

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - DECEMBER 1, 2014

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 who asked everyone to stand and join he and Gabrielle Biennas in a Salute to the Flag.

UPON ROLL CALL by the Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Leslie Koppel and Council President Gerald W. Tamburro.

ALSO PRESENT : Business Administrator Wayne Hamilton, Township Attorney Joel L. Shain, and Engineer Mark Rasimowicz.

ABSENT: Mayor Richard Pucci

There were approximately one hundred thirty (130) members of the Public present in the audience.

Council President Tamburro requested the Township Clerk to read the following **SUNSHINE LAW** 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 3, 2014 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 **CRANBURY PRESS** on January 3, 2014;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

In accordance with Chapter 3, Section 17 of the Monroe Township Code, Public Comment shall be limited to five (5) minutes unless further time is granted by the Council President.

Council President Tamburro announced that this evening we will be acknowledging the promotions of the following Police Officers:

Sgt. Michael Biennas to Lieutenant
Sgt. Lisa Robinson to Lieutenant
Patrolman John Strych to Sergeant
Patrolman Sergeis Jangols to Sergeant

Police Chief Michael Lloyd gave some background on each of the Lieutenants and Sergeants.

Township Clerk Sharon Doerfler administered the Oath of Office to each Officer.

Council members offered their comments and good wishes.

A short Recess was taken and the Regular Meeting was recalled to order at 7:35pm.

The following **PROCLAMATION** of Mayor Richard Pucci was read into the record by Title:

***Drive Sober or Get Pulled Over
 2014 Year End Holiday Crackdown***

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, the **CLAIMS** per run date of **11/21/2014** were approved for payment as presented.

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

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, the **Minutes** of the **October 6, 2014 Regular Meeting** were approved as written and presented.

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

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was moved on seconding reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SALARIES AND WAGES FOR POLICE PBA EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.**

ORDINANCE as follows: (O-12-2014-026)

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

2015

<u>Position</u>	<u>Probationary Step</u>	<u>Step 1</u>	<u>Step II</u>	<u>Step III</u>	<u>Step IV</u>	<u>Step V</u>
Patrolman	\$52,278	\$64,737	\$72,722	\$82,359	\$93,667	\$104,790

2016

Patrolman	\$53,324	\$66,032	\$74,176	\$84,006	\$95,540	\$106,886
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2017

Patrolman	\$54,390	\$67,352	\$75,660	\$85,686	\$97,451	\$109,024
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2018

Patrolman	\$55,478b	\$68,700	\$77,173	\$87,400	\$99,400	\$111,204
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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 Councilman Leibowitz and Council Vice-President 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 2015 – 2018 SALARIES AND WAGES FOR POLICE PBA EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX**

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

Copy of Ordinance Duly Filed.
O-12-2014-026

UPON MOTION made by Councilman Dalina 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 2015 – 2018 SALARIES AND WAGES FOR POLICE SUPERVISORY EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.**

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

ORDINANCE as follows: (O-12-2014-027)

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>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Sergeants \$122,817	\$115,733	\$118,048	\$120,409	
Lieutenants	\$127,136	\$129,679	\$132,273	\$134,918

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 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 FIXING THE 2015 – 2018 SALARIES AND WAGES FOR POLICE SUPERVISORY EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.**

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

Copy of Ordinance Duly Filed.
O-12-2014-027

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SALARIES AND WAGES FOR PRIVATE PARTY BILLING OF POLICE DEPARTMENT PERSONNEL.**

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

ORDINANCE as follows: (O-12-2014-028)

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

SECTION 1. The Police Department Salary and Wage Ordinance is hereby amended as follows:

Each private party receiving police services shall be charged a fee as follows per officer utilized for the service. The following hourly fees shall be paid to police department personnel of the Township of Monroe as hereinafter specified, effective January 1, 2015.

<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
\$98.00	\$100.00	\$102.00	\$104.00

In the event the police services are provided on a holiday acknowledged in the PBA/SOA contract, the fee for such service shall be as follows:

<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
\$132.00	\$135.00	\$138.00	\$141.00

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 this ordinance shall be deemed valid and effective.

SECTION 3. All ordinance or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

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 to Council and Public discussion of this Ordinance.

There was no Council or Public discussion of this Ordinance.

As Councilman Leibowitz and Council Vice-President 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 2015 – 2018 SALARIES AND WAGES FOR PRIVATE PARTY BILLING OF POLICE DEPARTMENT PERSONNEL.**

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

Copy of Ordinance Duly Filed.
O-12-2014-028

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SUPERVISORY PERSONNEL SALARIES AND WAGES OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.**

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

ORDINANCE as follows: (O-12-2014-029)

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.

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 St. – asked if we have civil service.

Council President Tamburro and Administrator Hamilton responded “no” we have Unions – White Collar, Blue Collar, PBA & SOA that we have collective bargaining with.

She next asked the average increase.

Administrator Hamilton responded that there will be a 2% increase each year over the course of a 4 year period. We also permanently implemented 12 hour shifts. There will no longer be longevity for new hires after the first of the year. All collective bargaining units will also begin the healthcare contributions at a four year progression.

As Councilman Leibowitz and Council Vice-President 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 2015 – 2018 SUPERVISORY PERSONNEL SALARIES AND WAGES OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.**

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

Copy of Ordinance Duly Filed.
O-12-2014-029

UPON MOTION made by Council Vice-President Koppel and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage: **REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”) PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING REFUNDING GENERAL OBLIGATION BONDS, SERIES 2006 OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,200,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR.**

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

ORDINANCE as follows: (O-12-2014-030)

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), the Township of Monroe, in the County of Middlesex, State of New Jersey (the “Township”) had previously issued \$4,910,789.58,000 aggregate principal amount of Refunding General Obligation Bonds, Series 2006 (the “2006 Bonds”) dated November 14, 2006; and

WHEREAS, a \$2,823,602 outstanding principal amount of the 2006 Bonds maturing on September 15 in the years 2015 through 2021, inclusive (the “2006 Refunded Bonds”) are currently subject to redemption, either in whole or in part, prior to their stated maturity, at a redemption price of 102% of their principal amount; and

WHEREAS, the Township Council desires to refund all or a portion of the 2006 Refunded Bonds through the issuance of a series of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$3,200,000 (the “Refunding Bonds”); and

WHEREAS, the Township Council now desires to adopt this Refunding Bond Ordinance (the “Refunding Bond Ordinance”) authorizing the issuance of a series of Refunding Bonds in an aggregate principal amount not exceeding \$3,200,000, a portion of the sale proceeds of which shall be used to refund the 2006 Refunded Bonds.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The refunding of all or a portion of the 2006 Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the 2006 Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue a series of the Refunding Bonds in an aggregate principal amount not to exceed \$3,200,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds" with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve net debt service savings (*net of all refinancing costs*) by refunding all or a portion of the 2006 Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$100,000, may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. The purpose of the issuance of the Refunding Bonds is to realize net present value interest cost savings for property taxpayers residing in the Township ("net" meaning savings after payment of all costs of issuance of the Refunding Bonds). Applicable State requirements mandate that such net present value interest cost savings equal at least 3% of the principal amount of the Refunded Bonds. In addition, the issuance of the Refunding Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing on the Refunding Bonds, the Township Chief Financial Officer shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the Refunded Bonds' debt service, which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; and (d) a certification of the Township Chief Financial Officer that (i) all of the conditions of section (b) of N.J.A.C. 5:30- 2.5 have been met, and (ii) a resolution authorizing the issuance of the Refunding Bonds, adopted pursuant to the applicable provisions of the Local Bond Law, was approved by a two-thirds vote of the full membership of the Township Committee.

SECTION 6. A certified copy of this Refunding Bond Ordinance, as introduced, has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 7. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 8. This bond ordinance shall take effect and twenty (20) days after the first publication thereof after final adoption, and approval by the Mayor.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Robert Zeglarski, 162 Tournament Dr. – asked the interest rate and the number of years.

Administrator Hamilton responded that we do not yet know the interest rates as the bonds had to be authorized. He did mention that as a result of the projected interest rate, compared to the old interest rate, the savings will be approximately \$140,000.00 after professional fees for the balance of the term of the loan. The number of years – it runs through 2021.

Michele Arminio, 9 Nathaniel St. – asked if the \$140,000 is “per year” and Administrator Hamilton responded that it will be through the life of the loan.

She next asked if it ever happens that the professional fees exceed the savings and Administrator Hamilton responded that if that happened, they would not refund it.

She asked the cost of Professional fees and Administrator Hamilton stated he does not know that amount at this time.

As Council Vice-President Koppel and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”) PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING REFUNDING GENERAL OBLIGATION BONDS, SERIES 2006 OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,200,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR.**

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

Copy of Ordinance Duly Filed.
O-12-2014-030

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on seconding reading for final passage: **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE.**

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

ORDINANCE as follows: (O-12-2014-031)

WHEREAS, application has been made by Lucille DiPaquale, 70 Avenue K, Monroe Township, New Jersey 08831, for the passage of an Ordinance vacating, releasing and extinguishing the public rights in and to a certain portion of Duchess Drive f/k/a Hampton Road, Block 109.10, Lot 4 as shown on Tax Map Sheet No. 87.03 and as more particularly described in the Metes and Bounds Descriptions prepared by Amertech Engineering, Inc., a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Township Engineer has reviewed said application and per his letter dated October 21, 2014, attached hereto as Exhibit “B”, recommends the Township move forward with the vacation of a certain portion of Duchess Drive; and

WHEREAS, Ryan Herkert, Assistant Engineer of the Monroe Township Utilities Department (“M.T.U.D.”), has reviewed said application for street vacation and per letter dated August 26, 2014, attached hereto as Exhibit “C”, has no objections to granting this vacation; and

WHEREAS, the Township Council of the Township of Monroe is of the opinion that the public interest will best be served by vacating and releasing the public rights in said Duchess Drive;

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

1. The public rights and interests in the portion of Duchess Drive, as described in attached Exhibit "A", are hereby released, vacated and extinguished.
2. Pursuant to N.J.S.A. 40:67-1, the following described rights of public utilities and cable television companies are hereby expressly reserved and accepted from this vacation. All rights and privileges possessed at the time of the adoption of this Ordinance by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act", P.L. 1972, c. 186 (C.48:5A-1, et seq) to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated.
3. The Township's Certified Municipal Finance Officer is hereby authorized to draw a check in the sum of \$11.00 payable to the Middlesex County Clerk, and upon receipt of same, the Township Clerk shall thereupon file a certified copy of this Ordinance in the Office of the Middlesex County Clerk.
4. This Ordinance shall become effective twenty days after final passage and publication according to law.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Councilman Leibowitz asked where Duchess Dr. is located and Engineer Rasimowicz explained the location.

As Councilman Dalina and Councilwoman Schneider regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE.**

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

Copy of Ordinance Duly Filed.
O-12-2014-031

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on seconding reading for final passage: **ORDINANCE PROVIDING FOR THE ACCEPTANCE OF DEED FROM 211 CRANBURY STATION, LLC FOR A PORTION OF LAND IDENTIFIED AS BLOCK 25, LOT 15.01 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

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

ORDINANCE as follows: (O-12-2014-032)

WHEREAS, the Township Council of the Township of Monroe was desirous of providing for the installation of a traffic signal at the intersection of Applegarth Road and Cranbury Station/Union Valley Road; and

WHEREAS, as part of the Project, the Township of Monroe (the "Township") was required to acquire certain portions of the parcels of land identified as Block 15, Lot 17.01; Block 25, Lots 14.01, 15.01, and 16; Block 26, Lots 16, 17 and 18, all as shown on the Tax Map of Township of Monroe; and

WHEREAS, a dispute has arisen between 211 Cranbury Station, LLC and the Township in connection with the improvement of the intersection of Applegarth Road and Cranbury Station/Union Valley Road; and

WHEREAS, 211 Cranbury Station, LLC filed suit claiming damages for the taking of Block 25, Lot 15.01 without consent; and

WHEREAS, the Appraiser retained in connection with the Project has advised the Township that the fair market value of the aforesaid Block 25, Lots 15.01 is \$85,300.00; and

WHEREAS, pursuant to Resolution No. R-10-2014-258, adopted by the Monroe Township Council at its meeting held on October 6, 2014, a Settlement Agreement and Release between 211 Cranbury Station, LLC and the Township of Monroe; and

WHEREAS, as part of the Settlement Agreement and Release, the Township of Monroe has agreed to pay 211 Cranbury Station, LLC the total sum of Eight-Five Thousand Three Hundred Dollars (\$85,300.00) and upon receipt of the Settlement Funds, 211 Cranbury Station, LLC will Deed to the Township of Monroe that portion of the land that is subject to the litigation;

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

Section 1. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the property on the referenced Lot and Block for municipal use, provided the Deed is in a form satisfactory to the Township Attorney.

Section 2. The Mayor, Township Clerk and Township Counsel are hereby authorized and directed to execute any and all documents reasonably necessary to convey the property to Monroe Township.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, subdivision, sentence, 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.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Michele Armenio, 9 Nathaniel St. – asked the purpose of this Ordinance and the use.

Council President Tamburro explained that it will be used for a right-of-way at the intersection of Station Rd and Applegarth Rd.

She next asked if we had to go through “emanate domain” and Council President Tamburro responded “No”.

Administrator Hamilton explained we are presently in discussion for reimbursement of monies paid.

As Council Vice-President 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 PROVIDING FOR THE ACCEPTANCE OF DEED FROM 211 CRANBURY STATION, LLC FOR A PORTION OF LAND IDENTIFIED AS BLOCK 25, LOT 15.01 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

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

Copy of Ordinance Duly Filed.
O-12-2014-032

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, an Ordinance, of which the following is the title, was introduced on first reading for final passage: **ORDINANCE ACCEPTING A DEED OF DEDICATION FROM LUCILLE AND ANTHONY DiPASQUALE FOR LOTS 13, 20, 23 AND 24 IN BLOCK 106.50 AND LOT 54 IN BLOCK 106.91.**

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Schneider, an Ordinance, of which the following is the title was introduced on first reading for final passage: **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES".**

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Council Vice-President Koppel and seconded by Councilwoman Schneider, an Ordinance, of which the following is the title was introduced on first reading for final passage: **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, ENTITLED, "VEHICLES AND TRAFFIC".** (Speed Limits – Schoolhouse Road)

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO ENTER INTO INSTALLMENT AGREEMENTS FOR THE PAYMENT OF WATER AND SEWER CONNECTION FEES.**

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

Copy of Ordinance Duly Filed.

Under the Consent Agenda, Council President Tamburro asked Administrator Hamilton to give a background as to the issues involved with the Helmetta Animal Shelter and what actions will be taken in connection with Item #18.g. on the Agenda.

Administrator Hamilton complied and stated that the Agreement with Helmetta will be terminated and a Contract with Blumig Kennels will be awarded.

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

- R-12-2014-308** **RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP RECREATION DEPARTMENT.**
- R-12-2014-309** **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2014 AS EXTRAORDINARY LITIGATION.**
- R-12-2014-310** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 14-17 – 27 COTTONWOOD COURT.**
- R-12-2014-311** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 14-22 – 14 WEDGEWOOD COURT.**
- R-12-2014-312** **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR 2015 VARIOUS GOODS AND SERVICES.**
- R-12-2014-313** **RESOLUTION APPROVING AND AUTHORIZING THE INSURANCE FUND COMMISSION TO ENTER INTO A SETTLEMENT OF A WORKERS' COMPENSATION CLAIM.**
- R-12-2014-314** **RESOLUTION RESCINDING ITS INTERLOCAL COST SHARING AGREEMENT WITH THE BOROUGH OF HELMETTA AND AUTHORIZING THE AWARD OF CONTRACT TO T. BLUMIG KENNELS FOR THE HOUSING AND FEEDING OF STRAY ANIMALS FOUND WITHIN THE TOWNSHIP OF MONROE.**
- R-12-2014-315** **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) (Drunk Driving Enforcement Fund)**
- R-12-2014-316** **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- R-12-2014-317** **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO LEGGETTE, BRASHEARS & GRAHAM, INC. FOR PROFESSIONAL HYDRO-GEOLOGICAL CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-12-2014-318** **RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 425-R WITH AQUA PRO TECH, INC. FOR "WATER & WASTEWATER LABORATORY ANALYSIS SERVICES" FOR SECTIONS A & B FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-12-2014-319** **RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 425-R WITH QC INC. FOR "WATER & WASTEWATER LABORATORY ANALYSIS SERVICES" FOR SECTION C FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

- R-12-2014-320** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO HATCH MOTT MACDONALD FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ASHMALL AVENUE FORCE MAIN FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- R-12-2014-321** RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 424 – PUMP STATION AND WELL MAINTENANCE AND REPAIR SERVICE” WITH RAPID PUMP AND METER SERVICE CO., INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- R-12-2014-322** RESOLUTION AUTHORIZING BUDGET TRANSFERS.
- R-12-2014-323** RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH NORTHSTAR VETS FOR MEDICAL CARE OF STRAY ANIMALS FOUND WITHIN THE TOWNSHIP OF MONROE FOR CALENDAR YEAR 2015.
- R-12-2014-324** RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO TO HANDLE THE MATTER OF RDC FORSGATE PARTNERS, LLC v. MONROE TOWNSHIP.
- R-12-2014-325** 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) Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown
- R-12-2014-326** RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTECH DEVELOPMENT, INC. (“Q.E.D.”), AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-12-2014-327** RESOLUTION CONSENTING TO THE ASSIGNMENT OF FEIST ENGINEERING, INC. CONTRACTS TO CENTER STATE ENGINEERING ASSOCIATES, INC.
- R-12-2014-328** RESOLUTION AUTHORIZING THE AWARD OF BID FOR RESTORATION AND RECONSTRUCTION PROJECTS FOR THE DEY FARMSTEAD.

Copies of Resolutions Duly Filed.

REPORTS

Mayor – Absent

Administrator – No Report

Engineer – No Report

Council Reports:

Councilman Leibowitz – congratulated Engineer Rasimowicz and his firm.

Councilman Dalina – recognized Fire Station #51’s ground breaking and advised the Cheerleaders are off to Florida representing the Township in competitions.

Councilwoman Schneider - attended a luncheon for Sustainable Jersey and Monroe received the bronze level certification.

She also stopped in at the Thanksgiving Dinner held at the Senior Center where 150 people attended.

Council Vice-President Koppel – Further spoke on receiving the Sustainable Jersey Award. She will be at the Pep Rally for the Cheerleaders going to Florida.

Council President Tamburro – spoke on Veterans Day and the three events that were held. The day after, the Friends of the Senior Center had a program along with the Township Chorus.

PUBLIC:

Mark Klein, 7 Crenshaw Ct. – spoke about his experience with the Helmetta Shelter and how the people of Regency donated four (4) trunk loads of cat food for the Shelter. He also wished everyone “Happy Holidays”.

Administrator Hamilton went on to explain that after we terminated the Agreement with Helmetta, he was contacted for assistance to get animal food for both dogs & cats at the Shelter. He reached out to Costco and Costco graciously donated an entire pallet of dog food for the Shelter. He thanked Costco and Mark Klein for their generous donations.

Tom Nothstein, 15 Nathaniel St. – questioned Item #17 – Speed limit Schoolhouse Rd –asking what we are changing.

Council President Tamburro explained that the Speed limit will be changed to 25 mph from where Spotswood-Gravel Hill & Schoolhouse Rd branches.

Item #18 - the MTUD Installment Agreement for Sewer Connections – asked the interest rate.

MTUD Director Michael Barnes stated that it will be 1% per month.

Item #19.q. – Shain, Schaffer & Rafanello to handle the matter of RDC Forsgate Partneres LLC vs. Township of Monroe - asked for an explanation.

Council President Tamburro explained it is regarding a Tolling Agreement – Forsgate is disputing charges on water & sewer billings over a number of years.

He asked the amount spent on this matter and he was advised that this is the first authorization and it is for \$15,000.

Item #19.t. – Assignment of Feist Engineering Contracts to Center State Engineering Associates - asked if we are now done with all contracts to Feist Engineering.

Council President Tamburro explained that the Feist Engineering Contracts have been assumed by the new entity “Center State Engineering Associates.”

Robert Zeglarski, 162 Tournament Dr. – Item #19.t. – continued on the subject of Feist Engineering vs. Center State Engineering Associates and a previous comment made about the legality of maintaining a contract with Feist Engineering. Administrator Hamilton mentioned that it was under Attorney review. Mr. Zeglarski stated he is assuming that based on the review that the Municipality could not continue with the contract.

Administrator Hamilton stated that is not correct and proceeded to explain the Township Attorney’s legal opinion. In this case the company was sold.

Michele Arminio, 9 Nathaniel St. – Item #19.b. – Additional fees to Shain, Schaffer & Rafanello for various Tax Court Appeals - asking the amount Administrator Hamilton responded \$100,000.

She then asked the total spent this year and Administrator Hamilton responded \$375,000.

She asked the amount won and Administrator Hamilton responded quite a few.

Item #19.f. - Authorizing a Settlement Agreement of a Workers Comp Claim – asked the amount and Administrator Hamilton responded \$75,810 for a job injury.

Item #19.t. – Feist Engineering contracts to Center State – asked if it is a name change.
Council President Tamburro explained it is a whole new corporation.

Ms. Arminio stated that there will be the same people and Council President Tamburro answered “yes”, but Mr. Feist is not a part of it.

She then asked if the Attorney’s opinion is in writing and can a copy be obtained and Administrator Hamilton responded “yes” and explained how.

Item #19.j. – MTUD contract with Leggette, Brasher & Graham – asked if it had to do with the purchase of the new wells.

Administrator Hamilton stated that it does. This is all the test wells and all the hydro-geological engineering required as we get approval from DEP.

She asked if we are getting water from Spotswood or does this allow us to get wells on our own property and Administrator Hamilton responded “the latter”.

She then asked what happens if wells are drilled and not potable and Administrator Hamilton responded that is why we are drilling at 5 different locations, trying to select the most suitable for our needs and meets test requirements with DEP.

Next, going back to the Helmetta situation, she asked if that facility was built by the Count and Administrator Hamilton stated “no” that is not correct. The Borough of Helmetta decided to pursue it as a regional shelter.

She asked the yearly fee and Administrator Hamilton responded between \$14,000. & \$15,000.

She wished everyone a Happy & Healthy Holiday.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Schneider, the meeting was Adjourned at 8:18pm.

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

SHARON DOERFLER, Township Clerk

LESLIE KOPPEL, Council Vice-President

Minutes were adopted on January 26, 2015