

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

AGENDA MEETING - JANUARY 30, 2012

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 Vice-President Henry L. Miller with a Salute to the Flag.

UPON ROLL CALL by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilwoman Leslie Koppel, Councilman Michael Leibowitz and Council Vice-President Henry L. Miller.

ALSO PRESENT for Council was: Mayor Richard Pucci, Township Attorney Joel L. Shain and Township Engineer Ernest W. Feist.

ABSENT: Council President Gerald W. Tamburro and Business Administrator Wayne Hamilton.

There were approximately fifteen (15) members of the Public present in the audience.

Council Vice-President Henry L. Miller 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 6, 2012 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 6, 2012;
3. Posted on January 6, 2012 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 Vice-President.

The following **PROCLAMATION** of Mayor Richard Pucci was read into the record:

**NATIONAL WEAR RED DAY FOR WOMEN
FEBRUARY 3, 2012**

Council Vice-President Miller read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, February 6, 2012** 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 ENTITLED, "BOND ORDINANCE PROVIDING FOR VARIOUS 2000 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 \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,428,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN.**

- b. **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A TWENTY-FIVE FOOT (25') CONSERVATION EASEMENT.**
- c. **ORDINANCE AMENDING THE 2011 – 2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

Council Vice-President Miller read the following entitled **ORDINANCE** for **INTRODUCTION** at the **MONDAY, February 6, 2012** Regular Council Meeting:

- a. **ORDINANCE ACCEPTING DEEDS OF EASEMENT AND DEDICATION FROM ROBERT L. YOUNG, SR.** (Block 102, Lots 14.02 and 14.03)

Council Vice-President Miller requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, February 6, 2012** Regular Council Meeting be reviewed:

- a. **RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION FOR YEAR 2011.**
- b. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ESTABLISHING MAINTENANCE GUARANTEE FOR MONROE TOWNSHIP 2009 ROAD IMPROVEMENTS – CONCRETE CURB AND SIDEWALKS.**
- c. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY OPEN SYSTEMS INTEGRATORS FOR UPGRADED AUDIO-VISUAL EQUIPMENT FOR THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.**
- d. **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH DM MEDICAL BILLINGS, INC. IN CONNECTION WITH THIRD PARTY BILLING.**
- e. **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. RELATED TO REPRESENTATION OF THE TOWNSHIP IN VARIOUS MATTERS OF EXTRAORDINARY LITIGATION.**
- f. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2012 AS EXTRAORDINARY LITIGATION.**
- g. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS WORKERS' COMPENSATION CLAIMS IN YEAR 2012 AS EXTRAORDINARY LITIGATION.**
- h. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES.**
- i. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO DYNAMIC TESTING SERVICE FOR MEDICAL, EDUCATIONAL AND ADMINISTRATIVE SERVICES RELATED TO THE DEVELOPMENT OF THE TOWNSHIP'S SUBSTANCE AND ALCOHOL MISUSE POLICY AND TESTING SERVICES FOR CALENDAR YEAR 2012.**
- j. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- k. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- l. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. SAFECO INSURANCE OF AMERICA AS EXTRAORDINARY LITIGATION.**

- m. **RESOLUTION AUTHORIZING MODIFICATION TO A 2011 PROFESSIONAL SERVICE CONTRACT WITH RICHARD W. BENTZ, A CERTIFIED TREE EXPERT.**
- n. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO SKYLINE ENVIRONMENTAL, INC. FOR PROFESSIONAL SAFETY AND HEALTH TRAINING SERVICES FOR THE TOWNSHIP OF MONROE AND MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR CALENDAR YEAR 2012.**
- o. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY P.M. CONSTRUCTION CORP. FOR EMERGENCY WORK PERFORMED AT 506 OLD BRIDGE – ENGLISHTOWN ROAD FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) DUE TO HURRICANE IRENE.**
- p. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY ALLIED CONSTRUCTION GROUP, INC. FOR MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) CONTRACT 389, WELLS 20 & 23 IRON REMOVAL SYSTEM.**
- q. **RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 399, “WELL NO. 19 TREATMENT PLANT IMPROVEMENTS” TO CYDE N. LATTIMER & SON CONSTRUCTION CO., INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- r. **RESOLUTION AUTHORIZING RENEWAL OF DOG KENNEL LICENSES FOR YEAR 2012.**
- s. **RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 396-R, “INSTRUMENTATION CALIBRATION & SERVICE” TO TJM CONTROLS, INC. FOR MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- t. **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 373 “SCADA SYSTEM MAINTENANCE, REPAIR & SERVICE” AWARDED TO PCS PUMP AND PROCESS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- u. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO OCCUPATIONAL MEDICINE SERVICES FOR CALENDAR YEAR 2012.**
- v. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING OF MAINTENANCE GUARANTEE FOR THADEUSZ & JANINA SOLTYS (PB-936-04).**
- w. **RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 572, SEASONS AT MONROE (PB #248-95), BLOCK 117, LOT 9.01.**
- x. **RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 557, MONROE KNOLLS (PB #256-95), BLOCK 50, LOTS 6,7,16.01, 16.02 &17.**
- y. **RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1016, 317 FORSGATE DRIVE, BLOCK 66, LOT 5.**
- z. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO.1 SUBMITTED BY FAI-GON ELECTRIC, INC. IN CONNECTION WITH THE OAK TREE SCHOOL FIELD LIGHTING.**
- aa. **RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFERS.**

Mayor – No Report.

Engineer – No Report

Council Reports:

Councilwoman Koppel – stated the “Tamburitzens” will be performing on Saturday at 7PM at the Monroe Township Middle School Performing Arts Center.

Councilman Dalina – reported there are a number of sports that are ready for Spring Registration at the Community Center.

Councilman Leibowitz – No Report.

Council Vice-President Miller – announced that at the Office on Aging you can now purchase a 4x4 inch or an 8x8 inch brick & have your family name inscribed on it.

The Historic Commission is about to go out for bid on the England House, Parking Lot & Schoolhouse.

Public:

Tom Nothstein, 15 Nathaniel St. – Questioned the following Items on the Agenda:

Item #6.b. – Twenty-Five foot Conservation Easement – Engineer Feist explained the location and what is involved.

Item #8.e. & g. – Additional fees to Shain, Schaffer & Rafanello, PC – Mayor Pucci explained that this is for Tax Appeals (\$5900.) and Workers Comp (\$865.).

Item #8.i. – Litigation between the Township and Safeco Ins. Co., the Bonding company for Renaissance @ Monroe. Engineer Feist explained that the town is seeking the Bond for punch-list items not completed for the project. Mr. Nothstein asked the amount of the Bond at present and the cost of the punch-list work. Engineer Feist advised the Bond is in the amount of 1.5 Million and the work to be completed is estimated at approximately a half million dollars.

Item #8.z. – Change Order for lighting at the Oak Tree School Fields – Engineer Feist advised the amount is \$4,085.30 for additional chain-link fence with slats & field restoration.

Mr. Nothstein then asked the status of the Fire Consolidation Study. Mayor Pucci stated that Administrator Hamilton, who is absent this evening, will give an update at the next Council meeting.

Charles Petretti, Concordia, questioned Item #8.z., asking who will be doing the work outlined in the Change Order for lighting at the Oak Tree School and Engineer Feist responded the contractor for the project will be completing the work.

He next asked what the status is for the FEMA reimbursements back to the Township for the monies extended. Engineer Feist explained that everything has been filed with FEMA, but we haven't gotten anything back, as of yet. Mayor Pucci explained what the town did for these displaced families to speed up the process and Engineer Feist explained the two (2) reimbursement programs that are involved.

Mr. Petretti asked about the trucks and tanker storage across from the Apple Plaza Shopping Center and if anyone was inspecting these tankers for hazardous materials storage. Engineer Feist explained that those issues are regulated on the State level by the Department of Transportation but he will take a look at their resolution of approval to get a better idea as to what is going on at that site

Sharon Decker, 333 Nantucket Lane, Rossmoor – She is happy to hear that Applications have been made to FEMA for mitigation of the problems at Rossmoor. She then asked if the town identified the problem with Cedar Brook and the Cedar Brook Pond, owned by SMIPA. Engineer Feist explained what had been discussed with Rossmoor’s Engineer, Dan Rush. Together they came up with three (3) improvements that they believe will help mitigate repeated flooding of the 20+ units in the area. They are: expanding the capacity of the pond by dredging, choke points widened, and lastly, the golf entity utilizes the water from the pond for irrigation. What is needed is the ability to lower the water in the pond by pumping the water downstream in advance of a storm. The cost would be 2-4 million dollars with a Grant Program subsidizing 75% of the cost.

Virginia McGuiness, Nantucket Lane, Rossmoor – asked what other retention ponds empty into Cedar Brook Ponds because there seems to be a greater amount of water flowing into Rossmoors’ pond. She asked why the pond was not lowered in anticipation of the storm and feels the Township is at fault, stating that someone had to approve the drainage plan.

Engineer Feist advised that two of the four events that Mrs. McGuiness is referring to far exceeded any design criteria. As he stated before, there are things that can help improve the situation, but any upstream changes has the ability to trigger increased flow. When a lot of these ponds were built there were no strict criteria as there is today.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 8:45 PM.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye

SHARON DOERFLER, Township Clerk

HENRY L. MILLER, Council Vice-President

Minutes were adopted on _____