

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**REGULAR MEETING - - MAY 7, 2012**

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 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: Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Township Engineer Ernest W. Feist.

**ABSENT:** Mayor Richard Pucci

There were approximately 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 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 the **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 President.

Council President Tamburro read the following **PROCLAMATIONS** of Mayor Richard Pucci into the record:

**Click It or Ticket Mobilization**  
**May 21, 2012 – June 3, 2012**

**Monroe Village**  
**24<sup>th</sup> Anniversary Celebration**  
**May 23, 2012**

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Leibowitz, the **CLAIMS** per run date **4/26/2012** were approved for payment as written and presented.

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 **Minutes** of the **February 27, 2012 Agenda Meeting, March 5, 2012 Regular Meeting, March 26, 2012 Agenda Meeting** and the **April 2, 2012 Regular Meeting** were approved as written and presented.

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 announced the Public Hearing on the Budget Amendment and Adoption of the Budget has been re-scheduled to Monday, May 14<sup>th</sup> at 6pm due to problems encountered with the Home News Tribune.

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second read for final passage: **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.**

**ORDINANCE** as follows: (O-5-2012-008)

**WHEREAS**, The Township of Monroe experienced unprecedented flooding from Hurricane Irene which rendered twelve (12) homes uninhabitable as determined by the Township's Construction Code Official; and

**WHEREAS**, Mayor Richard Pucci and the Township Council believe that it is in the public interest to acquire those flood damaged properties, demolish the structures and dedicate the lands as open space for recreation and conservation purposes; and

**WHEREAS**, the homeowners have agreed to convey the properties for fair market value as established by appraisal; and

**WHEREAS**, the Township of Monroe has successfully closed on ten (10) of the twelve (12) properties; and

**WHEREAS**, the Township Engineer has conducted environmental inspections of the properties and hereby recommends acceptance of the deeds of dedication; and

**WHEREAS**, the Township's Chief Financial Officer has verified that there are sufficient funds remaining in its Open Space Trust Fund to acquire the properties;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, *nunc pro tunc* to December 5, 2011 as follows:

**SECTION 1.** The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to do all things necessary to carry out the Program and accept the dedication of the properties for open space purposes from:

- a) Anthony C. Murano, Jr., of property designated as Lots 2, 3 and 4 in Block 37 on the Tax Map of the Township of Monroe for consideration of \$153,500.00;
- b) Anthony W. Stankowitz and Theresa Stankowitz, of property designated as Lot 22.2 in Block 146.02 on the Tax Map of the Township of Monroe for consideration of \$355,000.00;
- c) Albert W. Ladzinski and Mary C. Ladzinski, of property designated as Lot 22.3 in Block 146.02 on the Tax Map of the Township of Monroe for consideration of \$362,000.00;

- d) Brett Fagan and Elizabeth Fagan, of property designated as Lot 11 in Block 169.19 on the Tax Map of the Township of Monroe for consideration of \$310,000.00;
- e) Michelina Sosnowski, of property designated as Lot 7.2 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$345,000.00;
- f) Craig Delano and Kim Delano, of property designated as Lot 7.3 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$272,000.00;
- g) Bruce Bastek, of property designated as Lot 8.03 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$410,000.00;
- h) Kevin M. Pross and Kerry L. Pross, of property designated as Lot 8.1 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$290,000.00;
- i) Thomas E. Grasso and Diane Schaeffer, of property designated as Lot 8.4 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$307,500.00; and
- j) Sharon Krzaczkowski, of property designated as Lot 8.5 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$300,000.00.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, 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.

**SO ORDAINED** as aforesaid.

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 Koppel regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **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.**

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

Copy of Ordinance Duly Filed.  
O-5-2012-008

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second read for final passage: **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)

**ORDINANCE** as follows: (O-5-2012-009)

**WHEREAS**, on April 29, 2002, Joan Warren, the previous record owner as Grantor, granted and conveyed to the Township of Monroe (the "Township") an easement across property being part of premises designated as Block 1, Lot 13.02 on the official Tax Map of the Township (the "Prior Easement"); and

**WHEREAS**, the Prior Easement contained an erroneous description and survey map; and

**WHEREAS**, the current record owner, Monroe 33 Developers, L.L.C., has executed and delivered a Corrective Deed of Easement containing the revised description and map, granting the Township the right to construct, maintain, replace or supplement its sewerage/water and appurtenant facilities on or under the surface of the Property, as detailed in Exhibit "A" and the schedules annexed thereto, which Corrective Deed of Easement shall be substituted in place of the Prior Easement; and

**WHEREAS**, the Township Council believes the proposed easement to be in the public interest;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Monroe, County of Middlesex, as follows:

**SECTION 1:** The Township agrees to accept the Deed of Easement, as revised, granting a permanent easement for a sanitary sewer and water main easement as depicted in Exhibit "A", and the schedules annexed thereto;

**SECTION 2:** The Mayor and Clerk of the Township of Monroe are authorized and directed to take any and all steps, including executing and recording the easement and any documents required to accept the dedication of a permanent easement on the property depicted in Exhibit "A", and the schedules annexed thereto, and to effectuate the purposes of this Ordinance.

**SO ORDAINED** as aforesaid.

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 Councilwoman 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 AN 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)

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

Copy of Ordinance Duly Filed.  
O-5-2012-009

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF MONROE ESTABLISHING POLICIES AND PROCEDURES FOR THE USE OF TOWNSHIP RECREATION FACILITIES.**

**ORDINANCE** as follows: (O-5-2012-010)

**WHEREAS**, the mission of the Township of Monroe Recreation Department is to enhance the quality of life for Township residents of all ages by providing a broad variety of recreational programs and activities in the Township, and

**WHEREAS**, the Township Council recognizes that parks and recreational areas are owned and operated by the Township and should be available for public use, and

**WHEREAS**, there is a need to regulate the use of these facilities to insure maximum usage and proper maintenance of Township owned parks and recreation facilities;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE AS FOLLOWS:**

**A. Application Policies and Procedures**

1. Applications for the use of Township parks and/or recreation facilities may be obtained at the Monroe Community Center, 120 Monmouth Road, Monroe Township, New Jersey. Applications are required for organized programs, games, contests, picnics, sports activities, and any other organized gathering.
2. Applications for the use of Township Parks and Recreation facilities will only be issued to adults 21 years of age or older.
3. Monroe Township residents, businesses/industries located in Monroe Township, and Township based organizations will receive priority consideration in being allowed to use Township parks and recreation facilities. The following shall be the order in which the Recreation Department shall review applications for the use of Township facilities:
  - a. Recreation sponsored organization programs for Township residents.
  - b. Travel teams affiliated with the Township based organizations. To be qualified as an affiliated team, a team roster is required with all Facility Use applications. This roster must include the name and home address of all travel team members. At least eighty (80) percent of the travel team roster shall be residents of Monroe Township. However, exceptions to the 80% requirement may be authorized by the Township Recreation staff, but in no case shall the team be composed of less than 50% Township residents. For the purpose of this roster requirement, recreation program and travel team participants from the Borough of Jamesburg shall be counted as Township residents so long as the Borough of Jamesburg continues the sending-receiving relationship with Monroe Township High School. Travel teams in existence before April 1, 2012 with rosters in which less than 80% of the members are Township residents shall be grandfathered, and the Recreation Department shall allow existing non-resident participants to continue in the program until they are no longer age eligible.
  - c. Non-affiliated Monroe Township travel teams in existence before April 1, 2012.

- d. Non-affiliated Monroe Township travel teams established after April 1, 2012.
  - e. Other private and/or non-resident individuals or organizations that are subject to a facility charge payable to the Township of Monroe.
4. The availability of facilities and equipment shall be at all times subject to the needs and requirements of the Recreation Department.
  5. The Recreation Department is solely responsible for the scheduling of all Township recreation facilities. All efforts will be made to maximize the usage of Township facilities.
  6. Every organization shall sign such contract(s) for the use of facilities as shall be required and pay the specified rental charges, if applicable, and fees at least seven (7) days prior to the event.
  7. In the event of a cancellation, the organization shall provide seven (7) days notice to the Recreation Department.
  8. All formal organizations using Township Recreation facilities shall furnish the Recreation Department with a copy of their by-laws and their annual financial statements.
  9. The Township reserves the right, at its sole discretion, to deny the use of any Township facility if the requested use is not in the public interest.

**B. Supervision**

Each organization granted permission to use Township parks and facilities shall provide responsible adult supervision.

**C. Maintenance of Facilities**

1. Township facilities must be left in a clean and orderly manner. Applicants granted the use of Township parks and recreation areas will be held responsible for property damage resulting from the lack of adequate supervision of participants and spectators. Users who damage Township property shall be notified in writing by the Recreation Department within 24 hours after the conclusion of the event, and the cost of damage repair shall be billed to the user.
2. Sports fields need to be rested for maintenance purposes as determined solely by the Township Parks Department.
3. The Township Recreation Department has the right to determine if Township fields are playable.
4. Whenever an event requires a Park and Recreation employee to be on duty outside of regular working hours, or if additional work is needed to prepare for an event or to clean up after the event, the Department may charge a fee for such extra services.
5. Vehicles used for field maintenance (e.g. golf carts used to rake in-fields) shall only be operated by persons at least 18 years of age with a valid New Jersey Drivers License.

**D. Request for New or Modified Facilities**

1. Any organization wishing to improve and/or modify Township recreational facilities at its own expense must submit a detailed plan of the proposed improvement and a certificate of insurance to the Recreation Director.
2. No such plan can be implemented without the prior written approval of the Recreation Director and the Business Administrator.

**E. Prohibited Activities**

1. The consumption of alcoholic beverages is prohibited in all Township facilities.
2. Smoking is prohibited in all Municipal Buildings, and to at least twenty (20) feet away from the exterior of all Municipal Buildings. Smoking is restricted to designated smoking areas in Township parks and outdoor facilities.

**F. Parking**

1. Parking is limited to designated parking areas.
2. No motor vehicles are permitted on any field, park, or open space except in emergency situations only.

**G. Insurance Requirements for Formal Organizations**

1. Formal organizations are defined as those organized as a 501© (3) organization, or any corporation, professional corporation, limited liability corporation, partnership, limited liability partnership, sole proprietorship, joint venture, or any other business entity.
2. Approval for the use of Township Recreation facilities is specifically contingent on the organization furnishing a copy of a Certificate of Insurance naming the Township of Monroe as an Additional insured, and a letter of acknowledgment from the Insurance Agent/Broker. The Certificate shall be in an amount not less than \$1,000,000 combined single limit and shall include Comprehensive General Liability with the Broad Form Liability endorsement or its equivalent. Failure of the organization to provide a copy of a valid Certificate of Insurance will render the application invalid and prohibit the use of the facilities.
3. Recreation Accident Insurance. The Township provides, at its expense, a Recreation Accident Insurance for all program registrants. The policy provides for a maximum benefit of \$1,000. It is intended to be supplemental to your own personal health insurance. Eligible expenses will be determined after benefits have been paid by the registrant's health insurance carrier. All accidents must be reported within twenty four (24) hours after its occurrence.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey as follows:

**Section 1.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**Section 2.** 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 3.** This Ordinance shall take effect upon final passage 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 or Public discussion of this Ordinance.

As Councilman Dalina and Councilman Leibowitz 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 3 OF THE CODE OF THE TOWNSHIP OF MONROE ESTABLISHING POLICIES AND PROCEDURES FOR THE USE OF TOWNSHIP RECREATION FACILITIES.**

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

Copy of Ordinance Duly Filed.  
O-5-2012-010

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Leibowitz, an Ordinance of which the following title was moved on second read for final passage: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK.**

**ORDINANCE** as follows: (O-5-2012-011)

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Council of the Township of Monroe, in the County of Middlesex, finds its advisable and necessary to increase its **CY 2012** Budget by up to **1.0%** over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a **1.0%** increase in the budget for said year, amounting to **\$335,171.21** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Township Council hereby determines that any amount authorized hereinbelow that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Monroe, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, as follows:

**SECTION 1.** In the **CY 2012** budget year, the final appropriations of the Township of Monroe shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to **\$1,173,449.22**, and that the **CY 2012** municipal budget for the Township of Monroe be approved and adopted in accordance with this ordinance; and

**SECTION 2.** Any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a exception to final appropriation in either of the next two succeeding years; and

**SECTION 3.** A certified copy of this ordinance, as introduced, be filed with the Director of the Division of Local Government Services within five days of introduction; and

**SECTION 4.** A certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**SECTION 5.** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be the same and are hereby repealed.

**SECTION 6.** 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 7.** 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 Councilwoman Koppel and Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK.**

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

Copy of Ordinance Duly Filed.  
O-5-2012-011

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

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Dalina and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AUTHORIZING THE CREATION OF AN AFFORDABLE HOUSING IRREVOCABLE TRUST.**

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Leibowitz, the following Resolutions were moved for adoption under the **COSENT AGENDA**, as hereinbelow set forth:

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 explained Resolution #14.w. - Resolution endorsing the recommendations of the Affordable Housing Board. He advised that the town has complied with every rule and regulation that the State has come out with. About a year and a half ago the Spending Plan for the Third Round COAH was submitted, but the town has not heard. He explained the movement by the State to take all the Affordable Housing Funds which have not been spent by the end of June. The matter was taken to Court and the Courts ruled that the Governor has overstepped his authority. Subsequently, towns are left with no agency recommending approvals. The Affordable Housing Board recommended to the Council a list that accomplishes the things that the former Commissioner of the Department of Community Affairs had recommended and mandatory expenditures that had been approved by COAH.

**RESOLUTIONS** adopted under the **CONSENT AGENDA** are as follows:

- R-5-2012-149**      **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.**
- R-5-2012-150**      **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).**
- R-5-2012-151**      **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR SHRI RAM CHANDRA MISSION.**
- R-5-2012-152**      **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-5-2012-153**      **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 ROAD IMPROVEMENTS – ASPHALT MILLING.**
- R-5-2012-154**      **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 ROAD IMPROVEMENTS – CONCRETE CURB, GUTTER AND SIDEWALK REPLACEMENT.**
- R-5-2012-155**      **RESOLUTION AUTHORIZING AWARD OF BID FOR 2012 VARIOUS BITUMINOUS MATERIALS.**
- R-5-2012-156**      **RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR VENDING MACHINES WITHIN MONROE TOWNSHIP BUILDINGS.**
- R-5-2012-157**      **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.**
- R-5-2017-158**      **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.**
- R-5-2017-159**      **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.**
- R-5-2012-160**      **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$491.35 – 200 Seedlings distributed at the Oktoberfest)**

- R-5-2012-161 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.
- R-5-2012-162 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.
- R-5-2012-163 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".
- R-5-2012-164 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-5-2012-165 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO MOVE ON CONDEMNATION OF RIGHT-OF-WAY ON LOT 17, BLOCK 32 FOR TRAFFIC SIGNAL IMPROVEMENTS AT THE IINTERSECTION OF BUCKELEW AVENUE AND SPOTSWOOD-ENGLISHTOWN ROAD.
- R-5-2012-166 RESOLUTION AUTHORIZING THE HIRING OF AN APPRAISER TO ESTABLISH THE VALUE OF PROPERTY LOCATED AT LOT 17, BLOCK 32, BUCKELEW AVENUE, FOR THE ACQUISITION OF THE REGENCY INTERSECTION IMPROVEMENTS.
- R-5-2012-167 RESOLUTION SUPPORTING ASSEMBLY BILL A-2717 EXTENDING THE TIME PERIOD FOR MUNICIPALITIES TO COMMIT TO EXPEND COLLECTED DEVELOPMENT FEES AND PAYMENT IN LIEU OF CONSTRUCTING AFFORDABLE HOUSING UNITS.
- R-5-2012-168 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE LIBRARY BOARD OF TRUSTEES.
- R-5-2012-169 RESOLUTION AUTHORIZING THE AWARD OF BID FOR DEMOLITION OF FLOODED STRUCTURES.
- R-5-2012-170 RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO AN AGREEMENT MADE BY AND BETWEEN THE TOWNSHIP OF MONROE, A MUNICIPAL CORPORATION, PIAZZA AND ASSOCIATES, MONROE MANOR, INC. AND STRATFORD AT MONROE, LLC FOR AFFORDABLE HOUSING COMPLIANCE SERVICES FOR THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.
- R-5-2012-171 RESOLUTION ENDORSING THE RECOMMENDATIONS OF THE AFFORDABLE HOUSING BOARD OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.
- R-5-2012-172 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED FOR BLOCK 76, LOT 8.04, (PB-837-03).

## **REPORTS**

Mayor Pucci – Absent

Administrator Hamilton – reported that the Mayor is absent due to a back problem.

Engineer Feist – No Report.

**Council Reports:**

Councilwoman Koppel – reported on Arbor Day, which was celebrated at Brookside School. Also, the performance of Spun Beauty will be held on Saturday at the new High School. Patrons of the Arts are sponsoring a special getaway Bus Trip to Saratoga/Tanglewood in July.

Councilman Leibowitz – announced the closing of No. State Home Road tomorrow for repairs.

Councilman Dalina – mentioned that this is the time of year our High School Seniors are experiencing the commencement of their High School career. The PTO had an Academic Scholarship Night last Wednesday. Also, the Recreation Advisory Board will be giving out scholarships to students who have participated in the recreation programs. He congratulated the Rec Department & DPW on the Kite Flying Event at the Daniel Ryan Field. Happy Mother's Day to all.

Council Vice-President Miller – mentioned that the bids were out for the various projects at the Dey Farm. He also mentioned the progress of the Senior Center.

Council President Tamburro – conveyed his experience in attending the Henry Ricklis Foundation for Holocaust Remembrance.

**PUBLIC:**

Lucille DiPasquale, 70 Avenue K - made a presentation to the Council. She read a letter into the record regarding Open Space properties (owned by the Township) and the impact of dumping on these Township properties. She stated she has addressed the matter with the Shade Tree Commission, the Environmental Commission and the Open Space & Farmland Preservation Commission. She feels a plan must be found to clean and maintain the towns' open space.

John Riggs, Chairman, Environmental Commission, advised the Council as to what the County is doing to address this matter. He also recommended the designing of a Stewardship Program.

Councilwoman Koppel – feels that it is a matter of raising community awareness and getting people involved in the Environmental Commission. Monroe does not lack volunteers. It is a matter of organizing and coming up with a project.

Councilman Dalina asked if we had any input into the County Conservation Corp and where they perhaps might go in Monroe.

Mr. Riggs explained that they are involved in the 1600 acres of Thompson Park, establishing and maintaining the trails. He also stated that there is an Environmental Club in the High School that has been very supportive of the "Green Fair". Perhaps they would be interested in the educational aspect.

Councilman Dalina stated the "Green Fair" would be a great place to launch this project and seek volunteers.

Councilman Leibowitz recommended that the Correctional Institute could also be a resource.

Hy Grossman, 15 Doral Dr. - questioned Item #14.q. – Condemnation of Right-of-Way on Lot 17, Block 32 for Traffic Signal Improvements – Buckelew Ave & Spotswood Englishtown Rd and Item #14.r. - Hiring an appraiser to establish the value of this property. He mentioned the problem of high grass growing at this intersection at this time of year, resulting in the inability to see oncoming traffic. Engineer Feist stated that it is County property but the town will take care of the matter.

Items #14.i. & 14.j. – MTUD Reduction in performance guarantees for Regency W&S 684.7 C & D. Mr. Rogers, Director, MTUD, responded that the work is done and okay to release.

Sharon Decker, Nantucket Lane, Rossmoor – spoke regarding the flooding in Rossmoor and the Grant application that was denied. Engineer Feist gave her an update on the status. The town will petition the County to enter into an Interlocal Agreement with the Township, Property Owners (So. Middlesex Industrial Park & Rossmoor) to develop a plan of action, bringing the County in as a funding partner.

George Gunkelman, 5 Kelly Court – questioned Item #13 – Affordable Housing Irrevocable Trust – asked if this had anything to do with Item #14.w. Council President Tamburro explained that this is a defensive move that needs to be put in place to slow down the State from coming in and taking the Affordable Housing money. There is thirteen million dollars at risk. Mr. Gunkelman asked if there were legal remedies being considered in union with other communities. Administrator Hamilton explained that they are closely working with the League of Municipalities, as are our Attorneys. Attorney Shain stated that his firm has provided the Mayor and Council with a legal opinion which the Mayor and Council agreed to share with the League of Municipalities. The Clerk's Office will have a copy tomorrow.

Mr. Gunkelman next questioned the intersection at the Sports Facility on Perrineville Rd. – He questioned how that sports facility got a CFO or a TCO. Council President Tamburro will follow up tomorrow at the County Planning Board Meeting.

Tom Nothstein, 15 Nathaniel St. – questioned Item #13 - Affordable Housing Irrevocable Trust – When the State challenges or questions this, will this be extraordinary litigation or will it be covered under the Township Attorney's general fees. Attorney Shain stated that they are hoping the State agrees with the legal opinion. The League of Municipalities may also become involved in this matter. Administrator Hamilton added that he and the Mayor were at a meeting the other day discussing this very issue where other municipal Mayors expressed their willingness to join such a suit if it arises.

Item #14.w. – Endorsing the recommendations of the Affordable Housing Board of the Township. He asked if there were any other recommendations made by the Council of Affordable Housing in addition to Item 13. Council President Tamburro named the various recommendations and their proposed costs.

He next spoke on the issue of the tax on utilities that the State is withholding. Administrator Hamilton stated that this is approximately 6 million dollars. They collect this directly.

Michele Arminio, 9 Nathaniel St. – Item 14.f. – award of bid for 2012 road improvements. She asked who was the low bid – Administrator Hamilton responded "A Takton Concrete Corp." of South River, NJ.

Item #14.m. – Skywatch Surveillance Platform – Administrator Hamilton explained.

Item #14.s. – Supporting Assembly Bill A-2717 extending the period of time for municipalities to expend collected development fees. Council President Tamburro explained.

Item #14.v. – Execution of an Addendum to an Agreement made between the Twp. of Monroe and Piazza and Associates. Council President Tamburro explained they handle all the paperwork for the Affordable Housing Units. His fee has been \$350 since 2005. It will be increased to \$400 per re-rental.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina the regular meeting was Adjourned at 7:55pm

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 \_\_\_\_\_