

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

SPECIAL MEETING – JUNE 25, 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 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: Councilwoman Leslie Koppel, Councilman Michael Leibowitz, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

ABSENT: Councilman Stephen Dalina

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 fifteen (15) 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 June 20, 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** and in the **CRANBURY PRESS** on June 22, 2012.
3. Posted on June 20, 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 Consideration of various Resolutions of a time sensitive nature and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

Council President Tamburro introduced Susan Keating, who was recently appointed to the Historical Commission in Monroe Township and is Vice-President of the Raritan–Millstone Heritage Alliance. With her this evening was the founder of the Raritan–Millstone Heritage Alliance – Ann Sudam and her husband Abe. Donald Johnstone-Peck, President of the organization was also present. The Dey Farm is one of the “premier” historic sites in Middlesex County. The purpose of their presence this evening was to present to the Mayor and Council the “2012 Guide Book to Historic Sites in Central New Jersey” featuring the Dey Farm. A case of Guide Books will be given to the Library along with a Poster that will make library users aware that the Guide Book is there and available free of charge. Ann Sudam offered comments on Guide Books from previous years and Mr. Peck explained a new initiative which is called “history hunters”. It enables those interested, to view the Guide Book on-line.

Council President Tamburro asked that the Council Members review the Resolutions under the Consent Agenda and will answer any questions the Members or Public may have.

Councilman Leibowitz questioned the Resolution for fireworks and Council President Tamburro explained that it is granting permission to Make-A-Wish.

Charles Petretti, Concordia asked for an amount regarding Item #7.f. – Change Order #R-5 for the Senior Center. Administrator Hamilton responded that there are 9 cumulative items totaling \$100,000, which is about 2% of the total project price.

Council President Tamburro asked if there were any further questions from the Council or Public and there being none, he requested a Motion and Second to adopt the Resolutions under the Consent Agenda.

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

ROLL CALL:	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-6-2012-202** **RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, OFFICE OF THE PROSECUTOR AND THE TOWNSHIP OF MONROE.** (Automatic License Plate Recognition System Homeland Security Grant)
- R-6-2012-203** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES FOR FOUR SEASONS AT MONROE PHASE 1.**
- R-6-2012-204** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES FOR FOUR SEASONS AT MONROE PHASE 1 & 2 STREAM ENCROACHMENT PERMIT.**
- R-6-2012-205** **RESOLUTION GRANTING PERMISSION TO MAKE-A-WISH FOUNDATION TO CONDUCT A DISPLAY OF FIREWORKS.**
- R-6-2012-206** **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF LIQUOR LICENSE(S) FOR THE 2012-2013 LICENSE TERM.**
- R-6-2012-207** **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER R-5 SUBMITTED BY ARCO CONSTRUCTION GROUP, INC. FOR ADDITIONAL WORK PERFORMED IN CONNECTION WITH THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.**

UPON MOTION made by Council Vice-President Miller and seconded by Councilman Leibowitz, the Special Meeting was **Adjourned** at 7:15 p.m. and the regularly scheduled Agenda Meeting was Called to Order.

ROLL CALL:	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, JULY 2, 2012 REGULAR MEETING**:

- a. **BOND ORDINANCE PROVIDING FOR VARIOUS 2012 WATER AND SEWER UTILITY 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 \$2,020,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP (INCLUDING CERTAIN INSURANCE PROCEEDS IN THE AMOUNT OF \$693,000) AND AUTHORIZING THE ISSUANCE OF \$1,327,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

- b. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.**
- c. **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC". (Reduction of Speed Limit on Old Church Road)**
- d. **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, SPECIFICALLY CHAPTER 78 THEREOF ENTITLED, "PERSONNEL POLICIES AND PROCEDURES".**
- e. **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "LAND DEVELOPMENT".**
- f. **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A TWENTY FOOT (20') UTILITY EASEMENT AND A FIFTEEN FOOT (15') RIGHT OF WAY ON AVENUE J.**

Councilman Leibowitz questioned Item #9.a. - Second Reading Bond Ordinance asking if Mr. Rogers could explain what improvements are being made to the facility. Mr. Rogers, Director, M.T.U.D., explained that the pumping station on Ashmall Avenue would be re-built, lifting all the equipment and generator to a second floor level. In addition, they are adding standby power for the stormwater pump station on Tyndale Avenue. Administrator Hamilton added that \$814,000 has been received from the insurance company to offset the cost.

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, JULY 2, 2012** Regular Council Meeting:

- a. **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 6 & 7 ON THE TAX MAP OF MONROE TOWNSHIP IN EXCHANGE FOR CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 3 & 4 ON THE TAX MAP OF MONROE TOWNSHIP.**
- b. **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 106.91, LOT 47.01 ON THE TAX MAP OF MONROE TOWNSHIP.**
- c. **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 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN, AND CANCELLING AND REPEALING BOND ORDINANCE NUMBER O-2-2012-001.**
- d. **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-3-2006-010 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON MARCH 27, 2006 (WHICH PROVIDES FOR VARIOUS 2006 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE APPROPRIATIONS, AUTHORIZATIONS AND DOWN PAYMENTS THEREIN.**
- e. **ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 122 THEREOF ENTITLED "VEHICLES AND TRAFFIC".**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, JULY 2, 2012** Regular Council Meeting be reviewed and will address any questions:

- a. **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).** Grant - Municipal Court - Alcohol, Education, Rehabilitation and Enforcement Fund - \$1,187.19
- b. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- c. **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.**
- d. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH FEIST ENGINEERING, INC. FOR TITLE SURVEY & PROPERTY DESCRIPTION OF BLOCK 77, LOT 11.02 – LEGENDS DRIVE.**
- e. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- f. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH SHAIN, SCHAFFER, & RAFANELL, P.C. FOR LEGAL SERVICES RELATED TO THE PREPARATION OF RFP’S FOR AFFORDABLE HOUSING FOR VETRANS.**
- g. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH MARK A. REMSA, PP FOR PLANNING SERVICES RELATED TO THE PREPARATION OF RFP’S FOR AN AFFORDABLE HOUSING DEVELOPER FOR VETERANS HOUSING.**
- h. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AMENDMENT TO THE DEVELOPER’S AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND LORI GARDENS ASSOCIATES, II, L.L.C. (A/K/A LENNAR)**

Councilwoman Koppel asked the amounts for Items #11.f. and 11.g. – Professional Service Contracts - Affordable Housing for Veterans. Administrator Hamilton responded \$10,000 each.

Mayor Pucci – commented on the Affordable Housing Funds and the distribution. He also commented on the recent court decision. Council President Tamburro elaborated further on the pending legislation extending the deadline for use of the Affordable Housing Funds.

Administrator Hamilton – Stated that he will be putting in the Council Packets on Friday copies of what Judge Menyaks’ June 15th Order, which essentially extends the revaluation from Jan. 1st 2013 to 2014.

Next, he stated that the Bond Sale that had been discussed previously is on schedule for Aug. 1st. It will necessitate a Special Meeting on July 30th to pass a Resolution to proceed with a Bond Sale.

He then spoke about a personnel matter involving a “Conflict of Interest Ordinance” requiring disclosure, explaining that there was a conflict of interest situation with one of the employees. It has since been resolved and the Council was given a letter of explanation. The matter has been resolved but the Ordinance requires notification.

The Fire Consolidation Study is winding down and tentatively a presentation will be made on July 30th.

The Administrator next gave a status report regarding condemnations at the intersection of Spotswood-Englishtown Road and Route #522. Four properties appear to be ready to be settled, but six are headed for condemnation.

Engineer Feist gave updates on the following:

- Renaissance Rt#33 – received confirmation from NJ DOT that they have accepted our application & design documents for the deceleration lane. They should get back to him with either a permit to construct or request for additional changes by July 16th.
- Perrineville Road & Union Valley Rd. – received design changes as well as parcel maps for the intersection improvement with a traffic light.
- Encore bankruptcy settlement with the bonding company – will be going out to bid within 2 weeks for repairs to concrete items as well as isolated drainage problems & repairs to asphalt paving.
- Dey Farm – bids will be opened June 28th for the Dey Farm restoration, site improvements & parking.
- North State Home Road is now open. The reason for closure was the connection of a force main by the NJ Training School.
- Toll Bros. – Construction work on Route #522 & Hoffman Station Rd. – relocation of Utility Poles.
- Demolition of the Homes the Township purchased as a result of Irene – work is starting.
- Tax Maps – 1st step will be updating as a result of the re-evaluation for the state of NJ. The State Division of Taxation will then certify them.
- Paving – the paving program was suspended last year due to Hurricane Irene. They are working this year to catch up. Phase 1 of the program is complete. Concrete curb & sidewalk will be next. Phase 2 will be the paving of Forge Road, Woodcrest Circle & Tenth Avenue.

Council President Tamburro questioned the status of the intersection of Forsgate Drive & Applegarth Road, specifically the dedicated turning lane. Engineer Feist stated that the County is close to signing off on that set of plans. In another month or two it will be ready to go out to bid.

Councilman Leibowitz asked if it was a State road in that section and Engineer Feist responded that it is not, it's a County Road.

Councilwoman Koppel questioned the status of the light at the intersection of Applegarth & Prospect Plains Road. Engineer Feist explained that he has been going back & forth with the County and the design engineers on this project. Additional sidewalk was recommended by the County, resulting in a re-design. The ADA standards for sidewalk access has also changed. After the new parcel maps are received, the town will then proceed with acquisition of the land.

COUNCIL REPORTS:

Councilwoman Koppel reminded everyone that the "Summer Park Series" will start on Thursday, July 12th at 6pm.

Councilman Leibowitz reported on his California trip stating that it included a visit to the Reagan Library, a Veterans Hospital and state housing for low & moderate and homeless Veterans, which works in partnership with the California Veterans Administration.

He also mentioned complaints he has received about noise and pool water being backwashed into another neighbors' yard.

Vice-President Miller – asked if the Senior Center will be completed by Sept. 1st. Mr. Hamilton did not wish to give an exact date but was told at the last meeting that the project would be completed in August. He is hesitant to give an exact date.

He then questioned the Hovanian parcel earmarked for Affordable Housing. He wondered when the project will start. Mr. Feist explained that particular situation.

PUBLIC:

Charles Petretti, Communities of Concordia – Item #9.a. – MTUD Bond for various 2012 water improvements - questioned the amount, \$814,000 vs. \$693,000. Administrator Hamilton explained.

Item #11.f. & g. – Professional Service Contracts - Shain, Schaffer & Rafanello & Mark Remsa related to affordable housing for veterans. Administrator Hamilton advised the amount is \$10,000 each. Mr. Petretti asked if we have the 25 acres and Engineer Feist explained. He asked who would be writing the RFP's and Administrator Hamilton explained. He next mentioned the extension of the revaluation and the Administrator explained the various bench marks the Judge has set for the complete process.

Gary Busman, 7 Monarch Rd. – Item #11.h. – asked for an explanation for the Amendment to Developer's Agreement between Lori Gardens & the Township. Mike Rogers, Director, MTUD, explained. Council President Tamburro also mentioned the possibility of this item being pulled from the Agenda because all parties were not in agreement at this point in time.

Denise Morgan, 9 Carlton Ave – Complained about her neighbor backwashing their pool into her yard. She has informed the Zoning Officer, the Board of Health & Councilman Leibowitz. She wants the Council aware of the problem. Administrator Hamilton advised her that a complaint must be signed.

Charles Petretti, Concordia – suggested that the information on the revaluation extension be posted on township website and Administrator Hamilton agreed and advised it will be done.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Miller, the meeting was Adjourned at 8:05pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____