

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
AGENDA MEETING - JULY 25, 2016

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 Leslie Koppel with a Salute to the Flag.

UPON ROLL CALL by the Deputy Township Clerk, Patricia Reid, the following members of Council were present: Councilman Blaise Dipierro, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Stephen Dalina and Council President Leslie Koppel.

ALSO PRESENT: Mayor Gerald W. Tamburro, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately six (6) members of the Public present in the audience.

Council President Koppel requested the Deputy 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 5, 2016 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 **STAR LEDGER** on January 8, 2016;
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 Koppel read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, AUGUST 1, 2016** Regular Council Meeting:

O-7-2016-023 **ORDINANCE AUTHORIZING THE ACQUISITION OF A CERTAIN PARCEL OF LAND FOR OPEN SPACE LOCATED AT BARRYMORE DRIVE AND APPEARING ON THE OFFICIAL TAX MAPS AS BLOCK 77, PORTIONS OF LOTS NOS. 2.3 AND 2.3Q FARM A/K/A PROPOSED LOT 2.47.**

O-7-2016-024 **ORDINANCE REPEALING, REPLACING AND AMENDING CERTAIN PROVISIONS OF CHAPTER 131-1 ET SEQ., OF THE AFFORDABLE HOUSING ORDINANCE OF THE TOWNSHIP OF MONROE TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS.**

O-7-2016-025 **ORDINANCE ACKNOWLEDGING MONROE TOWNSHIP'S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF COUNTY ROUTE 522 (a/k/a BUCKELEW AVENUE) AND COUNTY ROUTE 613 (a/k/a SPOTSWOOD-ENGLISHTOWN ROAD).**

O-7-2016-026 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "LAND DEVELOPMENT".

Council President Koppel read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, AUGUST 1, 2016** Regular Council Meeting:

O-8-2016-027 AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.

O-8-2016-028 A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2016 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,317,600, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.

Council President Koppel requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, AUGUST 1, 2016** Regular Council meeting be reviewed and any questions will be addressed:

R-8-2016-266 RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEES UPON THE POSTING OF A MAINTENANCE GUARANTEES FOR STONEBRIDGE AT MONROE, SECTION 4A, W & S 818.4A – PB-1079-10 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

R-8-2016-267 RESOLUTION AUTHORIZING RELEASE OF CERTIFICATE OF DEPOSIT MAINTENANCE GUARANTEE FOR BLOCK 109.02, LOTS 1.01, 3-4-5, W & S 1101 – BA-5035-11 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

R-8-2016-268 RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEES UPON THE POSTING OF MAINTENANCE GUARANTEES FOR MONROE MANOR, W&S 416 – PB-734-01 & 1037-07 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

R-8-2016-269 RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEES UPON THE POSTING OF MAINTENANCE GUARANTEES FOR SUNRISE ACRES, W&S 833R – PB-924.04 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

R-8-2016-270 RESOLUTION APPROVING CHANGE ORDER NO. 3 TO CONTRACT NO. 423, "REMOTE WATER AND SEWER PLC AND WIRELESS SYSTEMS INSTALLATION AND UPGRADE OF EXISTING SCADA SYSTEM" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

R-8-2016-271 RESOLUTION REFUNDING CONSTRUCTION PERMIT FEES.

- R-8-2016-272 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 8C, 8D & 8E (PB-1100-11).
- R-8-2016-273 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 8H & 8I (PB-1100-11).
- R-8-2016-274 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 8F, 8G & 8J (PB-1100-11).
- R-8-2016-275 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 10-LANDSCAPE BERM (PB-1151-14).
- R-8-2016-276 RESOLUTION AUTHORIZING THE RELEASE OF A CASH PERFORMANCE GUARANTEE AND ESTABLISHING A MAINTENANCE GUARANTEE POSTED FOR OLD FORGE LAND HOLDINGS LLC./ALPHA LAND DEVELOPMENT CORP. (PB-1144-07).
- R-8-2016-277 RESOLUTION AUTHORIZING MONROE TOWNSHIP TO CONTRACT WITH ROK/REAL AUCTION TO CONDUCT AN ELECTRONIC TAX SALE.
- R-8-2016-278 RESOLUTION AUTHORIZING FEES FOR ELECTRONIC TAX SALE NOTICES.
- R-8-2016-279 RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE POSTED BY FAIGON ELECTRIC, INC. FOR THE SENIOR CENTER EMERGENCY GENERATOR UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-8-2016-280 RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE POSTED BY PRO MAX FENCE SYSTEMS, INC. FOR THE SOCCER COMPLEX FENCE REPLACEMENT PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-8-2016-281 RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE POSTED BY LAND-TECH ENTERPRISES, INC. FOR THE COMMUNITY GARDEN PHASE 2 PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-8-2016-282 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY LAND-TECH ENTERPRISES, INC. IN CONNECTION WITH THE COMMUNITY GARDEN- PHASE 2 PROJECT.
- R-8-2016-283 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR TITLE SURVEY, PROPERTY DESCRIPTION AND PHASE 1 ENVIRONMENTAL ANALYSIS ON BLOCK 27.02; LOT 16 – 297 UNION VALLEY ROAD UNDER THE OPEN SPACE PROGRAM.
- R-8-2016-284 RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO TIMOTHY HOFFMAN, LLC FOR AN OPEN SPACE APPRAISAL ON BLOCK 27.02; LOT 16 – 297 UNION VALLEY ROAD.
- R-8-2016-285 RESOLUTION AUTHORIZING AWARD OF BID FOR A GENERATOR FOR THE MONROE TOWNSHIP COMMUNITY CENTER.
- R-8-2016-286 RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR 2016 VARIOUS GOODS AND SERVICES.

- R-8-2016-287 RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE COUNTY OF MIDDLESEX REGARDING ACQUISITION OF LAND AT GRAVEL HILL – SPOTSWOOD ROAD FOR OPEN SPACE.
- R-8-2016-288 RESOLUTION APPOINTING A MUNICIPAL CLERK.
- R-8-2016-289 RESOLUTION APPROVING THE EMPLOYEE AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND PATRICIA REID AS THE MUNICIPAL CLERK.
- R-8-2016-290 RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14.11 LOT 1, MONROE TOWNSHIP NEW JERSEY.
- R-8-2016-291 RESOLUTION AMENDING R-7-2016-260 AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 14, LOT 12.5, MONROE TOWNSHIP NEW JERSEY.
- R-8-2016-292 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 3 SUBMITTED BY LEWIS-GRAHAM, INC. IN CONNECTION WITH THE RESTORATION AND RECONSTRUCTION PROJECTS FOR THE DEY FARMSTEAD.
- R-8-2016-293 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY A. TAKTON CONCRETE CORP. IN CONNECTION WITH THE LITTLE BROOK LANE DRAINAGE REPAIRS.
- R-8-2016-294 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY SMC FENCING, INC. IN CONNECTION WITH THE INSTALLATION OF SAFETY FENCING AT JAMES MONROE PARK.
- R-8-2016-295 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR SECTIONS A, B, C, D, F, G, I, J AND L OF CONTRACT 456 “WATER & SEWER SYSTEM APPURTENANCES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- R-8-2016-296 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO KENNEDY CULVERT SUPPLY CO. FOR SECTIONS E, AND K, OF CONTRACT 456 “WATER & SEWER SYSTEM APPURTENANCES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- R-8-2016-297 RESOLUTION AUTHORIZING THE EXECUTION OF RIGHTS-OF-WAY AGREEMENT WITH NEW YORK SMSA, L.P. d/b/a VERIZON WIRELESS.
- R-8-2016-298 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS MATTERS OF EXTRAORDINARY LITIGATION.
- R-8-2016-299 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE MATTERS OF CONDEMNATION AS EXTRAORDINARY LITIGATION IN CONNECTION WITH THE ACQUISITION OF LAND FOR FEDERAL ROAD AND PERRINEVILLE ROAD INTERSECTION IMPROVEMENTS.
- R-8-2016-300 RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE UPON THE POSTING AND ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR STRATFORD AT MONROE – SECTION 1 (PB-697-00)

- R-8-2016-301** RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR BIDS FOR LEASE OF CERTAIN LAND AT THE MONROE TOWNSHIP POLICE DEPARTMENT FOR A WIRELESS COMMUNICATIONS TOWER.
- R-8-2016-302** RESOLUTION AUTHORIZING THE PURCHASE OF “SCALE” COMPUTER EQUIPMENT USING THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.).
- R-8-2016-303** RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-8-2016-304** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR ENGINEERING SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.
- R-8-2016-305** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH JEROME CONVERY ESQ. FOR LEGAL SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.
- R-8-2016-306** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MARK REMSA, PP FOR PLANNING SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.
- R-8-2016-307** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH SHAIN, SCHAFFER AND RAFANELLO, PC FOR LEGAL SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.\

Council President Koppel announced that they are working on Emergency Generators due to the storm.

Mayor’s Report – explained that Mr. Hamilton will give an update of trees down throughout the Township.

Administrator – explained that there are approximately 12,000 homes without power in Monroe. Hopefully power will be restored by tomorrow morning. Trees are down so be careful in you travels.

He also announced that an additional item will be added to the August 1st meeting that is not on the Agenda. This is the amendment to the Developers Agreement with JSM for the JSM “Celebrations Project”.

Engineer - No Report.

Council’s Reports:

Councilwoman Schneider – states she will save her report for next meeting. No Report.

Councilman Leibowitz – mentioned to avoid traveling on Spotswood-Englishtown Rd and Matchaponix Rd.

Councilman Dipierro – No Report.

Council Vice-President Dalina – No Report.

Council President Koppel – No Report.

Public:

Michelle Arminio, 9 Nathaniel St. – had questions on the following resolutions:

R- 8-2016-298 – she asked the purpose and the amount. Mr. Hamilton explained that its' the second \$100,000 for extraordinary litigation. \$300,000 has been budgeted. She then asked the number of appeals this year. He believes it's 200 but will have an accurate accounting for her on Monday. She would also like the figures for the two years prior.

R-8-2016-299 – Extraordinary litigation in connection with the acquisition of land for Federal Rd & Perrineville Rd intersection improvements. She asked the amount and the size of the parcels. Mr. Rasimowicz explained it is (4) parcels but does not have with him the size of each parcel. The resolution does not have the size of the parcels but it is for the legal work to initiate the condemnation and negotiate with the property owners. The amount is \$10,000.

R-8-2016-305 – Prof. Service contract with Jerome Convery for legal services related to the preparation of the Master Plan and Chapter 108 amendments.

Mayor Tamburro recommended discussing Resolutions R-8-2016-305, R-8-2016-306, R-8-2016-307 and R-8-2016-304. These resolutions pertain to the professionals for the Affordable Housing Agreements that are moving forward.

Mr. Hamilton explained:

R-8-2016-304 is \$80,000. for Printing expense.

R-8-2015 -305 is for Mr. Convery for \$20,000. For legal services related to amendments to the Master Plan & Chapter 108.

R-8-2016-306 is for Mr. Remsa for \$50,000. For planning services related to the preparation of the Master Plan & Chapter 108 amendments.

R-8-2016-307 is for Shain, Schaffer, & Rafanello for \$20,000.for legal services related to amendments to the Master Plan & Chapter 108.

At the last meeting a Special Emergency was done for a total of \$175,000. This is now the professional service contract as a result of that funding.

She asked about the public hearing on Monday and was it for the Affordable Housing Fair Share.

Mayor Tamburro announced that as a result of the Appellate Court Division in Ocean County, we have asked our Attorney's and Professionals to ask Judge Wilson for an extension until we can understand the full impact of what the decision is going to have on Monroe. The Judge has given us that time. The Resolutions and Ordinances that are on tonight's agenda will postponed until September 7th at which time he will have the public hearing and he will have the exact numbers. Ordinances O-7-2016-024 and O-7-2016-026 will be postponed. The public hearing for O-7-2016-023 and O-7-2016-025 will be heard.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the Agenda Meeting of July 25, 2016 will be Adjourned at 7:18PM.

ROLL CALL:	Councilman Blaise Dipierro	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Stephen Dalina	Aye
	Council President Leslie Koppel	Aye

PATRICIA REID, Township Clerk

LESLIE KOPPEL, Council President

Minutes were adopted on October 5, 2016