

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

SPECIAL MEETING – MAY 30, 2012

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

The Special Meeting was Called to Order at 6:00 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 Engineer Mark Rasimowicz sitting in for Township Engineer, Ernest Feist.

ABSENT: Mayor Richard Pucci

There were approximately ten (10) 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 May 14, 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 **STAR LEDGER** on May 24, 2012 and in the **CRANBURY PRESS** on May 25, 2012.
3. Posted on May 4, 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 the Special Meeting is being held for the purpose of conducting Public Hearings prior to Final Adoption of various Ordinances, Consideration of various Resolutions and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

Council President Tamburro introduced Jerry Riccardi, the Area Manager with JCP&L. His job is to be available 24 hours a day, 7 days a week to resolve any problems or issues. He works with a total of 24 municipalities. As a result of Hurricane Irene JCP&L is trying to establish better communication with the municipalities. He proceeded to explain the various ways municipalities can communicate with JCP&L.

It was brought to his attention that one of the problems Monroe Township is having is moving utility poles at the intersection of Buckelew Ave/Route #522 and Mounts Mill Rd. Mr. Riccardi stated he was not aware of the problem but will look into the matter.

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

ORDINANCE as follows: (O-5-2012-012)

BE IT ORDAINED by the Township Council of the Township of Monroe, in the County of Middlesex, New Jersey as follows:

SECTION 1. Chapter 122-44.1. entitled "Schedule XVA: Speed Limits" shall be amended as follows:

Name of Street	Speed Limit (mph)	Location
Old Church Road	35	From Applegarth Road to the terminus (cul-de-sac)

SECTION 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

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 according to law.

Council President Tamburro opened the Public Hearing for 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 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

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

ORDINANCE as follows: (O-5-2012-013)

WHEREAS, pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the Township of Monroe has collected development fees from developers of residential property so that the Township may advance and fund the creation of affordable housing in the Township; and

WHEREAS, as of December 31, 2011, the available balance of the Township's affordable housing trust is \$13,228,144; and

WHEREAS, N.J.S.A. 52:27D-329.2 provides that the development fees collected by the Township shall be committed for expenditure within four years from the date of collection; and

WHEREAS, the Township desires to irrevocably obligate, bind, pledge and consign for preservation the development fees it has collected so that it may further advance and fund the creation of affordable housing in the Township;

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

SECTION 1. The Mayor and Council of the Township of Monroe hereby create the "Monroe Township Affordable Housing Irrevocable Trust," a copy of which is attached hereto and made a part hereof.

SECTION 2. The Mayor, Township Clerk, Township Attorney, and Chief Financial Officer are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to transfer all collected development fees to the Monroe Township Affordable Housing Irrevocable Trust established for the purpose of advancing and funding the creation of affordable housing in the Township.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. 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 5. 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 for Council and Public discussion of this Ordinance.

Councilman Leibowitz questioned if the Veteran's Project is included in this Ordinance. Council President Tamburro responded "yes" and also named the other projects that are included. He then asked if we know what we can expect from the State and Attorney Shain responded that he has no idea what the State will do, but that there is proposed legislation extending the period of time. A legal opinion was prepared by his office which is now a public document.

Mark Klein, 53 Turnberry – stated that the Governor wants to take all Affordable Housing money and put it in the State Treasury. He asked if the irrevocable trust will save that money from being taken by the State and Council President Tamburro responded "hopefully it will".

Tom Nothstein, 15 Nathaniel St. – asked if other towns are following suit and Administrator Hamilton responded that he is aware of another municipality that is acting similarly. He then asked who has the ultimate say in this irrevocable trust and Attorney Shain responded that the Council are the Trustees.

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 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

Council & Public Discussion of the Consent Agenda:

Councilwoman Koppel – Asked for an update on the Senior Center. Administrator Hamilton responded that the three contracts for the Architect, Construction Manager and the HVAC Engineering consultant's contracts have been extended thru the end of August to see the Senior Center through to completion.

Tom Nothstein – questioned the amount of Item #9.a. – Modification of a Professional Service Contract executed by PSSI. Administrator Hamilton responded \$2850 per month for three months for the Fire Study Consultant.

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, the following **RESOLUTIONS** were moved for adoption under the **CONSENT 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

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

R-5-2012-175 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTRACT EXECUTED BY PUBLIC SAFETY SOLUTIONS, INC. (PSSI).

R-5-2012-176 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTRACT AWARDED TO ARCARI AND IOVINO ARCHITECTS, P.C. FOR ARCHITECTURAL SERVICES RELATED TO THE MONROE TOWNSHIP SENIOR CENTER PROJECT.

R-5-2012-177 RESOLUTION AUTHORIZING MODIFICATION OF A PROFESSIONAL SERVICE CONTRACT AWARDED TO VINCENTSEN-THOMPSON-MEADE, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE MONROE TOWNSHIP SENIOR CENTER PROJECT.

R-5-2012-178 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT FOR BARNICKEL ENGINEERING CORPORATION FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR CENTER PROJECT.

R-5-2012-179 RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2012 AS EXTRAORDINARY LITIGATION.

R-5-2012-180 RESOLUTION ENDORSING THE AMENDED THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN. (Amended Affordable Housing Spending Plan)

R-5-2012-181 RESOLUTION IN SUPPORT OF ASSEMBLY BILL NO. 2950 EXTENDING THE TIME MUNICIPALITIES HAVE TO COMMIT FEES AND PARENTS IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS.

R-5-2012-182 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A DEVELOPER'S AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND CHABAD HOUSE OF MONROE FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, the Special Meeting was **Adjourned** at 7:30 p.m. and the regular 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 **ORDINANCE** for **INTRODUCTION** at the **WEDNESDAY, June 6, 2012** Regular Council Meeting:

- a. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.**
- b. **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "LAND DEVELOPMENT".**
- c. **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC".**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, June 6, 2012** Regular Council Meeting be reviewed and will be happy to address any questions:

- a. **RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 394 "FOREST PARK TERRACE SANITARY SEWER REPLACEMENT" TO PM CONSTRUCTION CORP. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- b. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- c. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- d. **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2012 – 2013 LICENSE TERM.**
- e. **RESOLUTION AUTHORIZING AND GRANTING PERMISSION TO THE MONROE TOWNSHIP DEPARTMENT OF RECREATION TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS.**
- f. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR WATER METER CHANGE-OUT SERVICES.**
- g. **RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE REQUEST FOR QUALIFICATIONS ("RFQ'S") FOR AN INSURANCE RISK MANAGEMENT CONSULTANT.**
- h. **RESOLUTION AUTHORIZING A GRANT APPLICATION UNDER THE "RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES PROGRAM" SPONSORED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS.**
- i. **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER WORKS SUPPLY COMPANY, INC. FOR SECTIONS A, B, C1, D, AND I OF CONTRACT NO. 403 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).**

- j. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO RARITAN GROUP, INC. FOR SECTIONS C2, E2, AND F OF CONTRACT NO. 403 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).**
- k. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CAPITOL SUPPLY CONSTRUCTION PRODUCTS, INC. FOR SECTIONS E1 OF CONTRACT NO. 403 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).**
- l. **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO KENNEDY CULVERT AND SUPPLY COMPANY FOR SECTION 'H' OF CONTRACT NO. 403 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).**

Councilman Dalina questioned the amount of Item #12.h. – Grant Application "Recreational Opportunities for individuals with disabilities". Administrator Hamilton responded "approximately \$12,000."

Mayor Pucci – Absent

Business Administrator Hamilton – Mentioned that a couple of meetings ago a couple was here requesting a speed reduction on Old Church Road. It is on the Agenda as Item #11 for Introduction at the June 6, 2012 regular meeting of Council which will reduce the speed to 35 mph.

The Salary & Wage Ordinance that will be introduced on June 6th is actually a reduction in salary for that position.

Engineer – No Report

Council Reports:

Councilwoman Koppel asked if a Resolution was needed to create a "Green Team". Council President Tamburro stated that he did not have a problem with that but it should go through Mr. Riggs, the Environment Protection Manager.

The Summer Park Series will be starting in July on Thursday nights at 6pm.

Councilman Leibowitz – No Report.

Councilman Dalina – mentioned that this Saturday, June 2nd, the Library is having a digital conversion program. Bring in all your old video tapes & films and have it converted to digital.

Council Vice-President Miller – commented that the Council President is doing an excellent job filling in for the Mayor.

Council President Tamburro – stated that he has been handling quite a few duties in the absence of the Mayor and two particular events were very impressive. The first was the turn out for Memorial Day which was very heart warming. The other was a program at Woodland School's 5th Grade Class that collected goods for the Veterans on active duty in Afghanistan. In doing that, two twin brothers, Vince & Vance Moss, who are surgeons, visited the school and presented a flag that flew over the Post where the Veterans received the packages. They also had a picture of the guys that received the goods from the kids.

Public:

Phil Levy, 92 Kings Mills – stated that on Route 613 & Route 522 there was a major accident. Something needs to be done to get Toll Bros. started with construction on these improvements. Administrator Hamilton explained that the problem is the land acquisition – 10 parcels in total and only 2 have been resolved and the remainder will most likely end in condemnation.

Regina Bitemos, 5 Venizia Dr. – complained about the problem with noise, music, mechanical devices, etc. She is located near Spotswood-Gravel Hill Road and Avenue G. Administrator Hamilton explained that if it is something that occurs after 10pm at night the Police Department becomes involved. They are looking for some feedback on the Ordinance. Administrator Hamilton recommended she contact the Zoning Officer.

Tom Nothstein, 15 Nathaniel St. – Item #11.b. – Amending Chapter 108 – Land Development. Council President Tamburro explained it is the Planning Boards recommendations to the Council. The Ordinance is 150 some pages. It deals with recommendations made by the Master Plan Review Committee to the Planning Board and recommended to the Council. It will be posted, once introduced, on the Township Website.

Item #12.g. – Authorizing the Business Administrator to prepare & advertise for receipt of RFQ's for an Insurance Risk Management Consultant. He asked if this was a new position and Administrator Hamilton explained the process.

He next reported that two street lights are out on Nathaniel St. Administrator Hamilton recommended e-mailing him the pole numbers and he would report the problem.

Mark Klein, 53 Turnberry – reported that there is a website or an 800 number that can be called with street light outages.

UPON MOTION made by Councilwoman Koppel and seconded by Council Vice-President Miller the 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

SHARON DOERFLR, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____