

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**SPECIAL AND AGENDA MEETING – APRIL 30, 2012**

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

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, Councilwoman Leslie Koppel, Councilman Michael Leibowitz, 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 (20) 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 April 19, 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. Communicated to the **CRANBURY PRESS** on April 19, 2012 and printed in the **HOME NEWS TRIBUNE** on April 23, 2012;
3. Posted on April 19, 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 President.

Council President Tamburro announced that the purpose of the Special Meeting is for holding a Public Hearing on the 2012 Municipal Budget and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

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

**DAY OF PRAYER - May 3, 2012**

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dalina, the **Public Hearing** on the **2012 Municipal Budget** as introduced on April 2, 2012 was Opened.

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

Mr. Hamilton, the Township Business Administrator, stated that the effect of the "Tax Appeals" has had an incredible impact over the last two years. Approximately twelve million dollars has been given in refunds and credits. Unfortunately, the way the law is written, the town is responsible for not only their share of the tax rate but also the school, fire district and county. The impact has been catastrophic. The revaluation is underway and will hopefully help. In the last two years there were 2751 appeals in 2010, appeals in 2011 and 2012 we are just under 1000.

Councilman Leibowitz – stated that the people who live within his area of the town are concerned about increased taxes with the revaluation. He has explained to them that people will just have to wait and see. It could work either way.

Mayor Pucci explained that sometimes we lose sight that the municipal portion of the tax rate is less than 20%. He further explained why we are in this situation with tax appeals and the amount of money we have to work through the budget system along with State restrictions. He advised we are doing the best we can by spending the dollars wisely and by maintaining services. If it is possible to cut back, it will be done. Even by absorbing all these major hits, Monroe, rather than being ranked 1<sup>st</sup> & 2<sup>nd</sup>, we will now be ranked 4<sup>th</sup> or 5<sup>th</sup> in relation to the municipal tax rate with the 25 communities.

Administrator Hamilton added that it is not only a problem from the last two years but also the impact on our ratable base going forward. We have lost one hundred and forty million dollars in ratable's despite bringing on six hundred new homes.

Mayor Pucci also noted that two years ago a determination in Trenton was made to eliminate rebates. Over 7000 senior homeowners in Monroe were getting approximately \$1200. There were also a couple thousand residential non-seniors who were getting rebates in the area of \$600.-\$800. These have also been eliminated.

Hy Grossman, 15 Doral Dr. – stated he is sympathetic with dealing with this budget. He agrees that the town needs some relief on these judgments. Various municipalities around the country are allowed to do "judgment funding bonds" for 3-5 years.

Mayor Pucci explained that in the Department of Community Affairs ("DCA"), the philosophy over the last two years is that it would not be permitted. They have come up with a program that will help a little bit moving forward, but did nothing for us in the three peak years in Monroe.

Charles Petretti, 4A Wingate Ct. – stated that the thing that bothers him is the fact that two additional people were employed in the Township and another at the MTUD. He felt that if we are that concerned about dollars we should have not hired additional staff.

Administrator Hamilton explained that with the three new hires, one was a replacement hire in the Utility Department, bringing on a Superintendent to fill a vacant position. In the municipality, a brand new senior center is opening which will require the services of another custodian and the second is the need for a full time police dispatcher.

Mr. Petretti still felt a better effort could have been made to control those expenses for the time being. He then questioned the 2% increase for the municipal & MTUD employees this year to which Administrator Hamilton explained he was bound by contract. Mr. Petretti asked if it would have been better not to assume the debt of the MTUD for these couple of years. Administrator Hamilton stated that they did not come to us with very much debt. We have incurred a lot of debt in the last few years in taking them over by making some much needed improvements.

Robert Roche, 18 Muirfield Blvd. – questioned the four million dollar increase in the municipal debt. Administrator Hamilton explained that the last time there was a bond sale in Monroe was in 2003. We have currently unfunded debt. The unfunded debt is eighty five million dollars on the municipal side and twenty two million on the Sewer Utility side. We are still well below our debt capacity.

Mr. Roche questioned where in the budget appropriations is the cost incurred for the reassessment. Mr. Lang, the Certified Municipal Finance Officer ("CMFO") responded – under deferred charges. It is a 5 year spread of the 1.2 million dollars. Mr. Roche also mentioned the use of the MTUD surplus that was used last year and the year before. Administrator Hamilton responded that it was used for tax appeals the last two years, plus it was a policy decision by the Mayor and Council to keep the municipal rate as low as possible during the economic recession.

Council President Tamburro asked if there were any further questions or comments from the Public and there being none, requested a Motion and Second to close the Public Meeting.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Leibowitz, the Public Meeting was **Closed**.

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

**UPON MOTION** made by Councilman Dalina and seconded by Councilwoman Koppel the following entitled Resolution was moved for adoption: **RESOLUTION** to **AMEND** the 2012 Municipal Budget as introduced on April 2, 2012.

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

**R-4-2012-148 RESOLUTION TO AMEND THE 2012 MUNICIPAL BUDGET.**

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Koppel the **Special Meeting was Adjourned** and the regularly scheduled **Agenda Meeting was Called to Order**.

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

Council President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, MAY 7, 2012 REGULAR MEETING**:

- a. **ORDINANCE AUTHORIZING THE ACCEPTANCE OF LANDS DESIGNATED AS LOTS 2, 3 AND 4 IN BLOCK 37, LOT 22.2 IN BLOCK 146.02, LOT 22.3 IN BLOCK 146.02, LOT 11 IN BLOCK 169.19, LOT 7.2 IN BLOCK 177, LOT 7.3 IN BLOCK 177, LOT 8.03 IN BLOCK 177, LOT 8.1 IN BLOCK 177, LOT 8.4 IN BLOCK 177, AND LOT 8.5 IN BLOCK 177 BEING GRANTED TO THE TOWNSHIP OF MONROE, TO BE DEDICATED AS OPEN SPACE.**
- b. **AN ORDINANCE OF THE MONROE TOWNSHIP COUNCIL REGARDING THE DEDICATION OF AN EASEMENT LOCATED ON BUTCHER ROAD TO THE TOWNSHIP OF MONROE. (Blk 1, Lot 13.02)**
- c. **ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF MONROE ESTABLISHING POLICIES AND PROCEDURES FOR THE USE OF TOWNSHIP RECREATION FACILITIES.**
- d. **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK.**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, MAY 7, 2012 REGULAR MEETING**:

- a. **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 122 THEREOF ENTITLED, "VEHICLES AND TRAFFIC".** (No Parking both sides – Applegarth Road)
- b. **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 108 THEREOF ENTITLED, "ZONING".**

Council President Tamburro read the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, MAY 7, 2012 REGULAR MEETING**:

- a. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER R-4 SUBMITTED BY ARCO CONSTRUCTION GROUP, INC. FOR ADDITIONAL WORK PERFORMED IN CONNECTION WITH THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.**
- b. **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE UPON THE POSTING OF A MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S-908 CLEARBROOK COMMONS, BLOCK 25, LOT 2.04 – (PB#914-04).**
- c. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR SHRI RAM CHANDRA MISSION.**
- d. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- e. **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 ROAD IMPROVEMENTS – ASPHALT MILLING.**
- f. **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 ROAD IMPROVEMENTS – CONCRETE CURB, GUTTER AND SIDEWALK REPLACEMENT.**
- g. **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 VARIOUS BITUMINOUS MATERIALS.**
- h. **RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR VENDING MACHINES WITHIN MONROE TOWNSHIP BUILDINGS.**
- i. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 684.7D REGENCY @ MONROE, SECTION 7D WATER & SEWER – PB-1061-08.**
- j. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 684.7C REGENCY @ MONROE, SECTION 7C WATER & SEWER – PB-1061-08.**
- k. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A DEVELOPER'S AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND MMR REAL ESTATE HOLDINGS, LLC IN CONNECTION WITH THE CLEARVIEW ESTATES PROJECT.**
- l. **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$491.35 – 200 Seedlings to be distributed at the Oktoberfest)**
- m. **RESOLUTION AUTHORIZING SELF-EXAMINATION OF THE 2012 MUNICIPAL BUDGET.**

- n. **RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE MIDDLESEX COUNTY PROSECUTOR'S OFFICE, THE TOWNSHIP OF MONROE AND TOWNSHIP OF MONROE POLICE DEPARTMENT FOR THE "SKYWATCH" SURVEILLANCE PLATFORM.**
- o. **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 SUBMITTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") BY ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT 389, WELLS 20 & 23 IRON REMOVAL SYSTEM.**
- p. **RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 439.6, ST. PETER'S MEDICAL CENTER, A TENANT AT "THE PONDS".**
- q. **RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 927, PIONEER REALTY, LLC (BLOCK 160.04, LOTS 5 & 6)**
- r. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**

Councilwoman Koppel questioned Item #12.a. Ordinance regarding "no parking" on both sides of Applegarth Rd. – she asked if this is where commuters currently are parking. Council President Tamburro responded that it was and because the new Park & Ride Facility @ Clearbrook is now open, there will be no more parking on the CVS side of Applegarth Rd.

Councilman Leibowitz – asked about Item #13.f. – 2012 Award of Road Improvements – Concrete curbs, gutter and sidewalk replacement, asking where the improvements were earmarked. Engineer Feist stated he has a full list but it is not currently with him. He will provide the list to the Councilman tomorrow.

Councilwoman Koppel asked that with the new vending contract for the municipal buildings, how would lost money be returned. Administrator Hamilton explained the process.

Mayor – No Report.

Administrator – No Report.

Engineer – No Report.

### **Council Reports:**

Councilwoman Koppel – mentioned an Eagle Scout Ceremony for Troop 54 that she attended on April 21<sup>st</sup>, three boys received their Eagle Scout commendation.

Spun Beauty, performed by the Princeton Performing Art Center, will be appearing on May 12<sup>th</sup> at 8pm at the new Monroe Township High School Performing Art Center.

Councilman Leibowitz mentioned that the "Freedom Tower" became the largest building in NY City this week.

Councilman Dalina – commented on the tough budget and thanked the Mayor, Administration and his colleagues.

Council Vice-President Miller – No Report.

Council President Tamburro – thanked all involved in the budget hearings and Council Vice-President Miller for filling in on his absence. He also commented on attending opening day of the softball and baseball leagues. There are an incredible amount of kids involved in these programs. Councilman Dalina stated that there is over 700 kids involved. These are programs funded by the Recreation Department.

**PUBLIC:**

Hy Grossman, 15 Doral Drive – mentioned his grandson's participation in the Monroe Twp. Soccer Club and how impressed he is by that program.

Charles Petretti, 4A Wingate Court – mentioned the line filtering out onto Applegarth Rd. from Dunkin Donuts. He wondered if anyone was aware of the problem. Administrator Hamilton will advise the Police Dept. and Engineer Feist will also look into the matter.

He next mentioned 45 Wyckoff Mills Rd., the Shri Ram Chandra Mission, questioning if anyone knew the purpose of this Mission and if we have a right to know. Engineer Feist explained that they were an applicant before the Zoning Board of Adjustment several years back. They sought a use variance to convert the property into a meditation center. They gave hours of testimony regarding the use of the building. There is no residence and it is used on a limited basis one or two days a week. Parking was based on their membership.

Item #11.d. – Ordinance to Exceed the Municipal Budget Appropriation Limits and Establishing a Cap Bank, asking for an explanation. Administrator Hamilton explained the different Caps.

Item #13.n. – Skywatch Surveillance Platform – Administrator Hamilton explained the Homeland Security Grant that allows a "Birds Eye View Surveillance" for large scale events. Equipment will be owned by the County. If Monroe has a large scale event, it will be available for use.

Virginia McGinnis, 326A Nantucket Lane (Rossmoor) – spoke on the flooding of Nantucket Lane 8 months ago – Hurricane Irene. Since FEMA has denied the application where do the residents of Nantucket Lane go from here? Engineer Feist explained that he, Council President Tamburro and Council Vice-President Miller met with management and two board members of Rossmoor last week to discuss the next steps. This is a funding issue. The town is seeking to enter into an inter-local agreement with Middlesex County, Rossmoor, and South Middlesex Industrial Park so that all interested parties seek County funding through this agreement. The letter of request is being reviewed by the township and will then be forwarded to the County. Hopefully the County will agree and enter into the inter-local agreement and start the process of designing some of the projects to help provide for better capacity and alleviate some of the threat of flooding.

Marianne Longo, 10 Old Church and Don & Roy Carey, 6 Old Church Rd. – Ms. Longo has been in touch with Sgt. Baserri, of the traffic safety department concerning the issue of speeding on Old Church Rd. Presently the speed limit is 45 mph. It is presently the only road within a 5 mile radius that has this speed limit. All other roads in the area are 35-40mph.

Engineer Feist stated he has no problem recommending a speed limit reduction to 35 mph. He will make his recommendation to the Police Department and an Ordinance amending the speed limit will be sent to the Council to reduce the rate of speed.

Bob Roche, 18 Muirhead Blvd. – in front of his house is a large water pipe which was painted green a few years ago. It is now peeling and unsightly. Mr. Rogers, Director, MTUD, explained that the pipe is an air release for the water line. He said he will have it taken care of.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 8:07pm.

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