

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
REGULAR MEETING - FEBRUARY 6, 2017

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 7:03 p.m. by Council President Leslie Koppel with a Salute to the Flag.

UPON ROLL CALL by the 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, Township Attorney Joel L. Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Tanya Pannucci.

There were approximately one hundred (100) members of the Public present in the audience.

Council President Koppel 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 5, 2017 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 6, 2017;
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.

The following **PROCLAMATION** of Mayor Gerald W. Tamburro was read into the record:

AMERICAN HEART MONTH
FEBRUARY 2017

A presentation of awards and jackets were given out honoring the Junior Pee Wee Gold Cheerleaders, who won the Pop Warner National Championship. Council Vice-President Stephen Dalina handed out the awards and the Mayor and Council congratulated the girls and coaches for their hard work and dedication.

Cheerleaders:

Kathryn Blundell
Madison Carpenito
Rachel Cicchetti
Claire Falkowski
Isabella Grippa
Isabella Maresco
Daniella Mayo
Sophia Rivas
Jessica Widom
Gabriella Wilson

Jr. Coaches:

Jessica Antonacci
Marissa Baird
Dani Morganlander

Coaches:

Kelli Antonacci
Michelle Baird
Jackie Widom
Kristine Morris-Cicchetti
Kate Moitozo

A brief recess was taken and the meeting reconvened at 7:23.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Dalina, the **CLAIMS** per run date of **01/26/2017** were approved for payment as presented.

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

UPON MOTION made by Councilwoman Schneider and seconded by Councilman Dipierro, the **MINUTES** of the **December 28, 2016 Special & Agenda Meeting** and the **January 4, 2017 Re-Organization & Regular Meeting** were approved as written and presented.

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

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Dipierro, an Ordinance of which the following is the title was moved on second reading for final passage: **O-1-2017-001 ORDINANCE ACCEPTING DEEDS OF DEDICATION FROM LUCILLE AND ANTHONY DIPASQUALE FOR BLOCK 106.95, LOT 20; BLOCK 106.46, LOTS 5,6,7,8,9,10 AND 11; BLOCK 106.89, LOT 31; AND BLOCK 110. LOT 1.05.**

ORDINANCE as follows: (O-1-2017-001)

WHEREAS, Lucille and Anthony DiPasquale received minor subdivision approval with bulk variances, Application No. PB-1173-15, on February 25, 2016, memorialized March 24, 2016, for property identified as Block 110, Lot 1.03, located on Avenue K and South Shore Boulevard; and

WHEREAS, Application No. PB-1173-15 provides for dedication to the Township of Monroe of a portion subdivided Block 110, Lot 1.03, identified as Block 110, Lot 1.05; and

WHEREAS, Lucille and Anthony DiPasquale received minor subdivision approval, Application No. PB-1175-15, on February 25, 2016, memorialized on March 24, 2016, for property identified as Block 109.02, Lots 3, 4 and 5; Block 106.46, Lots 5, 6, 7, 8, 9, 10, and 11; Block 106.89, Lot 31; and Block 106.95, Lot 20; located on Garibaldi Avenue, Columbus Avenue, Manalapan Avenue, Palm Court, Avenue K and South Shore Boulevard; and

WHEREAS, Application No. PB-1175-15 provides for dedication to the Township of Monroe of Block 106.95, Lot 20; Block 106.46, Lots 5, 6, 7, 8, 9, 10 and 11; and Block 106.89, Lot 31; and

WHEREAS, the dedicated lots are owned by Lucille and Anthony DiPasquale; and

WHEREAS, Lucille and Anthony DiPasquale intend to dedicate said lots to the Township; and

WHEREAS, the Township Engineer has reviewed the attached metes and bounds descriptions in the Deeds of Dedication and has found same to be in conformity with the Planning Board approvals and hereby recommends acceptance of the Deeds of Dedication; and

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the Deeds of Dedication from Lucille and Anthony DiPasquale; and

WHEREAS, the Township's legal counsel has reviewed the Deeds of Dedication and has found them to be legally sufficient;

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

Section 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the Deeds of Dedication from Lucille and Anthony DiPasquale.

Section 2. The Tax Collector is hereby authorized to cancel any and all accumulated taxes due on lands identified as Block 106.95, Lot 20; Block 106.46, Lots 5, 6, 7, 8, 9, 10 and 11; Block 106.89, Lot 31 and Block 110 Lot 1.05; on the official tax map of Monroe Township, and to exempt said lands from

taxation as of the date this Ordinance takes effect and, thereafter, upon receipt by the Tax Assessor of fully executed Deeds of Dedication from the Township Attorney or Clerk.

Section 3. Upon this Ordinance taking effect, and upon receipt thereafter by the Tax Assessor of fully executed Deeds of Dedication from the Township Attorney or Clerk, the Tax Assessor shall remove the dedicated property from the tax roll.

Section 4. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

Michele Arminio, 9 Nathaniel St. – Michele asked what the dedication was for; Township Engineer Mark Rasimowicz answered that the land was dedicated for municipal purpose. These are density transfer lots totaling approximately sixteen acres.

She asked if there were wetlands; Township Engineer Mark Rasimowicz responded that there are some wetlands on some parcels but he did not have the exact numbers.

She asked further if the parcels were a dedication to Monroe; Township Engineer Mark Rasimowicz answered yes.

She also asked what the yield on the property was; Township Engineer Mark Rasimowicz answered that it was hard to say how many because it was done in two applications, maybe one to two lots. She also wanted to know if a builder had the ability to put one to two houses on different sites, to which Mark answered yes. He added that most of these parcels are in the R60 zone.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Dipierro, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-2-2017-002 ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF MONROE, SPECIFICALLY CHAPTER 122 ENTITLED, “VEHICLES AND TRAFFIC” MAKING CERTAIN PROVISIONS OF SUBTITLE 1 OF TITLE 39 OF THE REVISED STATUTES OF THE STATE OF NEW JERSEY APPLICABLE TO NATIVITY OF OUR LORD CHURCH AND REGULATING THE USE OF DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES.**

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

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilwoman Schneider and seconded by Council Vice-President Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-2-2017-003 ORDINANCE ACCEPTING DEEDS OF DEDICATION FOR BLOCK 106.91, LOTS 10.2 AND 17.2; AND BLOCK 106.95, LOT 1.2.**

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

Copy of Ordinance Duly Filed.

Council President Koppel asked for a Motion to Remove From Table: **R-1-2017-017 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE AND ESTABLISHING MAINTENANCE GUARANTEE POSTED FOR CLEARVIEW ESTATES (PB-1029-06).**

Councilman Dipierro recused himself from the meeting and voting on this resolution.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Leibowitz, R-1-2017-017 was removed from the table.

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

UPON MOTION made by Councilwoman Schneider and seconded by Council Vice-President Dalina, **R-1-2017-017 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE AND ESTABLISHING MAINTENANCE GUARANTEE POSTED FOR CLEARVIEW ESTATES (PB-1029-06)** was adopted.

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

R-1-2017-017 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE AND ESTABLISHING MAINTENANCE GUARANTEE POSTED FOR CLEARVIEW ESTATES (PB-1029-06)

WHEREAS, GMN Toms River, LLC. posted Performance Guarantees in the amount of \$605,839.26 for the Clearview Estates project (PB-1029-06); and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the site improvements completed for the referenced projects and has recommended, by copy of letter dated December 20, 2016 release of the project's Performance Guarantees, copy of which is attached hereto; and

WHEREAS, the attorney for GMN Toms River, LLC ("GMN") has provided a letter advising the Township that that the Performance Guarantees posted by GMN should be released to MMR Real Estate Holdings, LLC ("MMR"), a copy of which is attached hereto, and

WHEREAS, GMN has agreed to provide an assignment of its rights to the Performance Guarantees in favor of MMR; and

WHEREAS, the Monroe Code provides that "the developer shall maintain funds in the engineering escrow account in the amount of fifty percent (50%) of the original deposit". However, the Township Engineer's office recommends that amount be reduced to seven thousand five hundred dollars (\$7,500.00).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that upon resolution of all outstanding escrow balances associated with administration of this project by Township officials, as well as the posting of a Maintenance Guarantee for 15% of the original project total of (\$504,866.05), or **\$75,729.91**. Such Maintenance Guarantees shall run for a period of not less than two years from the date of memorialization of such action by Council;

BE IT FURTHER RESOLVED, in accordance with the Monroe Code, the developer shall post and maintain the amount of seven thousand five hundred dollars (\$7,500.00) in the existing engineering inspection escrow account;

BE IT FURTHER RESOLVED, that the Performance guarantees shall not be released until the escrow account is brought up to date, as noted, and the Township Clerk has received an assignment, in a form satisfactory to the Township Attorney, of GMN's rights to the Performance Guarantees;

BE IT FURTHER RESOLVED, as per the attached letter dated December 16, 2016, from the applicant's engineer, that due to winter weather conditions, the infiltration basin will be monitored in the spring and any required repairs will be completed within the maintenance period.

SO RESOLVED, as aforesaid.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Leibowitz, the following Resolutions were moved for Adoption under the **CONSENT AGENDA** as herein below set forth:

**R-2-2017-021 RESOLUTION AUTHORIZING RELEASE OF CASH
PERFORMANCE GUARANTEE FOR W&S 1082, GUMP INDUSTRIES –
BLOCK 102, LOT 14 PB# 1096-11 POSTED WITH THE MONROE
TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D”).**

WHEREAS, Gump Industries has posted a cash maintenance guarantee with the Monroe Township Utility Department (“MTUD”) for W&S 1082, block 102, lot 14; and

WHEREAS, as defined in N.J.S.A. 40:55D-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Monroe Township Council approve the request for release of the cash maintenance guarantee, as detailed in a letter dated January 12, 2017, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Monroe Township Council has reviewed and hereby approves the recommendation of the MTUD Director;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Maintenance Guarantee posted for W&S 1082, block 102, lot 14 be released as reflected above and within the letter annexed hereto. This approval for release of cash maintenance guarantee is conditioned upon the resolution of any outstanding balances attached to the project escrow accounts; and

BE IT FURTHER RESOLVED that the Monroe Township Utility Department is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if applicant has been represented by counsel in this matter.

SO RESOLVED, as aforesaid.

**R-2-2017-022 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 434 “GENERATOR MAINTENANCE AND
REPAIR” WITH EMR POWER SYSTEMS INC. FOR THE
TOWNSHIP OF MONROE AND THE UTILITY DEPARTMENT
 (“M.T.U.D.”).**

WHEREAS, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with EMR Power Systems, Inc. for Generator Maintenance and Repair; and

WHEREAS, the section of the current contract allows for (1) one extension for and additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for the a term of (1) one year, and has notified EMR Power Systems Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, EMR Power Systems Inc. has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “C”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of Township funds in Certificate No. C-150010, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150011, a copy of which is attached hereto as Exhibit "B"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Generator Maintenance and Repair with EMR Power Systems, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be January 26, 2018. The unit pricing, terms and conditions of the agreement shall remain unchanged.

SO RESOLVED, as aforesaid.

**R-2-2017-023 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 438 “LIQUID ZINC PYROPHOSPHATE” WITH
KLENZOID, INC. FOR THE MONROE TOWNSHIP UTILITY
DEPARTMENT (“M.T.U.D.”).**

WHEREAS, the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Klenzoid Inc. for Liquid Zinc Pyrophosphate; and

WHEREAS, the section of the current contract Information to Bidders, Section XIII “Methods of Award” allows for (2) two extensions for (2) two (1) one year terms, with the agreement of the vendor; and

WHEREAS, on March 6, 2016 the Township Council passed a resolution extending the original contract for the first (1) one year extension term; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for the second extension term of (1) one year term, and has notified Klenzoid Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Klenzoid Inc. has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150015, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Liquid Zinc Pyrophosphate with Klenzoid, Inc., based on unit pricing and estimated quantities, for the (12) twelve month extension term. The new expiration date shall be April 5, 2018. The unit pricing, terms and conditions of the agreement shall remain unchanged.

SO RESOLVED, as aforesaid.

**R-2-2017-024 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 436A “BIOXIDE” WITH EVOQUA WATER
TECHNOLOGIES LLC. FOR THE MONROE TOWNSHIP
UTILITY DEPARTMENT (“M.T.U.D.”).**

WHEREAS, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Evoqua Water Technologies LLC. for Bioxide; and

WHEREAS, the current contract allows for (1) one extension for an additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for a term of (1) one year, and has notified Evoqua Water Technologies LLC of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Evoqua Water Technologies LLC has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150007, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Bioxide with Evoqua Water Technologies LLC., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be February 28, 2018. The unit pricing, terms and conditions of the agreement shall remain unchanged.

SO RESOLVED, as aforesaid.

**R-2-2017-025 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 441 “ION EXCHANGE SYSTEM REPAIR AND
MAINTENANCE” WITH LAYNE FOR THE MONROE TOWNSHIP
UTILITY DEPARTMENT (“M.T.U.D.”).**

WHEREAS, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Layne for ION Exchange System Repair and Maintenance; and

WHEREAS, the current contract allows for (1) one extension for an additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for a term of (1) one year, and has notified Layne of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Layne has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150013, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for ION Exchange System Repair and Maintenance with Layne, based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be June 3, 2018.

SO RESOLVED, as aforesaid.

**R-2-2017-026 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 444 “MECHANICAL MAINTENANCE AND
REPAIR” WITH LONGO ELECTRICAL-MECHANICAL, INC.
FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT
 (“M.T.U.D.”).**

WHEREAS, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Longo Electrical-Mechanical, Inc. for Mechanical Maintenance and Repair; and

WHEREAS, the current contract allows for (1) one extension for an additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for a term of (1) one year, and has notified Longo Electrical-Mechanical, Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Longo Electrical-Mechanical, Inc. has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-160002, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Mechanical Maintenance and Repair with Longo Electrical-Mechanical, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be February 8, 2018.

SO RESOLVED, as aforesaid.

**R-2-2017-027 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 446 “ELECTRICAL MAINTENANCE AND
REPAIR” WITH LONGO ELECTRICAL-MECHANICAL, INC.
FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT
 (“M.T.U.D.”).**

WHEREAS, the Monroe Township Utility Department has the need for computer security equipment & services; and

WHEREAS, the State of New Jersey, Division of Purchase and Property via its Cooperative Purchasing Program (NJCP1) has awarded contracts for said equipment and services as shown below:

Contract No.	Vendor Contract No.	Contract Name	Vendor Name	Award Amount
M-7000	87720	Data Communications Equipment	SHI International, Corp.	\$20,037.76
M-0003	89851	Software License & Related Services	SHI International, Corp.	\$ 46,854.57

, copies of proposals are hereto attached as exhibit “C”; and

WHEREAS, it is required by law that any “state contract” purchase which exceeds the bid threshold of the Township (\$40,000.00) in aggregate, be authorized by the governing body; and

WHEREAS, the total amount for said purchase of (\$66,892.33) exceeds the Township’s bid threshold in aggregate, a copy of SHI proposals are attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate Nos. M-170008 a copy of which is attached hereto as Exhibit "A"; and

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

- (1) Authorizes the Purchasing Agent of the M.T.U.D. to purchase said hardware, software and services from SHI International Corp. using the State Contract referenced above; and
- (2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for said hardware, software and service delivered by SHI International Corp.; and
- (3) The contracts are awarded through the New Jersey Cooperative Purchasing Program are considered fair and open contract in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

SO RESOLVED, as aforesaid.

R-2-2017-028 RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER SECURITY HARDWARE, SOFTWARE & SERVICES USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

WHEREAS, the Monroe Township Utility Department has the need for computer security equipment & services; and

WHEREAS, the State of New Jersey, Division of Purchase and Property via its Cooperative Purchasing Program (NJCP1) has awarded contracts for said equipment and services as shown below:

Contract No.	Vendor Contract No.	Contract Name	Vendor Name	Award Amount
M-7000	87720	Data Communications Equipment	SHI International, Corp.	\$20,037.76
M-0003	89851	Software License & Related Services	SHI International, Corp.	\$ 46,854.57

, copies of proposals are hereto attached as exhibit “C”; and

WHEREAS, it is required by law that any “state contract” purchase which exceeds the bid threshold of the Township (\$40,000.00) in aggregate, be authorized by the governing body; and

WHEREAS, the total amount for said purchase of (\$66,892.33) exceeds the Township’s bid threshold in aggregate, a copy of SHI proposals are attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate Nos. M-170008 a copy of which is attached hereto as Exhibit "A"; and

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

- (1) Authorizes the Purchasing Agent of the M.T.U.D. to purchase said hardware, software and services from SHI International Corp. using the State Contract referenced above; and
- (2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for said hardware, software and service delivered by SHI International Corp.; and
- (3) The contracts are awarded through the New Jersey Cooperative Purchasing Program are considered fair and open contract in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

SO RESOLVED, as aforesaid.

R-2-2017-029 RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 SUBMITTED BY ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT 454, "WELL NO. 16A IMPROVEMENTS" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

WHEREAS, pursuant to Resolution No. R-9-2016-315, adopted by the Monroe Township Council; at its meeting held on September 7, 2016, Contract 454 was awarded to Eagle Construction Services, Inc. for "Well 22 Additional Treatment" in the amount of \$588,000.00; and

WHEREAS, the Contractor, Allied Construction Group, Inc. has submitted a request for Change Order No. 1 in the amount of \$36,873.00, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, the M.T.U.D.'s consulting engineer H2M Associates, Inc., by a letter dated January 18, 2017 has requested the Township's Council's consideration in approving Change Order No. 1, which increases the contract previous contract total by \$36,873.00 making the new total contract amount \$624,873.00 and extend contract time by 16 calendar days as described in the attached Change Order, a copy of which is attached hereto as Exhibit "C"; and

WHEREAS, the Township Council has found said proposed Change Order #1 to be reasonable; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the township Chief Municipal Finance Officer has certified availability of funds in Certificate No. M-160021, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1 in the total amount of Thirty-six Thousand Eight Hundred Seventy-Three Dollars (\$36,873.00);

SO RESOLVED, as aforesaid.

R-2-2017-030 RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT 436B "SODIUM HYDROXIDE" WITH UNIVAR USA, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

WHEREAS, the Township of Monroe and the Monroe Township Utility Department ("M.T.U.D.") is currently under contract with Univar USA, Inc. for Sodium Hydroxide; and

WHEREAS, the current contract allows for (1) one extension for and additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for the a term of (1) one year, and has notified Univar USA, Inc. of the M.T.U.D.'s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Univar USA, Inc. has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.'s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150008, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Sodium Hydroxide with Univar USA, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be January 26, 2018. The unit pricing, terms and conditions shall be as stipulated in the contract.

SO RESOLVED, as aforesaid.

**R-2-2017-031 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 CALENDAR YEAR
2017.**

WHEREAS, in the interests of the citizens of the Township of Monroe, County of Middlesex, the Monroe Township Utility Department (“M.T.U.D.”) has a need for the following goods and services:

1. Instrumentation Calibration and Repair Service

; and

WHEREAS, pursuant to N.J.S.A. 40a:11-4, every contract or agreement for the performance of any work or furnishing of any materials or supplies, the cost of the contract price wherefore is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefore;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the M.T.U.D. Purchasing Manager is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

SO RESOLVED, as aforesaid.

**R-2-2017-032 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO NEW
YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON
WIRELESS FOR CONTRACT 459 “LEASE FOR WIRELESS
TELECOMMUNICATIONS EQUIPMENT & ANTENNA ARRAY
AT THE ABEEL ROAD MONOPOLE SITE” FOR THE MONROE
TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

WHEREAS, on January 12, 2017, one (1) sealed bid was received, publicly opened and read aloud, by the Monroe Township Utility Department (“M.T.U.D.”) for Contract 459 ”Lease For Wireless Telecommunications Equipment & Antenna Array At The Abeel Road Monopole Site”, as offered by the M.T.U.D.; and

WHEREAS, the M.T.U.D. Purchasing Agent, by letter dated March 23, 2010, recommends the Council award a bid to the high bidder New York SMSA Limited Partnership d/b/a Verizon Wireless for the initial monthly rent bid in the amount of \$4,000.00 per month;

WHEREAS, the Township Attorney has found the bid to be legally sufficient; and

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

- (1) The Mayor and Township Clerk are hereby authorized to enter into contracts New York SMSA Limited Partnership D/b/a Verizon Wireless, in accordance with their bid;
- (3) The contract is awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;
- (4) This contract is awarded with the stipulation New York SMSA Limited Partnership D/b/a Verizon Wireless shall provide the required Certificate of Insurance and Bond as required by the specifications.

SO RESOLVED, as aforesaid.

**R-2-2017-033 RESOLUTION AUTHORIZING THE EXTENSION OF
CONTRACT NO. 437 “SODIUM CHLORIDE” WITH UNIVAR USA,
INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT
 (“M.T.U.D.”).**

WHEREAS, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Univar USA, Inc. for Sodium Chloride; and

WHEREAS, the current contract allows for (1) one extension for and additional (1) one year term, with the agreement of the vendor; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Director, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for the a term of (1) one year, and has notified Univar USA, Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated January 18, 2017; and

WHEREAS, Univar USA, Inc. has indicated their acceptance of the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-150010, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open ended contract for Sodium Chloride with Univar USA, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be January 26, 2018. The unit pricing, terms and conditions shall be as stipulated in the contract.

SO RESOLVED, as aforesaid.

**R-2-2017-034 RESOLUTION AUTHORIZING THE EXECUTION OF AN
AGREEMENT ALLOWING THE TOWNSHIP OF SOUTH
BRUNSWICK TO PROVIDE TEMPORARY SEWER SERVICES
TO OM SRI SAI BALAJI TEMPLE AND CULTURAL CENTER,
INC.**

WHEREAS, Om Sri Sai Balaji Temple and Cultural Center, Inc., ("Om Sri Sai Balaji Temple") is the owner of the premises located at Block 82, Lot 2, in the Township of Monroe (the “Property”); and

WHEREAS, Om Sri Sai Balaji Temple has applied to the Township of Monroe Planning Board for development of the Property; and

WHEREAS, the Township of Monroe’s (“Monroe”) existing sanitary sewer service does not yet extend to the Property; and

WHEREAS, the Property is located along the border of the Township of South Brunswick (“South Brunswick”); and

WHEREAS, South Brunswick is capable of providing the Property with sanitary sewer service until such time as Monroe extends its sanitary sewer service to the Property; and

WHEREAS, South Brunswick has agreed to permit Om Sri Sai Balaji Temple to directly connect to its sanitary sewer system subject to an interlocal services agreement between South Brunswick and Monroe; and

WHEREAS, Om Sri Sai Balaji Temple has agreed to connect to the Monroe sanitary sewer system, and pay all costs associated therewith, when Monroe extends its sanitary sewer service to the Property; and

WHEREAS, South Brunswick and Om Sri Sai Balaji Temple have requested that Monroe execute the Sewer Connection Agreement (“Agreement”) attached hereto as Exhibit “A”; and

WHEREAS, the Director of the Monroe Utility Department has reviewed the Agreement and recommended executing the Agreement; and

WHEREAS, the Agreement has been reviewed by the Township Attorney; and

WHEREAS, the Agreement is in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute the Sewer Agreement, attached hereto and made a part hereof.

SO RESOLVED, as aforesaid.

R-2-2017-035 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY J FLETCHER CREAMER & SON IN CONNECTION WITH GUARDRAIL REPAIRS AT TRACY STATION AND FEDERAL ROAD.

WHEREAS, pursuant to Resolution No. R-7-2016-249, adopted by the Monroe Township Council at its meeting held on July 6, 2016, a contract was awarded to J. Fletcher Creamer & Son for guardrail repairs at Tracy Station and Federal Road; and

WHEREAS, said contract was in the original amount of \$16,750.00; and

WHEREAS, the Township Engineer, in a letter dated January 6, 2017, requested approval of Change Order No. 1 for the guardrail repair project reflecting an increase in the amount of **\$3,300.00**; this change order includes additional work as follows:

Add and/or Increase as directed and required:	
1. Additional Guard Rail Needed	\$3,300.00
Increase in contract price	<u>\$3,300.00</u>

Current Contract Price Including This Change Order = \$20,050.00

WHEREAS, the Township Council has reviewed the request and has found same to be reasonable; and

WHEREAS, the Certified Municipal Finance Officer has certified in Certificate No. C-160029, a copy of which is attached hereto, that sufficient funds are available;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1, attached hereto and made a part hereof, in the amount of Three Thousand Three Hundred Dollars (\$3,300.00).

SO RESOLVED, as aforesaid.

R-2-2017-036 RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP 2017 LANDSCAPING SERVICES.

WHEREAS, on December 21, 2016, two (2) sealed bids were received by Monroe Township regarding the 2017 Monroe Township Landscaping Services; and

WHEREAS, the Monroe Township Business Administrator, by letter dated January 3, 2017, a copy of which is attached hereto, recommended that the contract be awarded to **Pleasant View Landscaping & Lawn Maintenance, Inc.** on their bid submitted in the amount of **\$138,300.00** of which \$20,100.00 is attributed to the Monroe Township Utility Department; and

WHEREAS, the Township Council has reviewed the recommendations made by the Business Administrator regarding said bid; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700003, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Utility Finance Manager has certified availability of funds in Certificate No. M- 170006, a copy of which is attached hereto as Exhibit "B"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the **2017 Monroe Township Landscaping Services** at a total contract price of **\$138,300.00** for a contract term beginning April 1, 2017 and expiring December 31, 2017 with the provision authorizing the Business Administrator to extend for a period of one additional year with the consent of both parties under the same terms, conditions and prices; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Pleasant View Landscaping & Lawn Maintenance, Inc., 272 Federal Rd., Monroe Township, NJ 08831**; and

BE IT FURTHER RESOLVED that the Township Finance Department is hereby authorized and directed to pay **Pleasant View Landscaping & Lawn Maintenance, Inc.**, in accordance with the contract entered

into between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Pleasant View Landscaping & Lawn Maintenance, Inc** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

R-2-2017-037 RESOLUTION AUTHORIZING THE ENTERING INTO AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING (“MOU”) BY AND BETWEEN THE MIDDLESEX COUNTY PROSECUTORS OFFICE AND THE MONROE TOWNSHIP POLICE DEPARTMENT FOR USE OF THE SPECIALIZED INVESTIGATIVE LAW ENFORCEMENT EQUIPMENT.

WHEREAS, the Middlesex County Prosecutor is the Chief Law Enforcement Officer for the County of Middlesex, and as such is charged with, inter alia, the responsibility of providing for the safety and welfare of the citizens of Middlesex County and does so by ensuring that the law enforcement professionals that serve said citizens are provided with state of the art technology and training in the field of homeland security; and

WHEREAS, the United States Department of Homeland Security has heretofore, the Urban Area Security Initiative, hereinafter (“UASI”), which is a homeland security designation and is based upon the infrastructure and risks within the Counties and Municipalities in the State of New Jersey; and

WHEREAS, Middlesex County is one of seven (7) counties in the State of New Jersey, which include two (2) core cities, that falls under the purview of the Urban Area Security Initiative (UASI); and

WHEREAS, the Middlesex County Prosecutor’s Office, hereinafter (“MCPO”) may have other specialized investigative law enforcement equipment purchased via other funding sources in its inventory and can also be utilized by other law enforcement agencies to deter and detect crime;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Township Clerk be and are hereby authorized to execute the attached *Memorandum of Understanding* made by and between the Middlesex County Prosecutor’s Office and the Township of Monroe Police Department; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution with an executed copy of the Memorandum of Understanding shall be forwarded to the Middlesex County Prosecutors Office.

SO RESOLVED, as aforesaid.

R-2-2017-038 RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION FOR YEAR 2016.

WHEREAS, the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.11, et. seq. (the "Act"), has established a recycling fund, N.J.S.A. 13:1E-99.37, from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has established an application process implementing the tonnage grant provision of the Act; and

WHEREAS, a Resolution authorizing the Township of Monroe to apply for such tonnage grants will memorialize the Township's commitment to recycling and indicate the assent of the Township Council to the requirements contained in the application for a tonnage grant under this Act; and

WHEREAS, such a Resolution shall designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex and State of New Jersey that the Township of Monroe hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Bureau of Recycling and Planning; and

BE IT FURTHER RESOLVED that Wayne Horbatt, Director of Recycling, Department of Public Works, 76 Gravel Hill-Spotswood Road, Monroe Twp., New Jersey 08831, shall be and is hereby designated as the individual to ensure that said Application is properly filed.

R-2-2017-039 RESOLUTION REFUNDING TAX OVERPAYMENTS.

WHEREAS, the Tax Collector for the Township of Monroe has recommended this Council's approval to make refunds for tax overpayments in the amount of Forty-seven Thousand nine hundred twenty-nine dollars and seventy-three cents (\$47,929.73) for the amounts described on Schedule A and attached hereto; and

WHEREAS, good cause has been shown; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe in the County of Middlesex and State of New Jersey that the Township's Certified Municipal Finance Officer be and is hereby directed to draw a check from the General Account refunding the Tax overpayments described above to be distributed as set forth on the attached Schedule A:

SO RESOLVED, as aforesaid.

**R-2-2017-040 RESOLUTION REFUNDING THIRD PARTY TAX LIEN
PREMIUM PAYMENTS.**

WHEREAS, Premiums have been paid for various properties for the purchase of Tax Lien Certificates for properties listed on the Tax Map of the Township of Monroe, in the amount of Twenty-Seven Thousand dollars and no cents (\$27,00000); and

WHEREAS, pursuant to N.J.S.A. 54: 5-33 said premiums must be returned to the purchasers upon redemption; and

WHEREAS, The Tax Lien Certificates as outlined on Schedule A have been redeemed; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Monroe in the County of Middlesex in the State of New Jersey that the Township's Certified Municipal Financial Officer is hereby authorized and directed to draw a check from the Township's Trust Account in the amount listed on Schedule A and forward same to the Tax Collector for distribution to the purchasers.

SO RESOLVED, as aforesaid.

**R-2-2017-041 RESOLUTION AUTHORIZING THE RETURN OF AN
AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE
LOAN.**

WHEREAS, Mahendra Maniar & Smita Maniar requested and received a Down Payment Assistance Loan from the Affordable Housing Trust Fund in the amount of \$16,500.00 for property located at 101 Morgan Way, Monroe Township, New Jersey, Unit 6 in Building 23, which was approved by the Monroe Township Council on August 1, 2016 as set forth in R-8-2016-290; and

WHEREAS, by copy of letter dated December 19, 2016 from the Affordable Housing Board Attorney, Jerome J. Convery, a copy of which is attached hereto as Exhibit "A", the closing attorney for Mahendra Maniar & Smita Maniar advised that they closed on the above referenced property but did not utilize the funds from the Township for the Down Payment Assistance Loan;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe in the County of Middlesex, State of New Jersey that the Chief Financial Officer is hereby authorized and directed to accept the return of the unutilized funds in the amount of \$16,500.00 and deposit back into the Affordable Housing Trust Account.

**R-2-2017-042 RESOLUTION AUTHORIZING REDUCTION OF A
PERFORMANCE GUARANTEE POSTED FOR THE GABLES AT
APPLEGARTH VILLAGE, RESIDENTIAL (BA-5099-14).**

WHEREAS, The Gables at Applegarth Village, LLC. posted Performance Guarantees in the amount of \$1,410,650.05 for The Gables at Applegarth Village - Residential project (BA-5099-14); and

WHEREAS, in correspondence The Gables at Applegarth Village LLC. has requested a reduction in Performance Guarantees posted; and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantees, as detailed in his letter dated January 9, 2017, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$1,269,585.05	\$ 141,065.01
Reduce to	\$ 571,785.69	\$ 63,531.74

; and

WHEREAS, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for **The Gables at Applegarth Village - Residential** be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if the applicant has been represented by counsel in this matter.

SO RESOLVED, as aforesaid.

**R-2-2017-043 RESOLUTION AUTHORIZING REDUCTION OF A
PERFORMANCE GUARANTEE POSTED FOR THE GABLES AT
APPLEGARTH VILLAGE, COMMERCIAL (BA-5099-14).**

WHEREAS, The Gables at Applegarth Village, LLC. posted Performance Guarantees in the amount of \$3,675,522.24 for The Gables at Applegarth Village - Commercial project (BA-5099-14); and

WHEREAS, in correspondence The Gables at Applegarth Village LLC. has requested a reduction in Performance Guarantees posted; and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantees, as detailed in his letter dated January 9, 2017, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$3,307,970.02	\$ 367,552.22
Reduce to	\$1,241,779.25	\$ 137,975.47

; and

WHEREAS, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for **The Gables at Applegarth Village – Commercial** be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if the applicant has been represented by counsel in this matter.

SO RESOLVED, as aforesaid.

R-2-2017-044 RESOLUTION AUTHORIZING THE EXECUTION OF A GREEN COMMUNITIES GRANT AGREEMENT BETWEEN MONROE TOWNSHIP-MIDDLESEX COUNTY AND THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE TOWNSHIP'S COMMUNITY FORESTRY MANAGEMENT PLAN - GRANT IDENTIFIER: FS17-055.

WHEREAS, the Governing Body of Monroe Township, Middlesex County desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

**Green Communities Grant
Community Forestry Management Plan**

NOW, THEREFORE, BE IT RESOLVED that the Township Council resolves that Mayor Gerald W. Tamburro is authorized (a) to make an application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3000.00 and not more than \$3000.00, and (c) to execute any amendment thereto which do not increase the Grantee's obligations.

BE IT FURTHER RESOLVED the Mayor and Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services or property, is hereby certified 100% of the match will be made up on in-kind services (if allowed by grant program requirements and the agreement).

BE IT FURTHER RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, that the Township of Monroe agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to this agreement and that the Mayor and Township Clerk are hereby authorized to execute all documents necessary in the Grant process.

SO RESOLVED, as aforesaid.

R-2-2017-045 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH ECOVANTA, LLC FOR 2017 ELECTRONIC WASTE RECYCLING SERVICES.

WHEREAS, the Township of Monroe is currently under contract through January 20, 2017 with ECOvanta LLC., 2209 South 58th Street, Philadelphia, PA 19143, for the proper recycling of consumer electronics; and

WHEREAS, the current contract allows the Business Administrator to extend the contract for a period of three (3) successive one- year periods with the consent of the bidder and approval of the governing body; and

WHEREAS, the attached letter indicates the willingness of ECOvanta LLC. to extend the contract to January 20, 2018, under the same terms, conditions and pricing contained within their original contract, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the extension of a contract with ECOvanta LLC. for Electronic Waste Recycling Services for an additional year, expiring January 20, 2018.

SO RESOLVED, as aforesaid.

R-2-2017-046 RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS CAPITAL PROJECTS.

WHEREAS, in the interest of the citizens of the Township of Monroe, in the County of Middlesex, the Township has a need for the following goods and services:

- Daniel P. Ryan Field ADA Restroom Improvements
- Improvements to Spotswood & Ellingham Avenues
- Library Parking Lot LED Lighting Upgrades
- Roadway Striping
- Wet Basin Maintenance

WHEREAS, pursuant to N.J.S.A. 40A:11-4, every contract or agreement for the performance of any work or the furnishing of any materials or supplies, the cost of the contract price wherefore is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefor;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Monroe Township Engineer is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

SO RESOLVED, as aforesaid.

R-2-2017-047 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR DEER CARCASS REMOVAL WITHIN THE TOWNSHIP OF MONROE UNDER THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM FOR CALENDAR YEAR 2017.

WHEREAS, the Township of Monroe, County of Middlesex, is a member of the Somerset County Cooperative Pricing System #2SOCCP; and

WHEREAS, wishes to enter into an agreement for Deer Carcass Removal for the Township of Monroe, with Kelly Winthrop LLC, 1110 New Parkview Place, West Palm Beach, FL 33417, an authorized vendor under the Somerset County Cooperative Pricing System #2SOCCP:

<u>Bid No.</u>	<u>Bid/Contract Title</u>	<u>Pricing Info.</u>
CC-0058-16	Deer Carcass Removal	\$32.00 per deer carcass

; and

WHEREAS, the purchase of goods and services by local contracting units without public bidding is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that the Mayor and Municipal Clerk are hereby authorized to enter into an agreement with Kelly Winthrop LLC. for deer carcass removal within the Township of Monroe.

SO RESOLVED, as aforesaid.

R-2-2017-048 RESOLUTION AUTHORIZING THE BULK PURCHASE OF ROCK SALT UNDER THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM FOR CALENDAR YEAR 2017.

WHEREAS, the Township of Monroe, County of Middlesex, is a member of the Somerset County Cooperative Pricing System #2SOCCP; and

WHEREAS, wishes to purchase bulk rock salt from Atlantic Salt Inc., 134 Middle Street, Suite 210, Lowell, MA 01852, an authorized vendor under the Somerset County Cooperative Pricing System #2SOCCP:

<u>Bid No.</u>	<u>Bid/Contract Title</u>	<u>Pricing Info.</u>
CC-0054-16	Rock Salt (Bulk)	\$57.57 /ton

; and

WHEREAS, the purchase of goods and services by local contracting units without public bidding is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11; and

WHEREAS, the Certified Municipal Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700004, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Atlantic Salt, Inc. for the bulk purchase of rock salt for the Township of Monroe for calendar year 2017.

SO RESOLVED, as aforesaid.

R-2-2017-049 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR MONROE PINES/CORNELL DEVELOPERS (PB-1101-11).

WHEREAS, Cornell Developers posted Performance Guarantees in the amount of \$219,200.49 for Monroe Pines, Inc. project (PB-1101-11); and

WHEREAS, in correspondence Cornell Developers has requested a reduction in Performance Guarantees posted; and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantees, as detailed in his letter dated January 13, 2017, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$ 197,280.44	\$ 21,920.05
Reduce to	\$ 77,460.18	\$ 8,606.69

; and

WHEREAS, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for **Monroe Pines/Cornell Developers** be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if the applicant has been represented by counsel in this matter.

SO RESOLVED, as aforesaid.

R-2-2017-050 RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2017 ANNUAL BUDGET TO MARCH 6, 2017.

WHEREAS, N.J.S.A. 40A:4-5 provides that the governing body shall introduce and approve the annual budget in the case of a municipality not later than February 10th of the fiscal year; and

WHEREAS, there exists a need to extend the date upon which to introduce and approve the Monroe Township 2017 annual budget to March 6, 2017 due to the need for receipt of revenue figures;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the extension of the introduction and approval of the Monroe Township 2017 annual budget to March 6, 2017.

R-2-2017-051 RESOLUTION AUTHORIZING THE PURCHASE OF GASOLINE AND DIESEL FOR THE TOWNSHIP OF MONROE AND MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") UNDER THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM.

WHEREAS, the Township of Monroe, County of Middlesex, is a member of the Middlesex Regional Educational Services Commission of New Jersey Cooperative Pricing System #65MCESCCPS; and

WHEREAS, the Educational Services Commission of New Jersey Cooperative Pricing System #65MCESCCPS has awarded a contract for gasoline and diesel fuel to National Fuel Oil Inc. 175 Orange St., Newark, NJ 07103, through a competitive bidding process, Bid # ESCNJ 16/17-22, a copy of the proposal is attached hereto as Exhibit "B"; and

WHEREAS, the Township wishes to purchase gasoline as indicated below for the Township and Utility Department, from National Fuel Oil, Inc.:

<u>Contract No.</u>	<u>Bid/Contract Title</u>	<u>Pricing Info.</u>
ESCNJ 16/17-55	Gasoline and Diesel Fuel	as per attached pricing sheet

; and

WHEREAS, the anticipated total amount of gasoline purchased will exceed the bid threshold; and

WHEREAS, the purchase of goods and services by local contracting units without public bidding is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11; and

WHEREAS, the Certified Municipal Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700005, a copy of which is attached hereto as Exhibit "A".

WHEREAS, the Utility Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. M-170012, a copy of which is attached hereto as Exhibit "B".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe has authorized the purchase of Gasoline from National Fuel Oil, Inc.

SO RESOLVED, as aforesaid.

R-2-2017-052 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. RELATED TO THE REPRESENTATION OF THE TOWNSHIP IN CONNECTION WITH A DECLARATORY JUDGEMENT ACTION REGARDING THE TOWNSHIP'S COAH COMPLIANCE.

WHEREAS, on March 10, 2015, the Supreme Court of the State of New Jersey issued a decision paving the way for municipalities to proceed with civil actions to determine compliance with constitution affordable housing obligations; and

WHEREAS, the Court's decision directed that certain municipalities who had achieved "participating status" before the Council on Affordable Housing (COAH) file a declaratory judgment action to determine whether its housing plan meets its Mount Laurel obligations in order to forestall applications seeking builder's remedies; and

WHEREAS, Monroe, having achieved that status, believes it to be in the public's interest to commence a declaratory judgment action; and

WHEREAS, pursuant to Resolution No. R-4-2015-099 the Township Council authorized Shain, Schaffer & Rafanello, P.C. and Jerome Convery, Esq. to render legal services at a cost not to exceed \$25,000.00 pending further authorization from the Township Council; and

WHEREAS, due to the extensive nature of this litigation, additional authorizations have been requested from the Township Council; and

WHEREAS, the Council has reviewed the request and believes the request for additional authorizations, as hereinbelow set forth, is reasonable at this time:

Shain, Schaffer & Rafanello, P.C.	\$10,000.00
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; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget, as evidenced by Certificate No. C-150027, a copy of which is annexed hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to additional authorization of legal fees to Shain, Schaffer & Rafanello, P.C., handling the matter of the declaratory judgment to establish the Township's COAH compliance, as extraordinary litigation for which legal services may be provided in an amount up to **\$10,000.00**, pending further authorization from the Council.

SO RESOLVED, as aforesaid.

R-2-2017-053 RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION FEES.

WHEREAS, the Construction Official, by copy of letters dated January 20, 2017, copies of which are attached hereto as Exhibit A, has recommended the Council approve the following construction permit refunds:

Refund to:	Reason	Amount
Gold Medal Service 11 Cotters Lane East Brunswick, N.J. 08816	Permit # 20162787 Request to void permit/ Work no longer being performed	\$ 81.00
NRG Home Solar 2100 Highway 35 Sea Girt, N.J. 08750	Permit # 20162769 Request to void permit/ Project cancelled	\$ 296.00

WHEREAS, Council has reviewed the recommendations of the Construction Official and finds the request for the above refunds to be reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the request is hereby authorized and that a refund be made to **Gold Medal Service in the amount of \$81.00 and NRG Home Solar in the amount of \$296.00**;

SO RESOLVED, as aforesaid.

R-2-2017-054 RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTH DEVELOPMENT, INC. ("Q.E.D") AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, the Township of Monroe, County of Middlesex, had purchased Q.E.D. Software for the Monroe Township Police Department; and

WHEREAS, the Township of Monroe wishes to enter into an annual Maintenance Agreement with Queues Enforth Development, Inc. (Q.E.D.); and

WHEREAS, N.J.S.A. 40A:11-1(dd) authorizes the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software; and

WHEREAS, the actual cost of the Software Maintenance Agreement for calendar year 2017 shall not exceed Thirty Seven Thousand, Two Hundred Nine dollars (**\$37,209.00**); and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700006, a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that the Software Maintenance Agreement, effective January 1, 2017 through December 31, 2017, with **Q.E.D., Inc., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180-3647** in an amount not to exceed Thirty Seven Thousand, Two Hundred Nine dollars (**\$37,209.00**).

SO RESOLVED, as aforesaid.

R-2-2017-055 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase four (4) police

vehicles under the Cranford Police Cooperative Pricing Agreement No. 47-CPCPS, from *Beyer Ford, LLC*, an authorized vendor under the Cranford Police Cooperative Pricing System; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Beyer Ford, LLC, 170 Ridgedale Avenue, Morristown, NJ 07962* has been appointed as an authorized dealer for Vehicles under the Cranford Police Cooperative Pricing Program; and

WHEREAS, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
1	2017 Ford Utility Police Interceptor, SUV, Solid Black	\$25,885.75
1	2017 Ford Utility Police Interceptor, SUV, Ghost	\$25,564.74
2	2017 Ford Utility Police Interceptor SUV, Marked	<u>\$51,329.50</u>
TOTAL COST:		\$102,779.99; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in **Certificate No. C-1700007** a copy of which are attached hereto as Exhibit "A"; and

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase *accessories* to outfit four (4) new vehicles from *East Coast Emergency Lighting* under NJ State Contract No. A81338, for the Monroe Township Police Department as hereinbelow set forth:

1	2017 Ford Utility Police Interceptor, SUV, Solid Black	\$2,820.24
1	2017 Ford Utility Police Interceptor, SUV, Ghost	\$5,045.12
2	2017 Ford Utility Police Interceptor SUV, Marked	<u>\$12,923.16</u>
TOTAL COST:		\$ 20,788.52; and

WHEREAS, the detailed accessories for each vehicle are attached and hereto and made a part of; and

WHEREAS, *East Coast Emergency Lighting* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* has been awarded New Jersey State Contract, No. A81338 in connection with the above referenced vehicles; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700008 copies of which are attached hereto as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with *Beyer Ford, LLC* for the purchase of *one (1) 2017 Ford Utility Police Interceptor, SUV, Solid Black, one (1) 2017 Ford Utility Police Interceptor, SUV, Ghost, two (2) 2017 Ford Utility Police Interceptor SUV, Marked* at a total contract price in the amount of **\$102,779.99**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* is hereby awarded a contract for the purchase of accessories to outfit four (4) new Police vehicles at a total contract price of **\$20,788.52;**

SO RESOLVED, as aforesaid.

R-2-2017-056 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase one (1) police vehicle under the Cranford Police Cooperative Pricing Agreement No. 47-CPCPS, from *Dey Chevrolet*, an authorized vendor under the Cranford Police Cooperative Pricing System; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Dey Chevrolet, 1600 Golden Mile Highway, Monroeville, PA 15146*, has been appointed as an authorized dealer for Vehicles under the Cranford Police Cooperative Pricing Program; and

WHEREAS, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
1	2017 Chevrolet Tahoe 4X4, Solid Black	<u>\$34,025.00</u>
	TOTAL COST	\$34,025.00; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700009 a copy of which are attached hereto as Exhibit "A";

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase *accessories* to outfit one (1) new vehicle from *East Coast Emergency Lighting* under NJ State Contract No. A81338, for the Monroe Township Police Department as hereinbelow set forth:

1	2017 Chevrolet Tahoe 4X4, Solid Black	<u>\$4,465.40</u>
	TOTAL COST:	\$4,465.40; and

WHEREAS, the detailed accessories for each vehicle are attached and hereto and made a part of; and

WHEREAS, *East Coast Emergency Lighting* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700010 copies of which are attached hereto as Exhibit "B";

SO RESOLVED, as aforesaid.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with *Dey Chevrolet*, for the purchase of *one (1) 2017 Chevrolet Tahoe 4X4, Solid Black* at a total contract price in the amount of **\$34,025.00**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* is hereby awarded a contract for the purchase of accessories to outfit one (1) new Police vehicle at a total contract price of **\$4,465.40**.

SO RESOLVED, as aforesaid.

R-2-2017-057 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase three (3) police vehicles under the Cranford Police Cooperative Pricing Agreement No. 47-CPCPS, from *Beyer Ford, LLC*, an authorized vendor under the Cranford Police Cooperative Pricing System; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Beyer Ford, LLC, 170 Ridgedale Avenue, Morristown, NJ 07962* has been appointed as an authorized dealer for Vehicles under the Cranford Police Cooperative Pricing Program; and

WHEREAS, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
1	2017 Ford Police Interceptor, Sedan, AWD, Ghost	\$24,303.75
1	2017 Ford Utility Police Interceptor, AWD, B&W	\$24,403.75
1	2017 Ford Utility Police Interceptor, Sedan, Solid Black	<u>\$24,522.75</u>
TOTAL COST:		\$73,230.25;

and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700011 a copy of which are attached hereto as Exhibit "A";

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase *accessories* to outfit three (3) new vehicles from *East Coast Emergency Lighting* under NJ State Contract No. A81338, for the Monroe Township Police Department as hereinbelow set forth:

1	2017 Ford Police Interceptor, Sedan, AWD, Ghost	\$6,986.65
1	2017 Ford Utility Police Interceptor, AWD, B&W	\$9,221.76
1	2017 Ford Utility Police Interceptor, Sedan, Solid Black	<u>\$2,990.49</u>
TOTAL COST:		\$19,198.90; and

WHEREAS, the detailed accessories for each vehicle are attached and hereto and made a part of; and

WHEREAS, *East Coast Emergency Lighting* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* has been awarded New Jersey State Contract, No. A81338 in connection with the above referenced vehicles; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700012 copies of which are attached hereto as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with *Beyer Ford, LLC* for the purchase of *one (1) 2017 Ford Police Interceptor, Sedan, AWD, Ghost, one (1) 2017 Ford Utility Police Interceptor, AWD, B&W, one (1) 2017 Ford Utility Police Interceptor, Sedan, Solid Black* at a total contract price in the amount of **\$73,230.25**.

BE IT FURTHER RESOLVED by the Township Council of the Township of Monroe that *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* is hereby awarded a contract for the purchase of accessories to outfit three (3) new Police vehicles at a total contract price of **\$19,198.90;**

SO RESOLVED, as aforesaid.

R-2-2017-058

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MONMOUTH ROAD, PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Monmouth Road Pedestrian & roadway Improvements-00492 to the New Jersey Department of Transportation on behalf of the Township of Monroe; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Monroe and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

SO RESOLVED, as aforesaid.

R-2-2017-059 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase one (1) Vehicle from *Beyer Ford* under **NJ State Contract No. A83013** for the Monroe Township Department of Public Works as hereinbelow set forth:

NJ State Contract #A83013

(1) 2017 Ford Explorer Base 4-Door, 4WD	<u>\$24,708.00</u>
TOTAL COST	\$24,708.00

; and

WHEREAS, *Beyer Ford* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Beyer Ford*, **170 Ridgedale Road, Moorestown, NJ 07962** has been awarded New Jersey State Contract, No. A83013 in connection with the above referenced vehicle; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700013, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase one (1) Vehicle from *Beyer Ford* under **NJ State Contract No. A88727** for the Monroe Township Department of Public Works as hereinbelow set forth:

NJ State Contract #A88727

(1) 2017 Ford F-250 XL SRW 4WD	<u>\$33,076.00</u>
TOTAL COST	\$33,076.00

; and

WHEREAS, *Beyer Ford* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Beyer Ford*, **170 Ridgedale Road, Moorestown, NJ 07962** has been awarded New Jersey State Contract, No. A88727 in connection with the above referenced vehicle; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700014, a copy of which is attached hereto as Exhibit "B"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that *Beyer Ford*, **170 Ridgedale Road, Moorestown, NJ 07962** is hereby awarded a contract for the purchase of one (1) 2017 Ford Explorer Base 4-Door, 4WD for a total contract price of **\$24,708.00**;

BE IT FURTHER RESOLVED, that *Beyer Ford, 170 Ridgedale Road, Moorestown, NJ 07962*, is also hereby awarded a contract for the purchase of (1) 2017 Ford F-250 XL SRW 4WD for a total contract price of **\$33,076.00**;

SO RESOLVED, as aforesaid.

R-2-2017-060 RESOLUTION AUTHORIZING THE PURCHASE OF A REFUSE PACKER TRUCK FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS UNDER THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase (1) Refuse Packer Truck under **Educational Services Commission of New Jersey Cooperative Purchasing** for the Monroe Township Department of Public Works as hereinbelow set forth:

NJ State Contract #ESCNJ65MCESCCPS

(1) Chassis and Frame	\$122,391.72;
(1) Leach Model 2RIII 32 Cubic Yard Rear Loader Body	<u>\$73,865.00</u>
TOTAL COST	\$196,256.72

and

WHEREAS, *Campbell Freightliner LLC*. is an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Campbell Freightliner LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831* has been awarded New Jersey State Contract, No. **ESCNJ65MCESCCPS** in connection with the above referenced *Chassis and Frame* for a total contract price of **\$122,391.72**; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1700015**, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, *Sanitation Equipment Corp.* is an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, *Sanitation Equipment Corp., S. 122 Route 17 North, Paramus, NJ 07652* has been awarded New Jersey State Contract, No. **ESCNJ65MCESCCPS** in connection with the above referenced *Leach Model 2RIII 32 Cubic Yard Rear Loader Body* for a total contract price of **\$73,865.00** ; and

WHEREAS, the Chief Financial Officer as determined that sufficient funds are available, as set forth in Certificate No. **C-1700016**, a copy of which is attached hereto as Exhibit "B"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that *Campbell Freightliner LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831* is hereby awarded a contract for the purchase of (1) Chassis and Frame for a total contract price of **\$122,391.72**; and

BE IT FURTHER RESOLVED, that *Sanitation Equipment Corp., S. 122 Route 17 North, Paramus, NJ 07652* is hereby awarded a contract for the purchase of (1) Leach Model 2RIII 32 Cubic Yard Rear Loader Body for a total contract price of **\$73,865.00**;

SO RESOLVED, as aforesaid.

R-2-2017-061 RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFER.

WHEREAS, there are certain 2016 budget appropriation reserves of the Township of Monroe which may be insufficient to meet the requirements of the Township's affairs; and

WHEREAS, there are certain other budget appropriation reserves where there are unexpended balances which will not be used for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 provides for the transfer from such accounts that have unexpended balances to those accounts which have deficiencies;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that the transfers itemized below are hereby authorized among the following 2016 accounts:

<u>CURRENT FUND TRANSFER FROM</u>	<u>TRANSFER AMOUNT</u>
POLICE DEPARTMENT Salary & Wage	\$ 160,000.00
TOTAL CURRENT FUND:	\$ 160,000.00

<u>TRANSFER TO:</u>	<u>AMOUNT</u>
RECYCLING PROJECT Other Expenses	\$ 10,000.00
ACCUMULATED SICK Salary & Wages	\$ 150,000.00
TOTAL CURRENT FUND:	\$ 160,000.00

R-2-2017-062 RESOLUTION AUTHORIZING EMERGENCY 2017 TEMPORARY BUDGET AMENDMENT.

WHEREAS, an emergent condition has arisen with respect to payment of normal operating expenses and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary Resolutions adopted in Year 2017, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20), including this Resolution, is **\$200,000.00**;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- Emergency temporary appropriations be and the same are hereby made for payment of the following entitled operating expenses:

2017 OPERATING EXPENSES

<u>CURRENT FUND</u>	<u>TEMPORARY</u>
<u>ACCOUNT NAME</u>	<u>APPROPRIATION AMOUNT</u>
ADMINISTRATION & FINANCE:	
<u>Police</u> Other Expenses	\$ 200,000.00
CURRENT FUND TOTAL	\$ 200,000.00

- That said emergency temporary appropriations will be provided for in the 2017 Calendar Year Budget; and

3. That one (1) certified copy of this resolution be filed with the Director of the Division of Government Services.

SO RESOLVED as aforesaid.

R-2-2017-063 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO P.C. TO HANDLE THE APPEAL OF THE ARBITRATION DECISION BETWEEN THE TOWNSHIP OF MONROE AND UNITED SERVICE WORKERS IUJAT LOCAL 255 AS EXTRAORDINARY LITIGATION.

WHEREAS, the Mayor of the Township of Monroe has requested that Shain, Schaffer & Rafanello, P.C. seek modification of an arbitration award in a matter filed with the New Jersey Public Employees Commission the Township's by the United Service Workers IUJAT LOCAL 255 against Monroe Township, as extraordinary litigation; and

WHEREAS, Shain, Schaffer & Rafanello, P.C., possesses the expertise necessary to handle this litigation for the Township; and

WHEREAS, this case is extraordinary in complexity and scope; and

WHEREAS, acknowledgment of the status of "extraordinary litigation" requires the advice and consent of the Township Council; and

WHEREAS, the Mayor of the Township of Monroe has requested that Shain, Schaffer & Rafanello, P.C. handle the matter of Township of Monroe vs. Local 255, USWU, IUJAT as extraordinary litigation, *nunc pro tunc*; and

WHEREAS, the advice and consent of the Township Council is required to handle this matter as extraordinary litigation; and

WHEREAS, Shain, Schaffer & Rafanello, P.C. will render legal services at a cost not to exceed \$7,500.00 with respect to the matter of Local 255, USWU, IUJAT and Township of Monroe, pending further authorization from the Township Council; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget in the amount of \$7,500.00, to handle this matter as extraordinary litigation as evidenced by the Treasurer's Certification No. C-1700018, a copy of which is annexed hereto as Exhibit "A;" and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to Shain, Schaffer & Rafanello, P.C. handling the matter of Township of Monroe vs. Local 255, USWU, IUJAT as extraordinary litigation, for which legal services may be provided in an amount up to \$7,500.00, pending further authorization from the Council.

SO RESOLVED, as aforesaid, *nunc pro tunc*.

R-2-2017-064 RESOLUTION AUTHORIZING THE PURCHASE AN 80 FT ARTICULATED BOOM LIFT FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS.

WHEREAS, four (4) quotes were received for the purchase of an 80 FT Articulated Boom Lift for the Monroe Township Department of Public Works; and

WHEREAS, the Business Administrator recommends the contract be awarded to Atlantic Aerials Manalapan on their quote submitted in the amount of **\$36,000.00** for an 80 FT Articulated Boom Lift for the Monroe Township Department of Public Works; and

WHEREAS, the Township Council has reviewed the recommendations made by the Business Administrator regarding said purchase; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700017, a copy of which is attached hereto as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the purchase of an 80 FT Articulated Boom Lift for the Monroe Township Department of Public Works at a total contract price of **\$36,000.00**; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Atlantic Aerials Manalapan, 397 Route 33, Manalapan, NJ 07726**; and

BE IT FURTHER RESOLVED that the Certified Municipal Finance Officer is hereby authorized and directed to pay **Atlantic Aerials Manalapan** in accordance with the contract entered into between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Atlantic Aerials Manalapan** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

R-2-2017-065 RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE GOLDSTEIN PARTNERSHIP FOR THE MONROE TOWNSHIP POLICE/EMS BUILDING ARCHITECTURAL DESIGN.

WHEREAS, the Township of Monroe seeks professional Architectural Services in connection with the **Monroe Township Police/EMS Building Architectural Design Project**; and

WHEREAS, **The Goldstein Partnership** possesses the technical expertise required for said professional services needed for this project; and

WHEREAS, RFQ's were received on August 10, 2016 for the above project and on September 7, 2016, The Goldstein Partnership was awarded the contract, Resolution No. R-9-2016-341; and

WHEREAS, the Township Business Administrator, by copy of letter dated January 27, 2017, has recommended Council approval authorizing The Goldstein Partnership to continue the work necessary for the progression of this project;

WHEREAS, the fees for such services will not exceed Four Hundred and Eighty Thousand Dollars (**\$480,000.00**); and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. **C-160055**, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the award of contracts for "professional services" without competitive bids and further provides that the contract itself must be available for public inspection; and

WHEREAS, no agreement that is subject to the requirements of Article III of the Affirmative Action Regulations pursuant to P.L. 1975, Chapter 127 (N.J.S.A. 17:27-1 et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor or business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the Affirmative Action approved under the terms established in the above-cited regulations.

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with **The Goldstein Partnership**, 515 Valley Street, Suite 110, Maplewood, N.J. 07040, in accordance with the Agreement annexed hereto;
- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by **The Goldstein Partnership** in an amount not to exceed **\$480,000.00**;
- (3) The Contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for services performed by persons authorized by law to practice a recognized profession that is regulated by law.
- (4) The Contract is awarded with the stipulation that **The Goldstein Partnership** shall include within the Contract mandatory Affirmative Action language and shall submit to the

Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;

- (5) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

R-2-2017-066 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN INTER-LOCAL SERVICES AGREEMENT WITH THE COUNTY OF MIDDLESEX, DEPARTMENT OF PUBLIC SAFETY AND HEALTH, DIVISION OF SOLID WASTE MANAGEMENT FOR THE COOKING OIL RECYCLING PROGRAM.

WHEREAS, the County of Middlesex is beginning a pilot Cooking Oil Recycling Program and are asking municipalities to host a drop-off center to be open for four hours per week to any County residents; and

WHEREAS, the County will provide containment system, signs, residential containers and advertising for the program and the Township of Monroe will contract directly with a vendor to empty these containers; and

WHEREAS, currently there is no cost to recycle cooking oil, however if there is a cost in the future, the County will provide funding to the municipalities, as long as grant funds are available; and

WHEREAS, it is the desire of the Certified Public Works Manager to enter into this agreement with Middlesex County and feels it would benefit the residents of the Township and County; and

WHEREAS, the Inter-Local Services Agreement to be entered into between the Township of Monroe and the County of Middlesex, Department of Public Safety and Health, Division of Solid Waste Management, a form of which is annexed hereto, shall have a duration of three (3) years, commencing January 1, 2017 *nunc pro tunc* through December 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, and State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to enter into an Inter-local Services Agreement with the County of Middlesex, Department of Public Safety and Health, Division of Solid Waste Management for the Cooking Oil Recycling Program; and

BE IT FURTHER RESOLVED that, prior to the execution of said Contract, the Township Attorney is authorized to review said Contract as to form and substance, and to make any changes deemed to be necessary and/or appropriate.

SO RESOLVED, as aforesaid.

R-2-2017-067 RESOLUTION PROVIDING ITS SUPPORT OF THE DESIGNATION OF MUNICIPAL ROADWAYS BEING UTILIZED AS PART OF THE DETOUR ROUTES DURING THE TEMPORARY CLOSING OF OLD ROAD (NJ33) OVER MILLSTONE RIVER FOR THE PURPOSES OF BRIDGE REPLACEMENT – STRUCTURE 1304-51, LOCATED WITHIN THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH.

WHEREAS, the New Jersey Department of Transportation is seeking to begin construction in connection with the replacement of the Old Road Bridge (NJ33), over Millstone River, Structure 1304-151;

WHEREAS, while the project itself is located in Millstone Township, the proposed traffic detour is located within Monroe Township; and

WHEREAS, the temporary closure of the Old Road (NJ33) Bridge will require the detour of traffic along the municipal roadways of Perrineville Road, Bergen Mills Road and Mill Road as shown on the Detour Plan prepared by Stantec, a copy of which is attached hereto and made a part hereof; and

WHEREAS, to advance the project and in moving towards conducting a public information center in Millstone in late February, the Department of Transportation has requested a Resolution from the Township of Monroe in support of the detour of traffic along the municipal roadways stated above;

WHEREAS, by copy of letter dated February 1, 2017, the Township Engineer and Chief of Police state they have reviewed the proposed road closure and detour plan and have no objections.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Perrineville Road, Bergen Mills Road and Mill Road shall

be utilized as a detour during the NJDOT Old Bridge (RT33) over Millstone River Project, as per the attached Detour Plan.

REPORTS:

Mayor's Report–

- Mayor Tamburro reported that he had the honor of being invited to the Senate Committee's hearing on the State Aid for schools and read some highlights as to what was discussed at that meeting. He attended the meeting with the Superintendent of Schools, Administrator and Board of Education Member Mr. Ken Chiarella whom all testified at the meeting as to how inappropriate the amount of State Aid we receive is. He stated that the increase in enrollment has been approximately 300 students and we have only received \$15,000 in Aid which equates to approximately \$50 per student. Our schools have sustained a loss of approximately \$60,000,000. We are self-defenseless in slowing the residential growth. He noted that the Township has assisted the school district by purchasing 5,000 acres of Open Space and 1,000 acres of farmland; with that amount of acreage we have eliminated two full towns across the board. Monroe Township has a large inventory of age restricted housing which poses no impact on the school district and at the last Planning Board meeting we have increased the zoning from 6 acres to 10 acres cutting down on the number of houses to be built. We have partnered with the Board of Education on shared services and expended \$1,000,000 to secure the 30 acres the high school is on and provided other Open Space as well. We have spent the last 12 months with the State to explore a different approach on how to go about obtaining more funding for underfunded school districts such as ours. For example, Old bridge receives \$45,000,000 in State Aid whereas we only receive \$3,300,000. The school funding formula is broken and a more fair and equitable distribution is needed, one that will meet the needs of the growing suburban districts which are grossly underfunded. We have implored to the Governor and Legislature to examine the funding formula and implement one that is fair.

The Superintendent of Schools, Administrator, Senator Greenstein and Mayor Tamburro have met and tried to get some relief; We spoke with them regarding our special needs funding and how that is grossly underfunded but that did not work. We met with the Commissioner of Education and he explained to us how hard it is to handle a \$900,000,000 budget.

We felt confident that some relief will be coming through the budget process this year. The legislature should add additional money into the education budget; but if the Governor is not in agreement he has a right to veto it. We have explained to those who have a vote what our need is and have come as a unified force with our legislative team.

Administrator's Report–

- Clarified the need for R-2-2017-050 stating that it is a requirement because the Governor has not yet come out with his numbers yet; State Aid numbers are not out yet.
- The Budget Workshop will be held on March 15th and 16th with the Introduction being held in April and the Adoption being done in May.

Engineer's Report–

- No Report

COUNCIL REPORTS:

Councilman Leibowitz –

- Attended an exhibit at the library and the photography club exhibit at Stonebridge.

Councilwoman Schneider –

- Commented on R-2-2017-065 stating that the police and EMS building is overcrowded and the new building should have been done years ago.
- Reported that a former Rossmoor resident was honored. He is 91 years old and fought in the Battle of the Bulge.
- Attended an Eagle Scout Court of Honor which was a great pleasure.
- The Senior Center will have tax help available by appointment only.
- Attended the State Theater's Chinese New Year celebration.

Councilman Dipierro –

- No Report

Council Vice-President Dalina –

- The Mayor’s Youth Advisory Board will be conducting a mock crash on April 24th, entitled “Sobering Truth”. They have been working with the police department, EMS, DPW and the State. They will follow that with a mock trial on the legal ramifications of a DUI.
- The Recreation Advisory Board have made new healthy choices in their vending machines, opting to implement a soda-free environment at the Community Center.

Council President Koppel –

- No Report

PUBLIC:

Walter Mychalchyk – 9 Hoffman Rd. – Mr. Mychalchyk asked what the status of the Love property was; Administrator Hamilton answered that several properties are not in compliance as it relates to the use violation as to the mulching operations in the community and summonses have been issued to those who have not filed a use variance application. He added that we have adopted an ordinance which heightens the regulations for those doing mulching.

Anthony Denise, 14 Hoffman Rd. – Mr. Denise asked if there was a time limit on the Love property. Administrator Hamilton responded that he did not have the summonses in front of him but fines can be assessed daily in they continue to operate without a use variance. Sal Profaci can be contacted for further information and any updates available since he is the one who issues the summonses.

Hy Grossman, 15 Doral Dr. – Mr. Grossman asked what our settlement for the Affordable Housing court case encompassed and in light of the recent settlement if there will be any additional impact on the Township; Administrator Hamilton answered that our negotiations were included as part of our settlement agreement and there was no additional impact to Monroe.

He asked for further clarification of R-2-2017-061, R-2-2017-062 and R-2-2017-063; Administrator Hamilton responded that \$160,000 is being reserved from 2016 and transferred to 2017’s accumulated leave trust. He also explained further that we are adding an additional \$200,000 to the temporary budget for police other expenses to allow for the maintenance agreements for all the equipment and software agreements that are front billed in the beginning of the year. The arbitration resolution is in reference to a termination that we are appealing as we feel the arbitrator exceeded his authority.

Lastly, Mr. Grossman commented that he has seen too many cars driving with no lights or wipers on in the bad weather. He asked if a PSA could be put on Channel 28 to remind people that it is a State Law to drive with your lights and wipers on during the bad weather.

Peter Tufano, 10 Katherine St. – Mr. Tufano commented that the taxes are high and feels that the Township is not doing enough to help those who are having trouble paying. He added that the schools are overcrowded and the values are plummeting. He feels we are at capacity where we can finally catch up with the schools and asked when it ends; Mayor Tamburro responded that we have state laws we must comply with in reference to the building and he has met with the Senate President and it is a very complicated problem, it needs money and the current Governor will not put any more money into the budget. Unfortunately, our district suffers and we need additional State Aid which is what we have been fighting for. Mr. Tufano asked if the state is in charge of our ordinances; Both Mayor Tamburro and Administrator Hamilton responded no but explained that we have to comply with state laws and the lack of State Aid hampers everything. It was further explained that a building moratorium is illegal in New Jersey. Mr. Tufano asked if the amount of acreage could be changed; Mayor Tamburro and Administrator Hamilton answered that our Planning Board changed from 6 acres to 10 acres and further clarified.

Andy Paluri, 16 St. James St. – Commended the Mayor and Council for being at the Senate meeting. He commented that the school funding is in dire straits.

In order to receive any additional school funding the fight needs to start now; a grassroots effort should be started to get our school funding increased.

Mr. Paluri feels there is a lack of communication between the Board of Education, Township Council and the Mayor, which should not exist in the betterment of the Township. Mayor Tamburro commented that we have been meeting with the Board President, Board Administrator and Superintendent of the Schools on a quarterly basis to try and resolve and get assets for the them to build schools if necessary; we have an ongoing dialogue with them quarterly and more recently even more than that. Administrator Hamilton added that there are two shared service agreements that we are working on. The state is crippling us to

function as we are being treated unfairly, for example, the cutbacks in the Homestead Rebate payments and agreed that it is frustrating that there is no communication.

There is a property owner by Toll Brothers, what is the timeframe of when that property will be turned over to the Township; Mayor Tamburro answered that the Planning Board approval to give to the Township but the conditions have not been met; Township Engineer Mark Rasimowicz answered that it is based on construction and further clarified.

Tom Nothstein, 15 Nathaniel St. – Mr. Nothstein asked about R-2-2017-046 and wanted to know the what the projects are and the amounts; Administrator Hamilton answered that we are preparing to go out to bid so we do not have dollar amounts yet, the projects include the Dey Road bathrooms, LED lighting, Ellingham Avenue and Basins.

Mr. Nothstein asked what the additional amount is regarding R-2-2017-052; Administrator Hamilton answered that is an additional \$10,000. Administrator Hamilton explained that we have spent \$160,000 so far and it is beneficial to put the Township initiative in place.

Mr. Nothstein asked about the irrevocable trust and asked where we stand with it; Mayor Tamburro gave some background in regards to the history of the irrevocable trust and responded that we still have money in the trust; Council President Koppel added that that money is earmarked for Veteran's housing.

He asked what the amount was in regards to R-2-2017-063; Administrator Hamilton responded that it is for a wrongful termination challenge that was taken to arbitration as we are appealing because the arbitrator exceeded his authority. The amount of the authorization is \$7,500.00.

Mr. Nothstein commented that in regards to the zoning changes, cluster zoning irks a lot of people, him included and feels that the laws should be enforced that are on the books as we would be in a much better place instead of giving waivers. The Church Road property is a perfect example as we found out a turtle habitat is on their and it is not buildable. Builders must give us a buildable plan; Township Engineer Mark Rasimowicz commented that cluster zoning does not give any additional homes to be built. The applicants come before the Planning Board based on the current zoning and have to show proof that those lots are buildable; Council President Koppel commented that cluster zoning is known amongst Planning and environmentalists that is praised. It is a difficult concept but it is environmentally friendly and we have received a lot of awards for using cluster zoning in a creative way.

Prakash Parab, no address given – Mr. Parab thanked the Mayor for going to the Senate, adding that the State needs to change laws because we are being double taxed here and the math does not add up. He added it is very frustrating and we need to support and fight for Monroe and go out to speak.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked for clarification on R-2-2017-055, R-2-2017-056 and R-2-2017-057; Administrator Hamilton answered that this is for the purchase of police vehicles and accessories. They were streamlined on fewer resolutions as they are based on the Cranford Co-op but different vendors therefore that is why they are on different resolutions. Mr. Gunkelman stated he feels we purchase too many SUV's which have a high fuel consumption. He asked why Recreation needs them; Administrator Hamilton answered that the Construction, DPW, Police and EMS all need four-wheel drive vehicles because if we get a bad storm then we are stuck. Mr. Gunkelman added that we have a need for conserving and to spend less and get more from other sources. Council President Koppel added that this is traction now for more State Aid then there has ever been because people are hearing there is a problem and part of it is we know that it is because of the growing population of the schools.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio stated that she was coming to the Council as a private citizen but added that she is a member of the Board of Education and in anything she says this evening in no way reflects the opinion of the Board.

She commented that in 2010-2011 the Master Plan had changed. An overlay zone allows high density of construction which results in higher population. The increase in enrollment is based off the increase in construction. She added that the State Aid is stymied by construction rates; and the amount of senior housing impacts socioeconomic status and the amount of State Aid we receive. She applauds the efforts made but the truth is we are responsible for the building happening.

Attended the Affordable Housing Court proceeding and explained that the Court Master wants a certain amount of buildout done in ten years, so that will be happening a lot sooner. She added to stop blaming the State, yes, the State needs to do an impact study but we also have choices. The last Master Plan opened us up to more building. Mayor Tamburro responded that we are burdened with building these units. The plan that was approved by the Court requires that the builder stop building residential units after x number of units and then build commercial units and have certificate of occupancies for those units before they can start building again. Half are age-restricted but the requirements are residential and commercial. The planners and professional have put together a time table of 25+ years.

Joe Atanasio, 21 Wellington Pl. – Mr. Atanasio asked for clarification of R-2-2017-054, R-2-2017-055 and R-2-2017-056; Administrator Hamilton answered. Mr. Atanasio asked if it could be made more clear at the meeting what the resolutions are for and the amounts; Council President Koppel responded that copies of the resolutions are available for the public already.

Lucille DiPasquale, 70 Ave. K – Mrs. DiPasquale gave a public notice to Council, homeowners of Monroe Township and the residents of Middlesex County that on February 25th at the library from 10:00am-12:00pm the Shade Tree Commission will be hosting an event discussing the impact of the Emerald Ash Borer on homeowners. Paul Kurtz, Emerald Ash Borer Task Team Member, will be speaking. She invited everyone to attend this important event. Councilman Leibowitz added that the Emerald Ash tree is prevalent in the Township and there is a beetle that bores into it causing a calamity. Mayor Tamburro added that there is a n article in the Monroe News highlighting this.

Marty Hermann, 17 Sanibel Ct. – Mr. Hermann commented that there are a lot of people here in attendance and not a lot of information has been given out. He asked that more information be provided. He added that the Attorney asked a Councilman to recuse himself from a resolution and wanted more information as to why because he is under the impression it must do with the Township purchasing land from the Councilman; Attorney Joel Shain clarified that he asked the Councilman to recuse himself from this matter because the resolution had to do with a relative of his. Administrator Hamilton responded that Councilman Dipierro’s cousin is requesting a release of bonds posted with the Planning Board to be returned to him and that is why Councilman Dipierro recused himself. Attorney Joel Shain added that this has nothing to do with the purchase of land as Mr. Hermann is implying it has to do with the release of bonds. to the family member of Councilman Dipierro.

Giuseppe BonGiovì, 49 Jurgelsky Rd. – Mr. BonGiovì commented that it is difficult to understand what is going on when reviewing the agenda and he has no idea what the ordinances mean or what they do. He suggested that the agenda and ordinances be online; Council President Koppel responded that the website is continuously being improved and everything is made available online including the agendas. She added that a year’s worth of Ordinances is also on our website making it transparent. She added that he can always stop in and call the Clerk’s office for more information.

Council President Koppel interrupted Mr. BonGiovì to comment as a resident and his three children got up to leave that they were very well behaved and she was happy that they had attended the meeting. The resident, whose name was not given, commented that he attended the meeting because of the importance of school funding. He has tried reaching out to Senator Linda Greenstein for years to no avail and commented that he was happy to hear the Mayor spoke with the Senate president regarding the issue with State Aid. Councilwoman Schneider added that the children are wonderfully behaved and thanked them for attending.

Ken Chiarella, 116 Pergola Ave. – Mr. Chiarella thanked the Mayor for his testimony at the Senate hearing, he thought that was important to have a unified effort. He added that he is speaking as a citizen and not a Board of Education Member. He cautioned everyone here that it is an election year though and felt that it is a bit suspect that now everyone wants to help. He added that we should hold their feet to the fire when it comes to their promises.

Mr. Chiarella also commented that the Township has a cozy relationship with developers and since the Township Attorney has a \$22,000 a month retainer, we should utilize them and push back on the developers and let them sue us.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the Regular Meeting was Adjourned at 8:40pm.

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

STEPHEN DALINA, Council Vice President

Minutes were adopted on March 6, 2017.