

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

AGENDA MEETING - MARCH 30, 2015

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

The Agenda 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 for Council was Business Administrator Wayne R. Hamilton and Township Engineer Mark Rasimowicz.

ABSENT: Mayor Richard Pucci and Attorney Greg Pasquale sitting for Township Attorney Joel L. Shain. Attorney Pasquale called prior to the meeting to advise he was sitting in traffic on Route 287 due to a traffic accident and would be late arriving to the meeting.

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 2, 2015 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 2, 2015;
3. Posted on January 2, 2015 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 into the record by Title:

APRIL as AUTISM AWARENESS MONTH

APRIL 2, 2015 as WORLD AUTISM AWARENESS DAY

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, APRIL 6, 2015** Regular Council Meeting:

- a. **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**
- b. **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT", SPECIFICALLY ARTICLE VII, SECTION 7.3. ENTITLED, "WIRELESS COMMUNICATION FACILITIES".**

- c. **ORDINANCE ENTERING INTO A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF MONROE (LANDLORD) AND FRIENDS OF THE MONROE TOWNSHIP COMMUNITY GARDEN, INC. (TENANT) FOR PREMISES KNOWN AS THE MONROE COMMUNITY GARDEN SITUATED ON A PORTION OF LAND SHOWN ON THE MONROE TOWNSHIP TAX MAP AS BLOCK 4, LOT 6.02.**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, APRIL 6, 2015** Regular Council Meeting be reviewed and any questions will be addressed:

- a. **RESOLUTION GRANTING APPROVAL FOR THE ISSUANCE OF BONDS AS TAX EXEMPT OBLIGATIONS TO FINANCE THE COSTS OF THE SPRINGPOINT AT HALF ACRE ROAD, INC. PROJECT – BA5087-14.**
- b. **RESOLUTION INTRODUCING 2015 MUNICIPAL BUDGET.**
- c. **RESOLUTION PROVIDING THAT THE 2015 MUNICIPAL BUDGET BE READ BY TITLE AT THE TIME OF THE PUBLIC HEARING.**
- d. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY TRAFFIC LINES, INC. FOR MONROE TOWNSHIP IMPROVEMENTS – LINE STRIPING UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- e. **RESOLUTION REFUNDING A DUPLICATE PERMIT FEE.**
- f. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- g. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- h. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTERNATIONAL FIREWORKS MANUFACTURING COMPANY.**
- i. **RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEES POSTED FOR RIVER ROAD ASSOCIATES (PB-1053-08).**
- j. **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE TOWNSHIP OF MONROE FOR THE PROVISION OF RECYCLING COLLECTION AND MARKETING SERVICES OF DESIGNATED RECYCLABLES.**
- k. **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR THE MONROE TOWNSHIP COMMUNITY GARDEN PROJECT.**
- l. **RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR THE MONROE TOWNSHIP COMMUNITY GARDEN PROJECT.**
- m. **RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL LEGAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. RELATED TO THE REPRESENTATION OF THE TOWNSHIP IN VARIOUS WORKERS' COMPENSATION CLAIMS FOR YEAR 2014 AS EXTRAORDINARY LITIGATION.**
- n. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A CONTRACT BETWEEN LOG-TECH, LLC AND MONROE TOWNSHIP FOR IT ASSET MANAGEMENT AND ELECTRONICS RECYCLING SERVICES.**
- o. **RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1125, A&H BUILDING & REMODELING, LLC, BLOCK 16, LOTS 6.01 & 6.02 - PB #848-03.**

- p. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1007, GARDENS @ MONROE – BLOCK 15, LOT 10.02.**
- q. **RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1135, SCOTT RUTLEDGE, BLOCK 30.01, LOT 1.07 (SPOTSWOOD-GRAVEL HILL ROAD).**
- r. **RESOLUTION AUTHORIZING AWARD OF CONTRACT 438 – “LIQUID ZINC PYROPHOSPHATE” TO KLENZOID, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- s. **RESOLUTION APPROVING CHANGE ORDER NO. 1 SUBMITTED BY INDUSTRIAL CONTROLS IN CONNECTION WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) CONTRACT NO. 423 - “REMOTE WATER AND SEWER PLC AND WIRELESS SYSTEMS INSTALLATION AND UPGRADE OF EXISTING SCADA SYSTEM”.**
- t. **RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES WITH MONROE CHASE, BLOCK 14, Lots 12.01 & 13 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.) FOR W&S 1093 – BA-5041-11.**
- u. **RESOLUTION AUTHORIZING THE AWARD OF BID FOR MONROE TOWNSHIP SHADE TREE PLANTINGS.**
- v. **RESOLUTION AUTHORIZING THE AWARD OF BID FOR MONROE TOWNSHIP LANDSCAPING SERVICES.**
- w. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ANNUAL MAINTENANCE AGREEMENT FOR YEAR 2015 WITH MOTOROLA SOLUTIONS, INC. AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**
- x. **RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-ENTRY AGREEMENT GRANTING PERMISSION TO FREEHOLD SOIL CONSERVATION DISTRICT TO ENTER UPON TOWNSHIP OWNED LANDS IN CONNECTION WITH THE MANALAPAN BROOK WATERSHED PROJECT.**
- y. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN MONROE TOWNSHIP AND CABLEVISION LIGHTPATH NJ, LLC AND ITS SUBSIDIARY 4CONNECTIONS LLC FOR USE OF THE TOWNSHIP’S PUBLIC RIGHTS-OF-WAY FOR TELECOMMUNICATION SERVICES.**
- z. **RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO A DEVELOPER’S AGREEMENT BETWEEN SHARED PROPERTIES, LLC AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITY DEPARTMENT’S PUMP STATION NO. 2.**
- aa. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO REPRESENT THE TOWNSHIP IN CONNECTION WITH ITS AFFORDABLE HOUSING OBLIGATION.**
- bb. **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT FOR ANALYSIS OF SEWAGE SAMPLING SITES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- cc. **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR JSM INVESTMENTS AT MONROE, LLC. FOR THE 2014 – 2015 LICENSE TERM.**
- dd. **RESOLUTION AUTHORIZING AWARD OF BID FOR VETERAN’S PARK IMPROVEMENTS, PHASE 2.**

Council President Tamburro explained Item #7.a. on the Agenda - Resolution Granting Approval for the issuance of Bonds as Tax Exempt obligations to finance the costs of the Springpoint at Half Acre Road, Inc. Project, stating that Springpoint at Half Acre Road is the Corporation name for Monroe Village. He explained they have an approval from the Township to expand their facilities and are using tax exempt Bonds. The Corporation, which is a Wisconsin Corporation, requires a Public Hearing on the matter. The Township has no obligations or liability. Next week their Attorneys will be present at the Public Hearing to answer any questions prior to action being taken on the Resolution.

Council Vice-President Koppel asked the status of Item #7.aa. – Shain, Schaffer & Rafanello to represent the Township in connection with its Affordable Housing obligations.

Council President Tamburro explained that the Court has said COAH has not met their obligations in establishing guidelines for the towns on Affordable Housing; therefore, municipalities must go to the local Courts for Affordable Housing approvals. In order to do this, we need to establish a case and wait 90 days before that case can be presented to the Court. In doing so, we present the numbers that we feel are adequate for Affordable Housing in our town, but more importantly, it prevents a “builders remedy” from occurring without us having a voice.

Council Vice-President Koppel asked when the case would be prepared and Council President Tamburro explained that the purpose of this Resolution is for the Township and Planning Board Attorney’s to come together with the case and present it to the Court. The Court ruling requires a “90 day” waiting period before entering into a suit before the Court.

REPORTS

Mayor Richard Pucci – Absent

Administrator Wayne Hamilton – commented that the Municipal Budget will be introduced on Monday, April 6th and posted on the website for public review and inspection on April 7th. The Public Hearing on the Budget will be May 4th.

Engineer Mark Rasimowicz – Engineer Rasimowicz stated that work has resumed at the intersection of Bucklew Avenue, Spotswood-Englishtown Road and Tracy Station Road. Tracy Station Road will be closed between Federal Road and Bucklew Avenue next week starting on Monday. Notice will be given to the neighbors. Concrete & road work will resume. This will be taking advantage of the schools being on Spring break.

Council Reports

Councilman Leibowitz – announced that beginning tomorrow, recycling can be co-mingled.

Administrator Hamilton added that it is a new contractor and under this contract there need not be any separation. No new containers will be issued.

Councilman Dalina – asked if there is any anticipation about giving us new containers and Administrator Hamilton stated he will check into the matter.

Councilwoman Schneider - attended her 1st Egg Hunt and Bonnet Contest and found it a delight.

Council Vice-President Koppel – attended the Egg Hunt as well. She wished everyone a Happy Passover & Happy Easter.

On April 25th the Glimmer Twins, a Rock & Roll Tribute Band, will be performing at the Marasco Performing Arts Center with the Moody Blues coming in May.

Council President Tamburro – Commented on all the fun day at the Rec Center with the Egg Hunt and Bonnet Contest.

He also mentioned that almost all Council Members read for Dr. Seuss this week. He went to the Academy Learning Center at the beginning of the month. It is a rewarding experience.

PUBLIC:

Mark Klein, 7 Crenshaw Ct. – wished everyone a Happy Easter & Passover and thanked everyone for what they have done for this town and wished the Mayor were here this evening so he could thank him personally.

Regarding Item #7.aa. on the Agenda – our Affordable Housing Obligation, as he has stated on previous occasions; the State forces the COAH obligations on us, yet when a developer comes in all he has to do to meet COAH's regulations are to have at least 15 or 20% of the units affordable.

Council President Tamburro clarified that 1 in 5 units must be affordable.

Mr. Klein does not know how we are going to meet our obligation.

Council President Tamburro explained that this is part of the suit that is going to be pursued and that we have far exceeded the required affordable housing units. That is why it is important to have an independent Judge making that decision.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Schneider, the meeting was Adjourned at 7:14pm.

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

Minutes were adopted on May 4, 2015