

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
SPECIAL AND AGENDA MEETING – APRIL 20, 2011

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

The Special and Agenda Meeting was Called to Order at 7:30 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, Councilmen Michael Leibowitz and Irwin Nalitt, 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 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 April 12, 2011 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** on April 14, 2011 and communicated to the **CRANBURY PRESS** on April 12, 2011.
3. Posted on April 12, 2011 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 Called to Order for the purpose of conducting a Public Hearing prior to the Final Adoption of Ordinances, Consideration of various Resolutions and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

PROCLAMATION of Mayor Pucci proclaiming **APRIL 29, 2011** as **ARBOR DAY** in Monroe Township and further urging all citizens to support efforts to care for our trees and woodlands and to support our Township's Community Forestry Program.

UPON MOTION made by Council Vice-President Miller and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR WHITE COLLAR EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

ORDINANCE as follows: (O-4-2011-009)

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

SECTION 1. The following annual salaries, wages and fees, as attached hereto and made a part hereof, shall be paid to the various members of the White Collar Workers of the Township of Monroe as hereinafter specified, retroactive to January 1, 2011.

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Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

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 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.

Michele Arminio, 9 Nathaniel Street questioned how many Union Workers in total and Business Administrator Hamilton advised there are a total of 225 +/- , inclusive of non-union workers. He does not have a breakdown with him tonight as to how many employees in each of the Unions.

As Council Vice-President Miller and Councilman Nalitt regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR WHITE COLLAR EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

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

Copy of Ordinance with attached Salary Schedules Duly Filed.
O-4-2011-009

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

ORDINANCE as follows: (O-4-2011-010)

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

SECTION 1. The following annual salaries, wages and fees shall be paid to the various members of the Blue Collar Workers of the Township of Monroe as hereinafter specified and per attached.

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

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 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 Councilwoman Koppel and Councilman Nalitt regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR BLUE COLLAR EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

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

Copy of Ordinance with attached Salary Schedules Duly Filed.
O-4-2011-010

UPON MOTION made by Councilman Nalitt and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR SUPERVISORY PERSONNEL OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

ORDINANCE as follows: (O-4-2011-011)

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

SECTION 1. The annual salaries, wages and fees, as attached hereto and made a part hereof, shall be paid to the various members of the Supervisory Personnel of the Township of Monroe as hereinafter specified, retroactive to January 1, 2011.

SECTION 2. The Supervisory Personnel of the Township of Monroe shall be entitled to the same payment of accumulated sick leave at the time of retirement as specified in Article 14 of the "Collective Bargaining Agreement between the Township of Monroe and United Service Workers of America, TCU, Local 255" and as stated hereinbelow:

At retirement, an employee will be paid fifty percent (50%) of his/her accumulated sick leave up to a maximum of \$15,000.00. Payment will be made at the rate of pay during the year in which the employee leaves. Any benefits conferred under the provision of this paragraph apply prospectively only, and accrue as of January 1, 1977. In order to reap the benefits of this paragraph, an employee must provide his Employer with one (1) year's prior notice of his intention to retire. The rules and regulations regarding retirement shall be consistent with those established by the Public Employee Retirement System.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION 4. 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 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.

There was no Council or Public discussion of this Ordinance.

As Councilman Nalitt 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 FIXING THE 2011 – 2014 SALARIES AND WAGES FOR SUPERVISORY PERSONNEL OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

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

Copy of Ordinance with Salary Schedules Duly Filed.
 O-4-2011-011

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 FIXING THE 2011 – 2014 SALARIES AND WAGES FOR POLICE PBA EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

ORDINANCE as follows: (O-4-2011-012)

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

SECTION 1. The following annual salaries, wages and fees shall be paid to the various members of the Police Department of the Township of Monroe as hereinafter specified:

Salaries & Wages						
2011						
<u>Position</u>	<u>Probationary</u>	<u>Step 1</u>	<u>Step II</u>	<u>Step III</u>	<u>Step IV</u>	<u>Step V</u>
Patrolman	\$48,297	\$59,808	\$67,183	\$76,087	\$86,533	\$96,810
2012						
Patrolman	\$49,263	\$61,004	\$68,527	\$77,609	\$88,264	\$98,746
2013						
Patrolman	\$50,248	\$62,224	\$69,898	\$79,161	\$90,029	\$100,721
2014						
Patrolman	\$51,253	\$63,468	\$71,296	\$80,744	\$91,830	\$102,735

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

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 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.

There was no Council or Public discussion of this Ordinance.

As Council 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 FIXING THE 2011 – 2014 SALARIES AND WAGES FOR POLICE PBA EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

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

Copy of Ordinance Duly Filed.
O-4-2011-012

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2011 – 2014 SALARIES AND WAGES FOR POLICE SUPERVISORY EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

ORDINANCE as follows: (O-4-2011-013)

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

SECTION 1. The following annual salaries, wages and fees shall be paid to the various members of the Police Department of the Township of Monroe as hereinafter specified:

<u>POSITION</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Sergeants	\$106,920	\$109,058	\$111,239	\$113,464
Lieutenants	\$117,454	\$119,803	\$122,199	\$124,643

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

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 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.

There was no Council or Public discussion of this Ordinance.

As Councilman Nalitt 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 FIXING THE 2011 – 2014 SALARIES AND WAGES FOR POLICE SUPERVISORY EMPLOYEES OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**

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

Copy of Ordinance Duly Filed.
O-4-2011-013

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Leibowitz, the following entitled Resolution was moved on Consideration for Adoption: **RESOLUTION AUTHORIZING EXECUTION OF A 2011 MUNICIPAL ALLIANCE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE.**

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

RESOLUTION adopted as follows: (R-4-2011-116)

R-4-2011-116 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING SUBMISSION OF AN APPLICATION FOR A MUNICIPAL ALLIANCE GRANT FOR TERM YEAR 2011

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Leibowitz, the Special Meeting of the Monroe Township Council was Adjourned and the regularly scheduled Agenda Meeting was Called to Order at 7:40 P.M.

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

Council President Tamburro read the following entitled **ORDINANCE** for **SECOND READING** at the **MONDAY, MAY 2, 2011** Regular Meeting:

- (a) **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, SPECIFICALLY CHAPTER 3 ENTITLED "ADMINISTRATION OF GOVERNMENT"**. (Name changes for Office on Aging to Office of Senior Services and Monroe Township Department of Water and Sewer Utility to Monroe Township Utility Department)

Councilman Leibowitz questioned the name change from Monroe Township Department of Water and Sewer Utility to Monroe Township Utility Department, which is what the Department has been called from the beginning. Administrator Hamilton advised it was brought to his attention that the original Ordinance dissolving the Utility Authority and creating the Utility Department actually makes reference to the Monroe Township Department of Water and Sewer Utility and to keep things consistent, we need to legally change the name to "Monroe Township Utility Department".

Council President Tamburro read the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, MAY 2, 2011** Regular Meeting:

- (a) **RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE.**
- (b) **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY ALLIED CONSTRUCTION GROUP, INC. FOR MONROE TOWNSHIP UTILITY DEPARTMENT "M.T.U.D." CONTRACT NO 307A - "WELL #21 AND WELL #8A IMPROVEMENTS".**
- (c) **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEES WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S 804 - CROSSINGS @ MONROE, ON-SITE WATER, SEWER AND IRRIGATION - PB #828-03.**
- (d) **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2011 AS EXTRAORDINARY LITIGATION.**

- (e) **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO MJ BARONE & ASSOCIATES, P.C. FOR ARCHITECTURAL SERVICES RELATED TO THE MONROE TOWNSHIP COMMUNITY CENTER EXPANSION PROJECT.**
- (f) **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO EPIC MANAGEMENT, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE MONROE TOWNSHIP COMMUNITY CENTER EXPANSION PROJECT.**

Council President Tamburro asked the Council members to review the Resolutions being considered and if there are any questions, he will be glad to answer them. There were no questions from Council.

Mayor's Report – No Report

Administrator's Report – Administrator Hamilton gave an update on the revaluation process. He advised two proposals have been taken and will be evaluated by the selection committee. Hopefully a resolution will be ready for approval at the May 2nd Council Meeting. That resolution will be subject to approval by the Division of Taxation.

Engineer's Report – No Report.

Council:

Councilwoman Koppel – There will be an Arbor Day Celebration at Oak Tree School on April 29th.

Councilman Leibowitz – No Report.

Councilman Nalitt – No Report.

Council Vice-President Miller – No Report.

Council President Tamburro – Wished everyone a Happy Passover.

Public:

Harold Klein – stated that with the conversion law, K. Hovnanian is the 1st to apply for 328 units. He also stated that they have made no marketing attempt to sell the age-restricted homes and yet are now stating that the market for age-restricted homes in Monroe Twp. has dried up, and therefore, they want to convert its approval to single family homes. It is his understanding that you cannot use the impact on the school population to vote down a conversion. Toll Bros. just received Planning Board approval for Phase 8, selling upwards of 70 age-restricted homes a year. Stonebridge & Centex are also selling. Mr. Klein stated he cannot understand how a Developer can come in and state they cannot sell age-restricted homes when other Developer's are doing just that.

Council President Tamburro – stated that the Sarlo Bill that was passed went into effect two years ago. There is little that any municipality can do but hear the application and try to control what is going on. That is where K. Hovnanian's application stands right now.

Lucille DiPasquale, 70 Avenue K – asked for the dates of the Master Plan Meetings and Council President Tamburro stated that there is a Special Meeting of the Planning Board on May 4th to present the Plan to the Planning Board Members and then the Planning Board Meeting in May will be for the Public discussion. She asked if it is the same firm that we had and Administrator Hamilton stated that it is the same firm as in 1992.

Michele Arminio, 9 Nathaniel St. – Item #15.a. – sale of personal property. Administrator Hamilton explained the process.

Item #15.d. – Payment of additional fees to Shain, Schaffer & Rafanello for 2011 State Tax Court Appeals - \$75,000. She questioned the amount and Administrator Hamilton advised that this is the second \$75,000. The total amount in the budget for this year is \$245,000, having well over 2000 Appeals this year.

Item #15.e. – Modification of a Professional Service Contract – MJ Barone for \$3185. Administrator Hamilton explained this is the final month for the Community Center professional fees.

Item #15.f. - Modification of a Professional Service Contract – Epic – Again, this is the final invoice in the amount of \$12,000.

In keeping with the Proclamation for Arbor Day, April 29th – she presented photographs of Thompson Park and questioned if there was something the township could do to save the oak and cherry trees that are being damaged due to off-road parking along the park on Perrineville Road. She stated that she understands that during some events there is just not enough parking but even when spaces are abundant, there are still cars under or very close to the trees.

Administrator Hamilton said he would contact Ralph Albanir from the Middlesex County Parks System to look into the situation.

Lucille DiPasquale stated that the Freehold Conservation District can tell you about the soil erosion and sediment control.

UPON MOTION made by Councilman Nalitt and seconded by Councilman Leibowitz the Agenda Meeting was Adjourned at 8:00pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes adopted on _____