14. Remove exhaust pipes: \$30.00~~
- ~~15. Cage brake chambers: \$25.00 per hour~~
- ~~16. Extra men, per hour, per man: \$80.00~~
- ~~17. Clean-up materials: this item is to be a separate line item and itemized on each bill where its use is required. Reasonable rates are required when billing for this item.~~
- ~~18. Storage:
  - ~~(a) Tractor: \$50.00 per day~~
  - ~~(b) Trailer: \$50.00 per day~~
  - ~~(c) Bus: \$75.00 per day~~
  - ~~(d) Tractor trailer: \$75.00 per day~~
  - ~~(e) Straight trucks: \$50.00 per day~~~~

**NEW Section E. Heavy Duty Towing.**

**E. Heavy Duty Towing.**

- 1. Heavy Duty Towing Rates (6,001 lbs and up): The maximum rates and charges that may be charged by the permit holder for heavy duty towing services rendered to a motor vehicle under this Chapter are as follows:**
  - (a) 6,001 – 18,000 lbs: \$250.00 per hour**
  - (b) 18,001 – 26,001 lbs: \$350.00 per hour**
  - (c) 26,001 – 80,000 lbs: \$500.00 per hour**
  - (d) Landoll/Lowboy Trailer Service: \$350.00 per hour**
  - (e) Rotator/Crane Service: \$875.00 per hour**
  - (f) Clean up Fee: \$50.00 plus \$22.00 per bag of oil absorbent**
  - (g) Wait Time: \$100.00 per hour after 60 minutes on scene**
  - (h) Recovery/Winching: \$450.00 per hour/per truck/plus tow fee**
  - (i) Extra person: \$85.00 per person/ per hour**

**NEW Section F. Heavy Duty Road Service.**

**F. Heavy Duty Road Service.**

**Monday – Friday/Nights/Weekends/Holidays:**

**\$125.00 per hour plus cost of consumables**

**Recovery charges involving serious motor vehicle accidents and recoveries will be based upon individual requirements for equipment, personnel and conditions encountered.**

**1. Mileage Rates.**

**Towing service outside the Township subject to a mutual agreement between the Tow Operator and the Owner/Operator of vehicle.**

**2. Scene Supervisor.**

**\$150.00 per hour (only for Serious Accidents or Major Recoveries)**

**NEW Section G. Heavy Duty Storage Fees (6,001 lbs. and up):**

**G. Heavy Duty Storage Fees (6,001 lbs and up):**

**The maximum rates and charges that may be charged by the permit holder for heavy duty towing services to a motor vehicle under this chapter are as follows:**

<b><u>(a) 6,001 – 18,000 lbs:</u></b>	<b><u>\$50.00 per day</u></b>
<b><u>(b) 18,001 – 26,001 lbs:</u></b>	<b><u>\$75.00 per day</u></b>
<b><u>(c) 26,001 – 80,000 lbs:</u></b>	<b><u>\$85.00 per day</u></b>
<b><u>(d) Administrative Fee:</u></b>	<b><u>\$75.00 (one time charge)</u></b>
<b><u>(e) Yard Fee:</u></b>	<b><u>\$50.00 (one time charge)</u></b>
<b><u>(f) Covering/Tarping:</u></b>	<b><u>\$50.00 (one time charge)</u></b>

**SECTION 2.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

**SECTION 4.** This ordinance shall take effect twenty days after final passage, adoption and publication as provided by law.

**SO ORDAINED,** as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council and Public discussion of this Ordinance.

As Council Vice-President Koppel and Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AMENDING CHAPTER 116 ENTITLED "TOWING AND STORING OF VEHICLES"**.

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

Copy of Ordinance Duly Filed.  
O-10-2014-021

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on seconding reading for final passage: **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

ORDINANCE as follows: (O-10-2014-022)

**BE IT ORDAINED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the 2011 - 2014 Supervisory Personnel Salary and Wage Ordinance shall be amended as follows:

**SECTION 1.** The following annual salaries, wages and fees shall be paid as hereinafter specified and shall be paid to the following positions *retroactive to January 1, 2014*.

<u>POSITION</u>	<u>2013</u> <u>MAXIMUM</u>	<u>2014</u> <u>MAXIMUM</u>
<b>Certified Pesticide Applicator</b>	--	<b>\$ 3,600.00</b>
<b>Zoning Officer</b>	<b>\$66,427.00</b>	<b>\$ 67,756.00</b>

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 4.** This Ordinance shall take effect upon final passage and publication as provided by law.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council or Public discussion of this Ordinance.



As Councilman Leibowitz and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

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

Copy of Ordinance Duly Filed.  
O-10-2014-022

**UPON MOTION** made by Council Vice-President Koppel and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **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"**.

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Dalina and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **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.**

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Dalina and seconded by Council Vice-President Koppel, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**:

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 entitled as follows:

- R-10-2014-240** RESOLUTION AUTHORIZING THE MONROE TOWNSHIP TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR 2014.
- R-10-2014-241** RESOLUTION AUTHORIZING FORECLOSURE UNDER THE IN REM TAX FORECLOSURE ACT (1948) AND ESTABLISHING A TAX FORECLOSURE LIST OF LIENS TO BE FORECLOSED.
- R-10-2014-242** 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.
- R-10-2014-243** RESOLUTION AUTHORIZING THE ACTING TOWNSHIP ENGINEER TO PREPARE QUALIFICATIONS AND ADVERTISE REQUEST FOR QUALIFICATIONS (“RFQs”) FOR POND TREATMENT AND MAINTENANCE SERVICES FOR ALL TOWNSHIP OWNED WET PONDS, BASINS AND PUMPS.
- R-10-2014-244** RESOLUTION REFUNDING FEES FOR UNUSED CONSTRUCTION PERMIT NO. 12-1409 FOR BLOCK 67, LOT 20.26.
- R-10-2014-245** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR COLTS RUN AT MONROE – SECTION 1.
- R-10-2014-246** RESOLUTION AUTHORIZING REDUCTIONS OF PERFORMANCE GUARANTEES POSTED FOR REGENCY @ MONROE, PHASE 8 - 8F, 8G, & 8J AND REGENCY @ MONROE, PHASE 8 – 8C, 8D, & 8E.
- R-10-2014-247** 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.
- R-10-2014-248** RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR/QPA TO PREPARE AND ADVERTISE REQUEST FOR QUALIFICATIONS (“RFQ”) FOR FINANCIAL ADVISOR FOR 2015.
- R-10-2014-249** RESOLUTION REJECTING BIDS RECEIVED FOR THE RESTORATION RESTORATION AND RECONSTRUCTION PROJECTS FOR THE DEY FARMSTEAD AND AUTHORIZING THE PROJECT BE RE-ADVERTISED FOR RECEIPT OF BIDS.
- R-10-2014-250** RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2013 ANNUAL AUDIT.

- R-10-2014-251** 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)
- R-10-2014-252** RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-10-2014-253** RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN ROCLENE MANOR, LLC, 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.
- R-10-2014-254** 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.).
- R-10-2014-255** RESOLUTION AUTHORIZING AWARD OF CONTRACT WITH WATER WORKS SUPPLY CO. FOR CONTRACT 430, "WATER METERS" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- R-10-2014-256** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR MONROE CHASE (a/k/a SOUTHFIELD GRAND).
- R-10-2014-257** RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR METAL ROOF REPAIRS TO THE MONROE TOWNSHIP LIBRARY.
- R-10-2014-258** RESOLUTION APPROVING THE SETTLEMENT OF 211 CRANBURY STATION, LLC'S CLAIMS AGAINST THE TOWNSHIP OF MONROE.
- R-10-2014-259** RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-10-2014-260** 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.)
- R-10-2014-261** RESOLUTION AUTHORIZING THE AWARD OF CONTRACT WITH UTILITY SERVICE COMPANY, INC. FOR THE ABEEL ROAD WATER TANK DEMOLITION FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- R-10-2014-262** RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND GRANT ACCEPTANCE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ("NJDOT") FOR NJDOT LOCAL AID FOR FISCAL YEAR 2015 FOR SPOTSWOOD AVENUE, ELLINGHAM AVENUE, AND AVENUE G PEDESTRIAN, DRAINAGE, AND ROAD IMPROVEMENT PROJECTS.
- R-10-2014-263** RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND GRANT ACCEPTANCE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ("NJDOT") FOR NJDOT LOCAL AID FOR FISCAL YEAR 2015 FOR SPOTSWOOD - GRAVEL HILL ROAD IMPROVEMENTS.

- R-10-2014-264 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.
- R-10-2014-265 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF MOZES KOVACS v. TOWNSHIP OF MONROE, ET ALS. AS EXTRAORDINARY LITIGATION.
- R-10-2014-266 RESOLUTION APPROVING AGREEMENT FOR THE PURCHASE OF WATER RIGHTS FROM SWM INTERNATIONAL.
- R-10-2014-267 RESOLUTION AUTHORIZING 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.
- R-10-2014-268 RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE DEVELOPER'S AGREEMENT BY AND BETWEEN BLOCK 17 ASSOCIATES, L.L.C. (HIDDEN POND), THE GABLES AT APLEGARTH 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.
- R-10-2014-269 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.
- R-10-2014-270 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.
- R-10-2014-271 RESOLUTION AMENDING RESOLUTION NO. R-5-2014-137 REGARDING THE PURCHASE OF AN ADULT MINI BUS FOR THE MONROE TOWNSHIP OFFICE OF SENIOR SERVICES.
- R-10-2014-272 RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO ARCARI AND IOVINO ARCHITECTS, P.C. FOR EVALUATION SERVICES RELATED TO WATER INFILTRATION DAMAGE AT THE MONROE EMS BUILDING.

**Mayor's Report:** Absent.

**Administrator's Report:** Wayne Hamilton gave an update on the "Best Practices Questionnaire", outlining the various categories and stated that if a town scores less than 80%, there is a penalty in the state aide amount the town is scheduled to receive. He advised the township has scored an 86%, resulting in no penalties to our state aide.

Administrator Hamilton next spoke on the adoption, a month ago, of the MCI/A Lease & Finance Program, stating we benefit by the low interest rates. For the bonds that were just sold, the interest rates are 1.15%.

He further advised that Flu Shots are scheduled for tomorrow from 10am - 11:30am at the Senior Center and are being administered by the Middlesex County Health Department.

He noted that the Audit is also on the agenda for approval and there were no weaknesses or recommendations.

**Engineer's Report** – No report

**Council Reports:**

**Councilwoman Schneider** – received a thank-you note from ShopRite where she “Bagged for Hunger”.

State she also participated in the “Vintage Baseball Game, where she threw out the 1<sup>st</sup> ball and found it very exciting.

She also attended the re-dedication of the “Daniel Ryan Field” where she met the Ryan family which she found to be a very lovely family.

She attended the NJ Training School Graduation and was impressed with the facility and hopes to go on a tour at a later date.

**Councilman Leibowitz** – commented on this evening's Awards and what a great job Jay Brown does for the Township and for the Programs.

He also mentioned that when he was running for re-election that he voted “yes” with the majority of the Council more than not. He explained that Council receives their meeting packet prior to the meeting and there is adequate time to review the material. He is either in agreement or not and changes will be made if there is a problem. He is confident in what the Administration, the Professionals and the Clerks' Office does. He does what he feels is best for the people of the town.

**Councilman Dalina** – stated he also attended the “Daniel Ryan” re-dedication and advised that Danny Ryan's Shirt #71 has been retired by the Monroe Wolverines Football Squad.

He further mentioned that Oktoberfest will be held on Sunday, Oct. 19<sup>th</sup> from 12-4pm at the Community Center.

**Council Vice-President Koppel** – mentioned that Oct. and Nov. are very busy in Monroe. This weekend the “Green Fair” will be held on Saturday at Oak Tree School from 10am-3pm. Those interested can sign up for the Community Garden for next Spring/Summer and there will also be recycling at the Fair for sensitive documents. The Oktoberfest will be held on Oct. 19<sup>th</sup> from 12-4pm at the Community Center. The Jewish experience in Opera will be held on Sunday, Oct. 26<sup>th</sup> at 3pm and finally, the Cultural Arts Commission will present a “Tribute to Rod Stewart” on Nov. 15<sup>th</sup> at 7pm.

**Council President Tamburro** – explained that he had the honor to be at Barclay Brook School today for a Fire Prevention Program and a young man from the school scored 1<sup>st</sup> in the Fire Prevention Poster Contest for the State of NJ. Senator Greenstein and Senator Sweeney were also in attendance along with the School Superintendent and Principal. Council President Tamburro produced the Poster Board Thank-You Card, signed by Kindergarten students.

**PUBLIC:**

**Mark Klein**, 7 Crenshaw Court – stated that being a past member of the School Board he recognizes the benefit of the savings obtained through the “Opt-Out Plan” for Health Benefits.

He also complimented Councilman Leibowitz on his statement. It is a pleasure seeing a Council working together. He follows various towns and this does not always happen.

**Alan Kahn**, 11 Crenshaw Court – questioned Item #14.ee. – asked if the Director of Engineering and the Township Engineer are two separate positions. Council President Tamburro responded that is the positions are one and the same.

Mr. Kahn then asked if it is a salary position for the town and Council President Tamburro responded that it is.

He if Mr. Rasimowicz works anywhere else besides the town and Council President Tamburro responded that he does not work full-time for Monroe, it is a part-time position.

Administrator Hamilton further stated that it is a part-time stipend that goes along with the title of "Director of the Department of Engineering". The salary is approximately \$25,000. He also explained the RFQ process for these positions. The bulk of the services is done under a Professional Service Contract.

**Charles Petretti**, 4 Wingate Court - questioned item #11. Amending Chapter 105, asking about the intent of the Ordinance.

Administrator Hamilton responded that this is an amendment resulting from litigation that was brought about dealing specifically with snow removal reimbursement. The amendment has been revised to reflect actual cost.

Mr. Petretti next referenced Resolutions 14.dd. & 14.ee. asking if this was a monthly stipend or an annual agreement. Council President Tamburro responded that the Directors are in an "acting" capacity in both cases and it's a monthly amount.

Administrator Hamilton further responded that the DPW Director is about \$20,000 and Department of Engineering is \$25,000.

**Hy Grossman**, 15 Doral Dr. – asked about the Director of the Office of Emergency Management. Administrator Hamilton replied that the Chief of Police is the Acting OEM Director and will continue in that capacity.

Mr. Grossman thanked Mark Rasimowicz for his work on the directional signs along Route 613.

**Audrey Cornish**, Schoolhouse Rd. – questioned the traffic expert's design/ traffic pattern at the triangle on Schoolhouse Rd.

Councilman Leibowitz and Council President Tamburro both stated they have visited the site and saw no problems.

Council President Tamburro added that he did mention to Engineer Rasimowicz that the Speed Limit from Buckelew to this point is 45 mph and is the only stretch with this speed limit.

Engineer Rasimowicz added that Planning Board approval required the changes. The ninety degree intersection is the most safe intersection by design as opposed to an assured intersection.

Ms. Cornish next questioned the "Pond Treatments" Engineer Rasimowicz had referred to last week and asked exactly what type of treatment would be taking place.

Engineer Rasimowicz explained that with the RFQ a firm would be hired to go out and do inspections and testing for water quality issues. If there is an issue in the water quality test, they will do a recommendation as to what treatment would be done. It will be reviewed before being implemented.

She stated she would like the people having ponds to be notified and Administrator Hamilton added that it is part of the RFQ that eco-friendly products would be used.

**Charles Lerman**, 11 Doral Drive – thanked Engineer Rasimowicz for his quick response. The traffic light on Route 613 & 522 is coming along nicely.

**Michele Arminio**, 9 Nathaniel St. – stated she has no objection to Engineer Rasimowicz as a person or professional, but she is curious as to Resolution #14.ee. and asked if Mr. Rasimowicz, with this contract, is now an employee of Monroe Township.

Council President Tamburro responded as "Director of Engineering".

Ms. Arminio then asked that when official Monroe Township letters go out to, like Planning Board, Zoning Board, etc., will they say "Feist Engineering" and Council President Tamburro responded that Mr. Rasimowicz is already the Zoning Board Engineer, hired by the Zoning Board. He is also the Planning Board Engineer and Director of Engineering for the Township. If a letter goes out, it will be on Mr. Rasimowicz's letterhead of the Township for whatever Department he is doing it for.

Ms. Arminio then said, "So it won't say "Feist Engineering" and Council President Tamburro responded "No".

Ms. Arminio stated: Now that we are still with the annual contract that we have with Feist Engineering, has Mr. Feist divested himself from the company?

Administrator Hamilton responded that this is a question that we defer to the Township Attorney in terms of "how do we proceed". Candidly, Mr. Shain's office is looking at that, but the reality is, even if we were to change, we have less than 3 months to finish the contract out before the contract is up and you probably wouldn't be able to effectuate a change even if you went ahead and did it. So candidly, where we are at is, the Township Attorney is looking at the current contract but, in accordance with the Local Public Contracts Law, he believes the town is obligated to run the contract out to its' full term.

Ms. Arminio asked if there is any legal issue when the principal of a company is a convicted felon and is now in state prison and Council President Tamburro responded that he is not sure what the answer to that is .....

Ms. Arminio stated "wouldn't the Council want to protect the citizens in Monroe", "wouldn't they have looked into that. We have had more than a year for that issue to come forward. So to say that we only have 3 months, and that its' ineffectual, we have been on this a long time. In fact, Mr. Feist pleaded guilty in July or June, so I think out of respect for the community, I would like the minutes to reflect my disappointment that the leadership has voted, essentially, to continue the relationship with a company whose principal is in jail. Again, it has nothing to do with Mr. Rasimowicz, as long as he is separate from that issue when he works for the Township. I'm also....., are there..... is there more than one person from Feist Engineering that is being paid by the township to which Council President Tamburro responded "yes".

Ms. Arminio – so are we...does that money go to the employer to which Council President Tamburro responded "no" to the employee.

Ms. Arminio asked "individually, or does it go through the township or the company to which Council President Tamburro – the employee. Again, Ms. Arminio asked "directly" and Council President Tamburro responded "yes"!

Ms. Arminio commented – so any salary checks would go through....it's not the company name, not...

Council President Tamburro stated Mr. Rasimowicz, for his position, gets paid individually. Any other individual that might work for that firm that gets paid as a Township employee, gets paid individually.

Ms. Arminio stated "so will we have an answer, I mean, like I said, this is an issue that's not just come to the floor.

Administrator Hamilton stated "I think Michele we have to look at it practically, as well as from the standpoint that for the last year and half, the firm itself, has effectively served the Township without a skip of a beat. So I think you have to look at it in terms of "the firm" is doing the job serving the residents of Monroe.

Administrator Hamilton further stated "your reason is a personal opinion of yours. The question that we are looking to the Township Attorney is, is there any legal reason why we should stop doing business with Feist Engineering as it currently exists and that's the question...

Ms. Arminio further wished to discuss the statements of Mr. Leibowitz, stating that she has no doubt that work is done behind the scenes but, the open public meetings act does .....

Councilman Leibowitz replied that he did not say that. He said that if he has a question, he asks the person involved.

Ms. Arminio replied ok, but if done before the meeting..., and Councilman Leibowitz stated he doesn't have a meeting with them, he can pick up the phone and ask what the issue is about or before the meeting, when he walks in here, he can ask the Administrator about it.

Ms. Arminio – but an Open Public Meeting .....

Councilman Leibowitz asked that she not put words in his mouth like the other person tried to do.

Ms. Arminio apologized stating that the Open Public Meetings Act suggests that deliberation of the body should be done in public. So it would be nice, before unanimous decisions are made, that we have a discussion as to why people are making those decisions and Councilman Leibowitz stated that is exactly how it's done.

Council President Tamburro advised Ms. Arminio that her time was up but to put things in perspective, we do not meet in any caucus. We are free to question anything that comes on an Agenda here. We have an Agenda Meeting with everything on the Agenda which gives you and the rest of the Public an opportunity to question anything before we vote on it.

Ms. Arminio was not in agreement.

Administrator Hamilton - Can I add one thing? And I think its' a distinction. Unlike a governing body like a Fire District Board of Commissioners or a Board of Education where it's a committee of the whole, under this form of government, it is a strong Mayor form of government. Most of the decisions in the government are done administratively. Only those that require governing body approval appear on the Agenda. That's why you see less discussion here than at other bodies. Trust me, I speak to these folks all the time when they have questions on every item that comes before them, it's a continuous flow of information ... if they need information...I'm providing it to them. It's a continuous process and we try and do the very best we can by giving the Council as much information as possible and well in advance of the meeting so that it gives them that opportunity to ask questions.

Ms. Arminio stated she thinks that's a wonderful thing except the Public isn't party to the deliberation process and in a democracy, as much transparency as possible and free discussion would be appreciated by some citizens.

Administrator Hamilton stated that unlike other bodies, where there are personnel decisions, they are done by the Administration and the Council is not involved.

Councilman Leibowitz addressed the Council President stating he would just like to say something because this person is part of the group that questioned "why I don't question"? The fact is....

Ms. Arminio stated she doesn't know what group you are referring to..

Councilman Leibowitz replied he is trying to answer the objections they had to my sitting here and not making a lot of noise. He stated he can make noise, but it would only be to something that's offensive. Your offending me now because you are trying to put words in my mouth and your trying to make us look like something we are not. We are honest. We don't deal behind closed doors. We deal in public and if I have a question, I'll reach out for to you. You never answered me when I did reach out by email to you, but that's ok. If I call and ask Administration a question, I get an answer and that's what's important to me because I want to represent the people I represent. If you don't like it, then campaign harder to beat me next time.

Council President Tamburro – Thank you

Ms. Arminio – Thank you for the democracy



**Phil Levy**, Kings Mill – questioned Item 14j – Rejecting bids for restoration and reconstruction projects for the Dey Farm.

Administrator Hamilton responded that there were (4) bids were received ranging \$1.243 Million - \$1.633 Million dollars. There were deficiencies with the low bidder, therefore we are putting it back out to bid again.

Mr. Levy then questioned the funding source.

Administrator Hamilton stated that the funding source is the \$1,000,000 Grant from the County.

**UPON MOTION** made by Councilman Dalina and seconded by Councilwoman Koppel, the meeting was Adjourned at 8:30pm.

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 December 1, 2014