

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
AGENDA MEETING – FEBRUARY 27, 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 7:00 p.m. by Council Vice-President Stephen Dalina 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 and Council Vice-President Stephen Dalina.

ALSO PRESENT: Business Administrator Wayne R. Hamilton, Township Attorney Greg Pasquale, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

ABSENT: Mayor Gerald W. Tamburro

There were approximately fifteen (15) members of the Public present in the audience.

Council Vice-President Dalina 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 the Bulletin Boards within the Municipal Building on December 30, 2016 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 6, 2017;
3. Posted on the Monroe Township website; and
4. Sent to those individuals who have requested personal notice.

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

The following **PROCLAMATIONS** of Mayor Gerald W. Tamburro were read by Title into the record:

READ ACROSS AMERICA
March 2, 2017

Council Vice-President Dalina commented that we are celebrating Dr. Seuss' 113th Birthday.

Council Vice-President Dalina read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, MARCH 6, 2017** Regular Council Meeting:

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| 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. |
| 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. |

Council Vice-President Dalina read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, MARCH 6, 2017** Regular Council Meeting:

- O-3-2017-004** **ORDINANCE AMENDING THE 2015 – 2018 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FIXING THE SALARIES AND WAGES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF MONROE AND PROVIDING FOR THE MANNER OF PAYMENT THEREOF AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS PREVIOUSLY PAID.**
- O-3-2017-005** **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY ENTITLED, “VEHICLES AND TRAFFIC”.**
- O-3-2017-006** **ORDINANCE REPEALING AND REPLACING CHAPTER 131A-1, ET SEQ. OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “AFFORDABLE HOUSING DEVELOPMENT FEES” TO REFLECT AMENDMENTS TO THE FAIR HOUSING ACT.**
- O-3-2017-007** **ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “AFFORDABLE HOUSING” TO EXTEND AFFORDABILITY CONTROLS ON REHABILITATED OWNER OCCUPIED SINGLE FAMILY HOMES.**
- O-3-2017-008** **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “FEES”. (MTUD – Sewer Rate Amendments / Construction Dept. minor amendment)**

Council Vice-President Dalina requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY, MARCH 6, 2017** Regular Council meeting be reviewed and any questions will be addressed:

- R-3-2017-068** **RESOLUTION APPOINTING A COUNCIL MEMBER TO FILL THE AT LARGE VACANCY.**
- R-3-2017-069** **RESOLUTION APPOINTING COUNCIL PRESIDENT.**
(unexpired term until 12/31/2017)
- R-3-2017-070** **RESOLUTION APPOINTING COUNCIL VICE PRESIDENT.**
(unexpired term until 12/31/2017)
- R-3-2017-071** **RESOLUTION AUTHORIZING CLOSED PORTION OF PUBLIC MEETING. (Personnel)**
- R-3-2017-072** **RESOLUTION APPROVING THE SETTLEMENT OF LITIGATION BETWEEN CHARLES DIPIERRO AND THE TOWNSHIP OF MONROE.**

Council Vice-President Dalina requested the following entitled **RESOLUTIONS** for **CONSIDERATION UNDER THE CONSENT AGENDA** at the **MONDAY, MARCH 6, 2017** Regular Council meeting be reviewed and any questions will be addressed:

- R-3-2017-073** **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 433 “INSTRUMENTATION CALIBRATION & SERVICE” WITH TJM CONTROLS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-3-2017-074** **RESOLUTION AUTHORIZING AWARD OF CONTRACTS TO SKYLINE ENVIRONMENTAL, INC. FOR PROFESSIONAL SAFETY AND HEALTH TRAINING SERVICES FOR THE TOWNSHIP OF MONROE AND THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR CALENDAR YEAR 2017.**

- R-3-2017-075** RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 447-R "PATCH PAVING AND CONCRETE" WITH P.A. CONTRACTORS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-076** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO LEGGETTE, BRASHEARS & GRAHAM, INC. FOR GENERAL HYDROGEOLOGICAL CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-077** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO LEGGETTE, BRASHEARS & GRAHAM, INC. FOR HYDROGEOLOGIC CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-078** RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 443 "WATER & WASTEWATER LABORATORY ANALYSIS SERVICES" SECTION C, WITH GARDEN STATE LABORATORIES, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-079** RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 443 "WATER & WASTEWATER LABORATORY ANALYSIS SERVICES" SECTIONS A & B WITH AQUA PRO-TECH LABORATORIES, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-080** RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOTT MACDONALD FOR PROFESSIONAL SERVICES FOR WATER SYSTEM HYDRAULIC MODELING SCENARIO EVALUATION FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-081** RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOTT MACDONALD FOR PROFESSIONAL SERVICES FOR WATER AND SEWER SYSTEM MAP UPDATES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-082** RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOTT MACDONALD FOR PROFESSIONAL SERVICES FOR 2017 WATER SYSTEM MASTER PERMIT UPDATE FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-083** RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO JOHNSON, MIRMIRAN & THOMPSON, INC. (JMT) FOR ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-3-2017-084** RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN SUN PHARMACEUTICAL INDUSTRIES, INC. AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITY DEPARTMENT'S PUMP STATION NO. 2.
- R-3-2017-085** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH INSURANCE DESIGN ADMINISTRATORS.
- R-3-2017-086** RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2017 BUDGET TO APRIL 3, 2017.
- R-3-2017-087** RESOLUTION ENDORSING THE 2017 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE.

- R-3-2017-088** **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-3-2017-089** **RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT WITH NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FOR ACCESS TO TOWNSHIP PROPERTY LOCATED AT 12 ABEEL ROAD.**
- R-3-2017-090** **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- R-3-2017-091** **RESOLUTION APPROVING THE SETTLEMENT OF LITIGATION BETWEEN THE TOWNSHIP OF MONROE AND THE BOARD OF COMMISSIONERS OF FIRE DISTRICT NO. 1 RELATING TO THE DEPOSIT OF ASPHALT MILLINGS ON THE PROPERTY LOCATED AT 80 AVENUE K, MONROE TOWNSHIP, N.J.**
- R-3-2017-092** **RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS MATTERS AS EXTRAORDINARY LITIGATION.**
- R-3-2017-093** **RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER AND HMR ARCHITECTS TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR ADA RESTROOMS AT THE DEY FARMHOUSE.**
- R-3-2017-094** **RESOLUTION AUTHORIZING AWARD OF BID FOR PURCHASE OF AN ADULT MINI BUS.**

Mayor's Report – Absent – No Report.

Administrator's Report – The Police Department will be hosting a Crime Prevention presentation on March 1st at the Senior Center at 7:30pm. All residents are invited and encouraged to attend.

South Brunswick has advised us that electrical work will be done on March 8th on Forsgate Drive and Cranbury Road from 9:00am to 3:00pm. Traffic is expected to be very poor during that time the work is being conducted. The rain date will be March 9th.

Engineer's Report – No Report.

Council's Reports:

Councilwoman Schneider – Attended a Black History Month celebration. That mission is to educate and inspire students from K-12 on activities centered on character and civic engagement.

Attended the Girl Scouts first World Thinking Day Event on Saturday night.

Human Relations Commission will be hosting a multi-cultural event on April 30th.

Councilman Dipierro – Dey Farm ADA restroom design will be going out to bid with our architect.

Councilman Leibowitz – The Shade Tree Commission hosted an event at the library this weekend regarding the Emerald Ash Borer, which is a beetle that destroys trees. The County Agricultural Department gave a lot of information, which can also be found on their website.

Council Vice-President Dalina – No Report.

PUBLIC:

Tom Nothstein, 15 Nathaniel St. – Mr. Nothstein asked for clarification on several resolutions. The first one was R-3-2017-072; Attorney Greg Pasquale responded that this resolution speaks for itself related to litigation brought by Mr. Charlie Dipierro regarding OPRA. Mr. Nothstein asked for the details included in the resolution; Attorney Greg Pasquale responded that since it is still under consideration by the Council it would be inappropriate to have the details out there. Mr. Nothstein commented that we should be able to see what included in the resolution and it should be available to be discussed.

R-3-2017-091 – asked what the background of this resolution was approving the settlement of the Township of Monroe and Fire District #1; Attorney Greg Pasquale responded that this is in response to litigation from the Township regarding illegally placing asphalt millings on the property of 80 Ave. K.

R-3-2017-092 - asked how much money is being expended for extraordinary litigation to the Township Attorney; Administrator Hamilton answered that this encompasses two cases. The first being Wells Fargo v. Styles which is an affordable housing lien matter, with that amount being an additional \$3,000 and the second being In Rem foreclosures for six properties which is \$11,000.

R-3-2017-094 - asked how much the award for the mini bus is and how many people bid; Administrator Hamilton answered that there were three bids, the lowest bid being \$56,700 and the high bid being \$62,500. The low bidder is Alliance Bus Company.

Paul Onish, 10 Aqueduct Rd. – Mr. Onish thanked the Council for O-3-2017-005 for realizing the need for bus stops on Applegarth Road and Federal Rd. He asked if this includes bus shelters; Administrator Hamilton answered that the initial step does not include bus shelters as the first step is to get NJ Transit and the County to approve the establishment of the bus stops. The County required us to do some curb cuts which we did. The four new bus stops will be on Union Valley Road, Cranbury Station Road, Federal Road and the westerly side of Halsey Reed Road. The plan is to put shelter buildings there.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked for clarification on several resolutions. The first one was R-3-2017-093; she asked if this was still Center State Engineering; Engineer Rasimowicz answered yes, it is Center State Engineering and it authorizes for us to put the bid packet together. Mrs. Arminio asked if the cost was in the yearly contractual obligation of the Township Engineer or was this an extraordinary cost; Administrator Hamilton answered that there was an authorization done for this project, in fact there were two, one for Center State and one for HMR Architects to complete this work, of which the amounts he did not have in front of him.

R-3-2017-091 - asked what the settlement is and asked why if it is settled the public cannot know the details of the settlement since the public taxpayers are paying for that settlement; Attorney Greg Pasquale answered that the Council must determine if they will allow that to go through; Administrator Hamilton added that there is no dollar amount, they agreed to remove the millings from the property. Mrs. Arminio commented that there is no reason why this resolution cannot be discussed which is the whole point of the Open Public Meetings Act. She added that the public should be apprised of what is going on.

R-3-2017-087 - asked what projects this was for; Administrator Hamilton answered that these are the projects for the 2017 HCD Funding. The projects being approved are \$19,120 for the Friend in Need Program and \$108,349 for the ADA Improvements to Perrineville/Schoolhouse Rd.

She commented that she does not know why some information can be given out and some not.

Lastly, Mrs. Arminio asked what the process for filling the vacancy is; Council Vice-President Dalina explained the process.

Joe Atanasio, 21 Wellington Pl. – Mr. Atanasio asked if the names will be released; Council Vice-President Dalina answered that they will be discussed at our March 6th meeting.

Andy Paluri, 16 St. James St. – Mr. Paluri commented that the assembly hearing for fair school funding was held on February 23rd. One of the things that had come up during the hearings was for the 2% cap on property tax be lifted and we adamantly opposed.

Mr. Paluri reported that over the past few days there have been reports of racism and threats made to minorities in minority communities, he requested that the Council let police add additional patrol in these communities. Administrator Hamilton answered that that is already underway.

Mr. Paluri thanked Councilwoman Schneider for attending the Black History Month celebration.

UPON MOTION made by Councilman Dipierro and seconded by Councilwoman Schneider, the Agenda Meeting of February 27, 2017 Adjourned at 7:25PM.

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

Patricia Reid

PATRICIA REID, Township Clerk

Stephen Dalina

STEPHEN DALINA, Council President

Minutes were adopted on April 3, 2017.