

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

REGULAR MEETING - MARCH 2, 2015

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Gerald W. Tamburro with a Salute to the Flag.

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

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

ABSENT: Mayor Richard Pucci

There were approximately ten (10) 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.

The following **PROCLAMATIONS** of Mayor Richard Pucci were read by Title into the record:

**YOUTH ART MONTH
MARCH 2015**

**READ ACROSS AMERICAN
MARCH 2, 2015**

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, the **CLAIMS** per run date of **01/29/15** 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 Dalina and seconded by Councilwoman Schneider, the **MINUTES** of the **January 29, 2015 Agenda & Regular Meetings**, 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	Abstained

UPON MOTION made by Councilwoman Schneider and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was moved on Second Reading for final passage: **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-7-2013-011 (WHICH PROVIDES FOR VARIOUS 2013 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON JULY 1, 2013 TO INCREASE THE APPROPRIATION BY AND APPROPRIATE A GRANT IN THE AMOUNT OF \$400,000.**

ORDINANCE as follows: (O-3-2015-005)

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 bond ordinance of the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"), heretofore finally adopted by the Township Council on July 1, 2013 and approved by the Mayor, numbered O-7-2013-011 and entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2013 CAPITAL 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 \$1,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,880,200 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. The total appropriation set forth in the Original Ordinance, as amended and supplemented hereby, is hereby increased by \$400,000 as a result of a of Grant received or expected to be received by the Township from the County of Middlesex, State of New Jersey (the "County") in the amount of \$400,000 (the "Grant"), increasing the total appropriation in the Original Ordinance from \$1,975,000 to \$2,375,000. The amount of down payment set forth in the Original Ordinance, as amended and supplemented hereby, shall remain \$94,800. No additional bonds or notes of the Township are authorized herein, such that the bonds or notes authorized to be issued in the Original Ordinance, as amended and supplemented hereby, shall remain \$1,880,200.

SECTION 3. Section 3(a) of the Original Ordinance is hereby amended and supplemented to the extent and with the effect as follows: **"Section 3** (a) The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued is for:

<u>Description</u>	<u>Appropriation</u>	<u>Authorizati on</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Acquisition of a collection of library books for general circulation and deposit in and for use by the Township free public library, a lawful public purpose; and	\$150,000	\$142,800	\$7,200	5 years
(ii) Various roadway and sidewalk improvements to various roads in the Township, including but not limited to, all such improvements including but not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks, driveway aprons, retaining walls and curb ramps, drainage work, site work, clearing, tree removal, roadway painting, landscaping and other aesthetic improvements; and	\$500,000	\$476,000	\$24,000	20 years
(ii) Various drainage improvements and refurbishing within the Township;	\$150,000	\$142,800	\$7,200	10 years
(iv) Various improvements to Cedar Pond;	\$500,000 (including a Grant from the County of Middlesex, State of New Jersey in the amount of \$400,000)	\$95,200	\$4,800	10 years
(v) Various improvements to various Municipal Facilities;	\$300,000	\$285,600	\$14,400	10 years
(vi) Acquisition and installation of generators at the Senior Center and the Community Center; and	\$525,000	\$499,800	\$25,200	15 years
(vii) Installation of a traffic signal at the intersection of Perrineville Road and Union Valley Road in the Township.	\$250,000	\$238,000	\$12,000	15 years
TOTALS	<u>\$2,375,000</u>	<u>\$1,880,200</u>	<u>\$94,800</u>	

SECTION 4. Section 4 of the Original Ordinance is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. Except for the Grant, in the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as 'matching local funds' to receive such contribution or grant in aid".

SECTION 5. The capital budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 6. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 7. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

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

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

There was no Council or Public discussion of this Ordinance.

As Councilwoman Schneider 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: **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-7-2013-011 (WHICH PROVIDES FOR VARIOUS 2013 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON JULY 1, 2013 TO INCREASE THE APPROPRIATION BY AND APPROPRIATE A GRANT IN THE AMOUNT OF \$400,000.**

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-3-2015-005

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**:

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

RESOLUTIONS AS FOLLOWS:

- R-3-2015-050** **RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN LOCAL 255 UNITED SERVICE WORKERS UNION AND THE TOWNSHIP OF MONROE. (Blue Collar Workers)**
- R-3-2015-051** **RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN LOCAL 255 UNITED SERVICE WORKERS UNION AND THE TOWNSHIP OF MONROE. (White Collar Workers)**
- R-3-2015-052** **RESOLUTION GRANTING AUTHORIZATION TO THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF MONROE TO SIGN ON BEHALF OF THE TOWNSHIP FOR THE PURCHASE OF SURPLUS PROPERTY.**
- R-3-2015-053** **RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 14-26.**
- R-3-2015-054** **RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.**
- R-3-2015-055** **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR APPRAISAL SERVICES RELATED TO BLOCK 75, LOT 11.**
- R-3-2015-056** **RESOLUTION AUTHORIZING SHAIN, SCHAFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF BIG DADDY CONSTRUCTION, INC. D/B/A BROTHERS PAVING & EXCAVATING COMPANY VS. TOWNSHIP OF MONROE, NEW JERSEY AS EXTRAORDINARY LITIGATION.**
- R-3-2015-057** **RESOLUTION AUTHORIZING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2015 ANNUAL BUDGET TO APRIL 6, 2015.**

- R-3-2015-058** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR COLT'S RUN (PB-1109-11), SECTION 1, SEWER ONLY.
- R-3-2015-059** RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT WITH LEGGETTE, BRASHEARS & GRAHAM, INC. FOR GENERAL HYDRO-GEOLOGICAL CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D").
- R-3-2015-060** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AMENDMENT TO A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF MONROE, AS SUCCESSOR IN INTEREST TO THE MONROE TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ("MTMUA") AND SILVIA ABREU AND ANTHONY ABREU.
- R-3-2015-061** RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-3-2015-062** RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-3-2015-063** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTRACT AWARDED TO GANNETT FLEMING, INC. FOR WATER INFRASTRUCTURE DESIGN OF WELLS 20 & 23 IRON REMOVAL PLANT FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D").
- R-3-2015-064** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTRACT AWARDED TO GANNETT FLEMING, INC. FOR ASHMALL PUMP STATION #7 EMERGENCY REPAIRS - GENERAL ENGINEERING FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D").
- R-3-2015-065** 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 FOR YEAR 2015.
- R-3-2015-066** RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR APPRAISAL SERVICES RELATED TO PORTIONS OF BLOCKS 17, 18, 19 AND 20 - PERRINEVILLE ROAD AND FEDERAL ROAD INTERSECTION.
- R-3-2015-067** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR TITLE SURVEYS, PROPERTY DESCRIPTIONS AND PHASE 1 ENVIRONMENTAL ANALYSIS FOR OPEN SPACE ACQUISITIONS.
- R-3-2015-068** RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) UTILITY BODY PICK-UP TRUCKS FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM.
- R-3-2015-069** RESOLUTION ENDORSING THE 2015 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE.
- R-3-2015-070** RESOLUTION AUTHORIZING EMERGENCY 2015 TEMPORARY BUDGET AMENDMENT.

R-3-2015-071 RESOLUTION AUTHORIZING BUDGET APPROPRIATIONS RESERVE TRANSFERS.

R-3-2015-072 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO LAYNE CHRISTENSEN COMPANY FOR WELL 21 ION EXCHANGE SYSTEM MAINTENANCE FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

REPORTS:

Mayor – Absent

Administrator Hamilton - at Monday's Agenda meeting there was a question on the spending for Snow & Ice Removal. We have spent so far \$296,000 year to date; \$100,000 was for road salt purchased at the end of 2014. Right now we are being faced with a shortage of road salt with another event slated for tomorrow. It is an acute east coast problem. The amount spent includes overtime of the DPW and Utility Dept. as well as outside contractors. Luckily we have had a good snow removal trust account.

The recent Bond Anticipation Note sale on January 30th produced extraordinary low interest rates, 1/10 of 1% for a 6 mo. Note on \$30 million dollars. It is still the intent to permanently finance with bonds in August.

The Budget Work Shops are scheduled for Tuesday, March 11th in the Courtroom and Wednesday, March 12th downstairs in the lower level. Although the Public cannot participate, they are welcome to attend.

We are receiving bids on March 11th for Veterans Park - Phase 2. This is an Open Space funded project that has been put in place. There are 3 Phases involved. This particular Phase consists of two all-purpose fields, one cricket field, parking, swing-set area and picnic shelter.

Effective the week of March 30th hydrant flushing will begin.

Council President Tamburro requested Administrator Hamilton to discuss the issue involving the Energy Aggregation Plan, what caused the problem and how it has been resolved through our consultants.

Administrator Hamilton explained the process of seeking proposals for municipal energy aggregation, which is the generating portion of the electric bill. There was a lot of confusion in the last 30 days because many of the people that signed up with Con-Edison, signed up for the budget plan, while unlike some other budget plan carriers, they reconcile it once a year. They reconciled it with an anniversary date of February. What happened was that with the extreme weather of last winter and the beginning of this winter, it has taken its toll with the usage. Although the rates did not go up, everyone's usage did, particularly with the 5500 all-electric homes within Monroe.

Council President Tamburro added that, by and large, some people got \$800 + bills. The settlement reached was that Con-Edison Solutions agreed to take that \$800 + budget adjustment and spread it out over the balance of the contract. For the people that already paid, they were refunded and that amount was spread over the balance.

Engineer Rasimowicz – reported that on the Veterans Park - Phase 2 Bid, ten (10) contractors picked up bid packets. Hopefully they will be very competitive.

Council:

Councilman Leibowitz – stated he is very happy with the aggregation and has had no problems.

Councilman Dalina – congratulated the Monroe Wolverine Cheerleaders – 3 teams went to Florida and became National Champions. Council awarded them with jackets and congratulated them on their victory.

Councilman Dalina congratulated the new Fire Officers in Fire House #51 as well as the Applegarth Volunteers. He was at both Installations along with a number of Council colleagues.

He also that it is "Read Across America" time and noted that many members of the Council and Administration will be going out to our local elementary schools. He will be reading at Oak Tree School.

Next, he discussed tree trimming in his area and noticed that the Nelson Co. is trimming trees in the Outcalt area and asked Engineer Rasimowicz if they are with JCP&L or are they a Monroe contractor.

Administrator Hamilton responded that Nelson is with JCP&L and RKD, dba Power Saws of America, is the Monroe contractor.

Councilman Schneider – stated she also attended the Applegarth Volunteer Installation Dinner on Saturday at Stonebridge and Fire District #1's Dinner at Knob Hill Installation dinner and found both to be lovely events that she very much enjoyed.

Sunday she attended the Cub Scout Blue & Gold Awards Banquet at the Cranbury Inn.

Council Vice-President Koppel – asked Engineer Rasimowicz to talk about the light at the intersection of Federal and Perrineville Roads.

Engineer Rasimowicz explained that in the Resolution acted upon this evening, we are authorizing the appraisals of the right-of-way acquisitions that need to be in hand in order to construct the light. The light is under design and sent to Middlesex County awaiting approval. We are also at the NJDEP for wetlands permits for the traffic light as well. It should go out to bid sometime later this year. Administrator Hamilton added that it is part of the Capital Budget this year for funding.

Council Vice-President Koppel then noted that on Thursday, March 5th the Friends of the Township Community Garden will meet to answer questions and to talk about the planning for the Community Garden on Applegarth Rd. The meeting will be at the Senior Center at 7pm. She said that a lot of people are still out of town; however, you can go to the township website at www.MonroeTwp.com and then go to Community Gardens or contact the Friends at Garden@gmail.com for more information.

She also mentioned that the free Rabies Clinic will be held this Saturday from 9am-2pm.

On Sunday, March 8th Tom Paxton & Janis Ian will be performing at the Marasco Performing Arts Center.

At the Township Library on Saturday, from 10am-12pm, a discussion will take place on the "Green Plans" for Monroe Township.

Council President Tamburro - also attended the Installation of the Applegarth Volunteer Fire Dept. and swore in the new Officers. It was amazing to hear the number of calls they do make throughout the year and the people that were honored.

Due to the weather he will be participating in the "Read Across America" program at the Academy Learning Center next Monday.

This Thursday night the Freeholders will be honoring our three squads of National Champion Cheerleaders. He will be there representing the Township.

PUBLIC:

Gary Busman, 7 Monarch Rd. – gave a status report on the Community Gardens and the upcoming meeting being held at the Senior Center on March 5th at 7pm.

Robert Zeglarski, 162 Tournament Dr. – congratulated the Committee who puts together the Concerts at the Library.

He also reminded the Township Council that Assembly Bill A1442 was defeated, which authorized the assessment of development impact fees by municipalities and their impact on municipalities. He gave a copy of the bill to Council for their review.

Michele Arminio, 9 Nathaniel – questioned the following Agenda items:

Item #9.e. authorizing contracts with certain approved state contract vendors for the Police Department. Administrator Hamilton explained the process.

She asked if there was an amount attached to this Resolution and Administrator Hamilton advised the 9-1-1 system is \$233,727.72 and the Aspire contract is for the integration of the new system with the phone system and the headsets, etc. are an additional \$3,000 approximately.

Item #9.g. – Resolution authorizing Shain, Schaffer & Rafanello to represent the Township in extraordinary litigation entitled Big Daddy Construction d/b/a Brothers Paving & Excavating Co. v the Township of Monroe. Council President Tamburro responded the amount is \$15,000.

Item #9.r. – Resolution authorizing the award of Contract to Center State Engineering for Title Surveys, Property Descriptions & Phase 1 Environmental Analysis for Open Space Acquisitions. She asked if there is a breakdown and Council President Tamburro responded that the amount is \$17,500.

Administrator Hamilton responded that there are two locations; 7 Barrymore Drive for the Title Survey & Subdivision review for a total of \$9,500, plus \$2,000 for the environmental survey. The other location is Matchaponix and Spotswood-Gravel Hill Road – Survey & Subdivision review in the amount of \$4,000, plus \$2,000 for the environmental survey.

She asked if the Environmental portion is being “farmed out” and Engineer Rasimowicz responded that a portion is.

She asked for what project and was informed that both parcels would be used for Open Space.

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, the Regular Meeting was Adjourned at 7:35pm.

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

GERALD W. TAMBURRO, Council President