

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING – MARCH 6, 2017**

The Council of the Township of Monroe met at the Monroe Township Senior Center, 12 Halsey Reed Road, 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:** Mayor Gerald W. Tamburro, Business Administrator Wayne R. Hamilton, Township Attorney Joel Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately one hundred and twenty (120) 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.

Mayor Tamburro presented Administrator Hamilton with a Key to the Township and thanked him for all his years of service as Business Administrator for Monroe Township. He extended congratulations from former Mayor Richard Pucci who apologized for being unable to attend. Mayor Tamburro then proceeded to read a letter from Mark Klein congratulating Administrator Wayne Hamilton on his retirement.

Administrator Hamilton thanked the Mayor, Council, Residents and his family for all their support over the past fifteen years as Business Administrator of Monroe Township. He gave a brief history of his time in Monroe and the many accomplishments of the township, as well as, some of his own. He thanked his co-workers for coming out tonight and how it has been a pleasure serving along- side of them. He went on to say that he has worked with 10 different Council Members and 2 Mayors. He commented that Mr. Irwin Nalitt took him under his wing and taught him everything he needed to know about Monroe. Administrator Hamilton commented how grateful he was for that relationship with Mr. Nalitt and mentioned how fitting it was to be honored at the Irwin Nalitt Room here at the Senior Center for his last meeting before retiring.

In closing Administrator Hamilton once again thanked the Residents for have always given him Respect and great support.

Council Vice-President Dalina commented that this was an emotional time as Administrator Hamilton has had a tremendous career and is a gift to Monroe Township. He commented that he has learned so much from him and wished him a great next chapter.

Councilwoman Schneider commented that she has always thought Administrator Hamilton had a computer in his head as he always had the answer to any question brought to him. She thanked him for all he has done for her.

Councilman Dipierro commented that he went to Administrator Hamilton daily because he always had an open-door policy to not only him but to the staff and the residents. He commented that he knew his job very well and wished him all the best in his retirement.

Councilman Leibowitz asked what is he supposed to do for lunch now adding that even though they came from opposite sides of the fence they were always able to discuss issues and work through them. He wished Administrator Hamilton well commenting that he deserves major applause for a job well done.

Mayor Tamburro added a thank you to Councilman Dipierro for administering CPR and NARCAN to a young man who had overdosed. He gave him a round of applause.

A brief recess was taken and the meeting reconvened at 7:22pm.

The Council Vice President Dalina announced that in accordance with N.J.S.A. 40A:16-11, the Monroe Township Democratic County Committee has submitted to this governing body three (3) nominees for the selection of a successor to fill the vacancy of the At Large Council Seat.

Councilwoman Elizabeth Schneider commented that Miriam Cohen has served as a member of the Board of Trustees, Affordable Housing Board and has a background in public health. She thinks Miriam would be a great asset to our Council and bring her expertise which would be a great contribution to our Council.

Councilwoman Elizabeth Schneider nominated Miriam Cohen to fill the At Large Vacancy, Seconded by Councilman Blaise Dipierro.

The Council Vice President Dalina asked if there were any further nominations, and there being none, he requested a motion to close the nominations.

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Schneider, the **NOMINATIONS** to fill the **AT LARGE VACANCY** were **CLOSED**.

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

**UPON MOTION** made by Councilman Dipierro and seconded by Councilwoman Schneider, **MIRIAM COHEN** has been appointed to fulfill the **AT LARGE VACANCY** as put forth in **R-3-2017-068 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL APPOINTING A COUNCIL MEMBER TO FILL THE AT-LARGE VACANCY**.

**WHEREAS**, on February 16, 2017 Council President Leslie Koppel resigned from the Township Council, creating a vacancy in the At-Large Council seat previously held by her; and

**WHEREAS**, pursuant to N.J.S.A. 40a:16-11, the Monroe Township Democratic County Committee has presented to the Township Council of the Township of Monroe the following three nominees for the selection of a successor:

Miriam Cohen  
Rajani Karuturi  
Joseph Delaney

; and

**WHEREAS**, the remaining Council members have determined, via a majority vote, that it is in the best interests of the Township of Monroe that **MIRIAM COHEN** be appointed to fill the vacancy of Leslie Koppel;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that **MIRIAM COHEN** shall be appointed as an At-Large Councilperson of the Township of Monroe; and

**BE IT FURTHER RESOLVED** that the term of appointment is effective March 6, 2017 and shall terminate on December 31, 2017.

**SO RESOLVED**, as aforesaid.

The Township Clerk administered the **OATH OF OFFICE** to Miriam Cohen to fulfill the At Large Vacancy.

Councilwoman Cohen thanked the Democratic Committee for allowing her to take part in the government of the Township. She added that she loves to see people work together for common good, noting that she loves Monroe as it is a very warm and caring township. She promised to work for the residents and thanked everyone again for the opportunity to serve. Council Vice-President Dalina welcomed her to the council.

The Council Vice President Dalina announced Nominations were in order for the position of **COUNCIL PRESIDENT** to serve for an unexpired term ending December 31, 2017.

Councilman Michael Leibowitz nominated Council Vice-President Stephen Dalina to serve as Council President for an unexpired term ending December 31, 2017, Seconded by Councilwoman Elizabeth Schneider.

The Council Vice President Dalina asked if there were any further Nominations, there being none, he requested a Motion to Close the Nominations.

**UPON MOTION** made by Councilman Dipierro and seconded by Councilman Leibowitz, the **NOMINATION** for the position of **COUNCIL PRESIDENT** was **CLOSED** and a Roll Call Vote was taken on the Nomination of **STEPHEN DALINA** to serve as **COUNCIL PRESIDENT**.

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

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, **STEPHEN DALINA** has been appointed **COUNCIL PRESIDENT** as put forth in **R-3-2017-069 RESOLUTION ELECTING THE PRESIDENT OF THE COUNCIL OF THE TOWNSHIP OF MONROE, NEW JERSEY**.

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

**WHEREAS**, the Township Council, pursuant to Article II of the Code of the Township of Monroe, County of Middlesex, State of New Jersey, elects a President of the Council from among its members to serve for a term of two (2) years or until the election and qualification of a successor;

**WHEREAS**, on January 1, 2016 the Monroe Township Council held their Reorganization Meeting and Resolution R-1-2016-001 was adopted electing Leslie Koppel as Council President for a two (2) year term ending December 31, 2017; and

**WHEREAS**, on February 16, 2017 Council President Leslie Koppel resigned from the Monroe Township Council creating a vacancy and a need to reorganize;

**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 **STEPHEN DALINA** is hereby elected as President of the Council of the Township of Monroe, Middlesex County, New Jersey and shall serve for the unexpired term ending December 31, 2017 or until the election and qualification of a successor.

Copy of Resolution Duly Filed.

The Council President Dalina announced Nominations were in order for the position of **COUNCIL VICE-PRESIDENT** to serve for an unexpired term ending December 31, 2017.

Councilman Blaise Dipierro commented that Councilwoman Schneider is a true resident of the Township as she attends every event that is held and she would be a great Vice-President.

Councilman Blaise Dipierro nominated Councilwoman Elizabeth Schneider to serve as Council Vice-President for an unexpired term ending December 31, 2017, Seconded by Councilwoman Miriam Cohen.

The Council President Dalina asked if there were any further Nominations, there being none, he requested a Motion to Close the Nominations.

**UPON MOTION** made by Councilwoman Schneider and seconded by Councilman Dipierro, the **NOMINATION** for the position of **COUNCIL VICE-PRESIDENT** was **CLOSED** and a Roll Call Vote was taken on the Nomination of **ELIZABETH SCHNEIDER** to serve as **COUNCIL VICE-PRESIDENT**.

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

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, **ELIZABETH SCHNEIDER** has been appointed **COUNCIL VICE-PRESIDENT** as put forth in **R-3-2017-070 RESOLUTION ELECTING THE VICE-PRESIDENT OF THE COUNCIL OF THE TOWNSHIP OF MONROE, NEW JERSEY**.

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

**WHEREAS**, the Township Council, pursuant to Article II of the Code of the Township of Monroe, County of Middlesex, State of New Jersey, elects a Vice President of the Council from among its members to serve for a term of two (2) years or until the election and qualification of a successor;

**WHEREAS**, on January 1, 2016 the Monroe Township Council held their Reorganization Meeting and Resolution R-1-2016-002 was adopted electing Stephen Dalina as Council Vice President for a two (2) year term ending December 31, 2017: and

**WHEREAS**, on February 16, 2017 Council President Leslie Koppel resigned from the Monroe Township Council creating a vacancy and a need to reorganize;

**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 **ELIZABETH SCHNEIDER** is hereby elected as Vice President of the Council of the Township of Monroe, Middlesex County, New Jersey and shall serve for the unexpired term ending December 31, 2017 or until the election and qualification of a successor.

Copy of Resolution Duly Filed.

The Township Clerk administered **OATHS OF OFFICE** to Council Vice-President Stephen Dalina to serve as Council President for an unexpired term ending December 31, 2017 and to Councilwoman Elizabeth Schneider to serve as Council Vice-President for an unexpired term ending December 31, 2017.

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

**YOUTH ART MONTH  
MARCH 2017**

**AMERICAN RED CROSS MONTH  
MARCH 2017**

**UPON MOTION** made by Councilman Dipierro and seconded by Councilwoman Schneider, the **CLAIMS** per run date of **02/24/2017** were approved for payment as presented.

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

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, the **MINUTES** of the **January 30, 2017 Agenda Meeting** and the **February 6, 2017 Regular Meeting** were approved as written and presented.

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

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, an Ordinance of which the following is the title was moved on second 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.**

**ORDINANCE** as follows: (O-2-2017-002)

**WHEREAS**, Nativity of Our Lord Church has filed a written request for the Township of Monroe to enforce certain provisions of Subtitle 1, Title 39 of the Revised Statutes of the State of New Jersey, in the semipublic driveways and parking lots of the Nativity of Our Lord Church property, located at 185 Applegarth Road in the Township of Monroe and County of Middlesex;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the following regulations shall be enforceable:

**Section 1.**     General Parking:

- A. All vehicles must park in designated areas and between the lines provided.
- B. No person shall stop or stand a vehicle upon any driveway within the property of Nativity of Our Lord Church.

**Section 2.** Tow Away Zone:  
Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrance or exit ways, loading zones, grassy areas, pedestrian walkways, or present in any way a safety or traffic hazard, may be removed by towing the vehicle at the owner's expense.

**Section 3.** Signage.  
All signs, posts or other necessary materials shall be installed and paid for by Nativity of Our Lord Church. All signs shall conform to the current Manual on Uniform Traffic Control Devices, codified at *N.J.S.A.* 39:4-198 and *N.J.S.A.* 39:4-183.27.

**Section 4.** Penalties:  
Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of this Ordinance or any supplement thereto, shall be liable for a penalty of not more than Fifty (\$50.00) Dollars, or imprisonment for a term not exceeding fifteen (15) days, or both.

**Section 5.** Effect of Ordinance:  
All ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and are hereby repealed.

**Section 6.** Severability:  
If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**SO ORDAINED**, as aforesaid.

There was no Public or Council discussion.

As Councilman Leibowitz and Councilman Dipierro moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **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: Councilwoman Miriam Cohen	Abstain
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Ordinance Duly Filed.  
O-2-2017-002

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Dipierro, an Ordinance of which the following is the title was moved on second 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.**

**ORDINANCE** as follows: (O-2-2017-003)

**WHEREAS**, pursuant to subdivision approval granted in 1995, ABD Monroe, Inc., was required to dedicate certain land to the Township of Monroe for open space, designated as Block 106.91, Lots 10.2 and 17.2 and Block 106.95, Lot 1.2, on the official tax map of the Township of Monroe; and

**WHEREAS**, in accordance with the map filing law, *N.J.S.A.* 46:26B-1 et seq. ABD Monroe, Inc. filed subdivision plats with the Clerk of Middlesex County as of January 27, 1999, as map numbers 5964, 5965, 5966 and 5967 in file 983, showing the dedication of the land to the Township of Monroe; and

**WHEREAS**, subsequent to the filing of the subdivision plats, ABD Monroe, Inc. declared bankruptcy and was ultimately dissolved, allowing the dedication process to lapse and the land dedication was never presented to the Township Council for acceptance; and

**WHEREAS**, the official tax map of the Township of Monroe filed with the Middlesex County Clerk shows the land as Township-owned open space; and

**WHEREAS**, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to assume the ownership of the property known as Block 106.91, Lots 10.2 and 17.2, and Block 106.95, Lot 1.2, for open space;

**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 and all documents which are reasonably necessary for the Township to accept dedication of Block 106.91, Lots 10.2 and 17.2, and Block 106.95, Lot 1.2, for open space, *nunc pro tunc* to January 27, 1999.

**Section 2.** The Tax Collector is hereby authorized to cancel any and all accumulated taxes due on lands identified as Block 106.91, Lots 10.2 and 17.2, and Block 106.95, Lot 1.2, on the official tax map of Monroe Township, and to exempt said lands from taxation *nunc pro tunc* to January 27, 1999.

**Section 3.** The Tax Assessor is hereby authorized to remove Block 106.91, Lots 10.2 and 17.2, and Block 106.95, Lot 1.2, from the tax roll *nunc pro tunc* to January 27, 1999.

**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.

**Michelle Arminio – 9 Nathaniel St.** – Mrs. Arminio asked what the process is since the Ordinance says the filing was delayed because of the developer; Administrator Hamilton explained that this is a housekeeping issue further explaining that the subdivision is for Monroe Woods, noting that we have the deeds but we never formally accepted the property. Township Engineer Mark Rasimowicz added that the property is twenty-six acres with half of it being wetlands.

As Councilman Leibowitz and Councilman Dipierro moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **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: Councilwoman Miriam Cohen	Abstain
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Ordinance Duly Filed.  
O-2-2017-003

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **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.**

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-3-2017-005 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY ENTITLED, “VEHICLES AND TRAFFIC”.**

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **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.**

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **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.**

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

Copy of Ordinance Duly Filed.



**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-3-2017-008 ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “FEES”**. (MTUD –Rate Amendments/Construction Dept. minor amendment)

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

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, **R-3-2017-072 RESOLUTION APPROVING THE SETTLEMENT OF LITIGATION BETWEEN CHARLES DIPIERRO AND THE TOWNSHIP OF MONROE** was adopted.

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

**R-3-2017-072                      RESOLUTION APPROVING THE SETTLEMENT OF LITIGATION BETWEEN CHARLES DIPIERRO AND THE TOWNSHIP OF MONROE**

**WHEREAS**, on November 22, 2016, Charles Dipierro made a request to the Township’s Custodian of Records under the New Jersey Open Public Records Act (“OPRA”) for a copy of a real estate appraisal on certain property that the Township was interested in acquiring for roadway improvements and open space (the “OPRA Request”); and

**WHEREAS**, on December 5, 2016, upon advice of counsel, the Township declined to produce the appraisal, asserting that the record was privileged and that its disclosure would unduly prejudice the Township’s bargaining position with respect to acquisition of the property; and

**WHEREAS**, on January 11, 2017, Charles Dipierro filed a Verified Complaint in Superior Court, Docket No.: MID-L-248-17, alleging that the Township had violated the law by denying his OPRA Request, and demanding disclosure of the appraisal plus payment of his attorneys’ fees; and

**WHEREAS**, because negotiations for the acquisition of the property by agreement with the owner had been concluded, a copy of the appraisal was provided to Charles Dipierro on February 1, 2017, and, at that time, the Township requested that Charles Dipierro withdraw the Verified Complaint; and

**WHEREAS**, by letter dated February 3, 2017, counsel for Charles Dipierro indicated that, in spite of the fact that the requested record had been produced, the Verified Complaint would not be withdrawn unless and until the Township agreed to pay Plaintiff’s attorneys fees. Counsel submitted billing reflecting \$6,479.46 in legal fees and costs; and

**WHEREAS**, the Township denies the allegations in the Complaint, and asserts that at all times its actions were made in good faith, were reasonable and legal; and

**WHEREAS**, in light of the expense, inconvenience and inherent uncertainty associated with litigation, Shain, Schaffer & Rafanello, P.C., acting as attorneys for the Township, has recommended that the Township settle the matter by paying Charles Dipierro counsel fees in the lesser amount negotiated by the law firm of \$3,500.00 (the “Settlement”); and

**WHEREAS**, the Settlement resolves all disputes which exist or may exist between the Parties without any admission as to the validity, or lack of validity, of any claims; and

**WHEREAS**, the Township Council of the Township of Monroe has reviewed the recommendation of Shain Schaffer & Rafanello P.C., and deems the Settlement reasonable and in the best interests of the citizens of the Township of Monroe; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available to pay the settlement, as evidenced by Certification No. C-1700022 a copy of which is annexed 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 settlement reached between the parties; and

**BE IT FURTHER RESOLVED**, that the Township Council authorizes and directs the Mayor and Township Clerk to execute any and all documents necessary to effectuate the settlement; and

**BE IT FURTHER RESOLVED**, that the Township Council hereby authorizes and directs the Municipal Finance Officer to make payment within ten (10) days of the date of this Resolution to Pashman Stein Walder Hayden, P.C., in the amount of \$3,500.00.

**SO RESOLVED**, as aforesaid.

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

Copy of Resolution Duly Filed.

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

**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.").**

**WHEREAS**, the Monroe Township Utility Department ("M.T.U.D.") is currently under contract with TJM Controls, Inc. for Instrumentation Calibration and Service; and

**WHEREAS**, the current contract allows for a (1) one year extension 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 extension term of (1) one year term, under the condition that it may be terminated by the M.T.U.D. for substandard performance at any time, and has notified TJM Controls, Inc. of the M.T.U.D.'s intention to conditionally extend said contract via a consent letter dated January 20, 2017; and

**WHEREAS**, TJM Controls, 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-150004, 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 Instrumentation Calibration and Service with TJM Controls, 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.

**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.**

**WHEREAS**, the Township of Monroe and the Township of Monroe and the Monroe Township Utility Department (M.T.U.D.) seek Professional Safety and Health Training Services; and

**WHEREAS**, on November 22, 2016, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2016; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Skyline Environmental, Inc. was determined to be qualified to perform said services; and

**WHEREAS**, Skyline Environmental, has submitted a proposal for required services with their statement of qualifications dated February 8, 2017, for the Township and Utility Department in the amounts indicated below for scheduled required services, and hourly rates for additional required services, a copy of which is attached hereto as

Exhibit "D"	Township of Monroe	Total: \$11,675.00	
Exhibit "E"	Monroe Township Utility Department	Total: \$21,690.00	; and

**WHEREAS**, the Utility Department Purchasing Agent, by copy of a letter dated February 13, 2017, recommends the Council award a professional services contracts to Skyline Environmental, Inc. in the total amounts shown above for scheduled services, and any additional services that may be required at the hourly rates indicated in section 5.0 of the proposals, a copy of which is attached as Exhibit “C”; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Municipal Finance Officer has certified availability of Township funds in Certificate No. C-1700019 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Municipal Finance Officer has certified availability of Utility Department funds in Certificate No. M-170009 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 as follows:

(1) The Mayor and Township Clerk are hereby authorized to enter into (1) one year contracts with Skyline Environmental, Inc for Professional Safety and Health Training Services, in accordance with the Township and Utility Department’s respective proposals;

(2) The Chief Municipal Finance Officer and Utility Finance Officer are hereby authorized and directed to pay invoices for services rendered by Skyline Environmental, Inc. in accordance with the attached proposal;

(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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

(4) This contracts are awarded with the stipulation that Skyline Environmental, Inc shall submit to the Township of Monroe any appropriate certificate of Insurance.

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

**SO RESOLVED**, as aforesaid.

**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.").**

**WHEREAS**, the Monroe Township Utility Department ("M.T.U.D.") is currently under contract with P.A. Contractors, Inc. for Patch Paving and Concrete; 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 second extension term of (1) one year term, and has notified P.A. Contractors, Inc. of the M.T.U.D.'s intention to extend said contract via a consent letter dated January 18, 2017; and

**WHEREAS**, P.A. Contractors, 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-160011, 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 Patch Paving and Concrete with P.A. Contractors, Inc., based on unit pricing and estimated quantities, for the (1) one year 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-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.").**

**WHEREAS**, the Monroe Township Utility Department (M.T.U.D.) seeks General Professional Hydrogeological Consulting Services to perform as-needed basis services; and

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Leggette, Brashears & Graham, Inc. was determined to be qualified to perform said services; and

**WHEREAS**, Leggette, Brashears & Graham, Inc. has submitted a proposal dated February 3, 2017 to provide the said as-needed services required by the Monroe Township Utility Department at published rates submitted with their qualifications proposal, for an amount not to exceed Fifteen Thousand Dollars (\$15,000.00), a copy of which is attached as exhibit B; and

**WHEREAS**, the M.T.U.D. Purchasing Agent after consultation with the Director, by copy of a memo dated February 13, 2017 recommends the Council approve and award a contract to Leggette, Brashears & Graham, Inc. to perform said services, a copy of which is attached hereto as Exhibit "C", and

**WHEREAS**, pursuant to N.J.A.C. 5:30-55, the Township Chief Financial Officer has certified availability of funds in Certificate No. M-170011, a copy of which is attached hereto as Exhibit "A", and

**NOW, THEREFORE, BE IT FURTHER 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 a contract with Leggette, Brashears & Graham, Inc., for Professional Hydro-Geological Consulting Services, in accordance with the proposal attached hereto as Exhibit “B”;

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services rendered by Leggette, Brashears & Graham, Inc. in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Monroe Township Utility Department (M.T.U.D.) seeks Professional Hydrogeological Consulting Services in relation to its need for management of 2017 water sampling compliance with the Safe Water Drinking Act; and

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Leggette, Brashears & Graham, Inc. was determined to be qualified to perform said services; and

**WHEREAS**, Leggette, Brashears & Graham, Inc. has submitted a proposal dated February 3, 2017 to provide the said as-needed services required by the Monroe Township Utility Department at published rates submitted with their qualifications proposal, for an amount not to exceed Fifteen Thousand Dollars (\$15,000.00), a copy of which is attached as exhibit B; and

**WHEREAS**, the M.T.U.D. Purchasing Agent, after consulting with the Director, by copy of a memo dated February 13, 2017, recommends the Council approve and award the contract to Leggette, Brashears & Graham, Inc., a copy of which is attached hereto as Exhibit "C"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-55, the Township Chief Financial Officer has certified the availability of funds in Certificate No. M-170010 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 as follows:

(1) The Mayor and Township Clerk are hereby authorized to enter into a contract with Leggette, Brashears & Graham, Inc., for Professional Hydro-Geological Consulting Services, in accordance with the proposal attached hereto as Exhibit “B”;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for services rendered by Leggette, Brashears & Graham, Inc. in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Garden State Laboratories, Inc. for Water & Wastewater Laboratory Analysis Services; 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 a term of (1) one year, and has notified Garden State Laboratories, Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated February 10, 2017; and

**WHEREAS**, Garden State Laboratories, 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-150037, 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 Water & Wastewater Laboratory Analysis Services (Section C) with Garden State Laboratories, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be January 16, 2018.

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Township of Monroe and the Monroe Township Utility Department (“M.T.U.D.”) is currently under contract with Aqua Pro-Tech Laboratories, Inc. for Water & Wastewater Laboratory Analysis Services; 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 a term of (1) one year, and has notified Aqua Pro-Tech Laboratories, Inc. of the M.T.U.D.’s intention to extend said contract via a consent letter dated February 10, 2017; and

**WHEREAS**, Aqua Pro-Tech Laboratories, 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-150036, 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 Water & Wastewater Laboratory Analysis Services (sections A & B with Aqua Pro-Tech Laboratories, Inc., based on unit pricing and estimated quantities, for the (1) one year extension term. The new expiration date shall be January 16, 2018.

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Director of the M.T.U.D. has determined a need for Professional Services for Water System Hydraulic Modeling of Proposed Developments for C.Y. 2017; and

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Mott MacDonald was determined to be qualified to perform said services; and

**WHEREAS**, the fees for such services shall be performed at unit pricing enclosed for the an amount not to exceed Six Thousand Dollars (\$6,000.00), billed as needed, against developer’s escrow accounts, per submitted fee schedule in Mott MacDonald’s Statement of Qualifications and their proposal for proposed deliverables as per their proposal dated February 20, 2017, a copy of which is attached hereto as Exhibit “B”, and

**WHEREAS**, the Utility Department Purchasing Agent by copy of a memo dated February 21, 2017, recommend the council approve and award a contract to Mott MacDonald based on their proposal for said services, 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 Financial Officer has certified availability of funds in Certificate No. **M-170014** 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) The Mayor and Township Clerk are hereby authorized to enter into a contract with Mott MacDonald, for Water System Hydraulic Modeling Scenario Evaluation;

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services rendered by Mott Macdonald in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Director of the M.T.U.D. has determined a need for Professional Services for Water and sewer system map update; and

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Mott MacDonald was determined to be qualified to perform said services; and

**WHEREAS**, Mott MacDonald has submitted a proposal dated February 20, 2017 for said services in the lump sum amount of Five Thousand Dollars (\$5,000.00), a copy of which is attached hereto as Exhibit “B”, and

**WHEREAS**, the Utility Department Purchasing Agent by copy of a memo dated February 21, 2017, recommend the council approve and award a contract to Mott MacDonald based on their proposal for said services, 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 Financial Officer has certified availability of funds in Certificate No. M-170014 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) The Mayor and Township Clerk are hereby authorized to enter into a contract with Mott MacDonald, for Water and Sewer System Map Updates;

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services rendered by Mott Macdonald in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Director of the Township of Monroe M.T.U.D. has determined a need for Professional Services for 2017 Water System Master Permit Update;

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Mott MacDonald was determined to be qualified to perform said services; and

**WHEREAS**, the Utility Department Purchasing Agent, by copy of a memo dated February 21, 2017 recommend the council approve and award a contract to Mott MacDonald based on their proposal for said services, a copy of which is attached hereto as Exhibit “C”, and

**WHEREAS**, the fees for such services shall be performed for the proposed lump sum amount of Five Thousand One Hundred Dollars (\$5,100.00) as per their attached proposal dated February 21, 2017; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5, the Township Chief Financial Officer has certified availability of funds in Certificate No. M-170013, 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) The Mayor and Township Clerk are hereby authorized to enter into a contract with Mott MacDonald, for 2017 Water System Master Permit Update, in accordance with the proposal attached hereto as Exhibit “B”;



(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services rendered by Mott Macdonald in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.”).**

**WHEREAS**, the Monroe Township Utility Department (M.T.U.D.) seeks Professional Engineering Services in relation to providing an engineer on-site to perform development reviews and inspection and general engineering services on an as-needed basis; and

**WHEREAS**, on November 22, 2016 at 11:00AM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened for calendar Year 2017; and

**WHEREAS**, after review of all the Statement of Qualifications by the review committee, Leggette, Brashears & Graham, Inc. was determined to be qualified to perform said services; and

**WHEREAS**, Johnson, Mirmiran & Thompson, Inc. (JMT) was awarded a contract for said services and has provided excellent services in the past; and

**WHEREAS**, JMT has submitted a proposal dated February 17, 2017 to provide the same as-needed services required by the Monroe Township Utility Department at published rates submitted with their qualifications proposal , for an amount not to exceed Twelve Thousand Dollars (\$12,000.00), a copy of which is attached as exhibit B; and

**WHEREAS**, the M.T.U.D. Purchasing Agent, after consulting with the Director, by copy of a memo dated February 21, 2017, recommends the Council approve and award the contract to Johnson, Mirmiran & Thompson, Inc. (JMT), a copy of which is attached hereto as Exhibit "C"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-55, the Township Chief Financial Officer has certified availability of funds in Certificate No. M-170016, a copy of which is attached hereto as Exhibit “A”, and

**NOW, THEREFORE, BE IT FURTHER 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 a contract with Johnson, Mirmiran & Thompson, Inc. (JMT) for Engineering Services, in accordance with the proposal;

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services rendered by Johnson, Mirmiran & Thompson, Inc. (JMT) in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

**SO RESOLVED**, as aforesaid.

**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.**

**WHEREAS**, Sun Pharmaceutical Industries, Inc. ("Sun Pharmaceuticals") discharges the effluent from its facilities located at Prospect Plains Road, Cranbury, New Jersey 08512 to Middlesex County Utility Authority through sanitary sewer lines owned by the Township, which connect to the Monroe Township Utility Department ("MTUD") system at Pump Station No. 3, located at the New Jersey Turnpike Authority (the "Turnpike Authority") Molly Pitcher Service Area; and

**WHEREAS**, Sun Pharmaceuticals' discharge flows through Pump Station No. 2 via Pump Station No. 3, a MTUD force main, and various gravity pipes; and

**WHEREAS**, the Township and the Turnpike Authority have agreed that the Turnpike Authority shall exclusively use a Turnpike Authority pump station and will abandon Pump Station No.3; and

**WHEREAS**, the Township and Sun Pharmaceuticals have agreed that the discharge from Sun Pharmaceuticals' facilities will no longer flow through Pump Station No.3; and

**WHEREAS**, Sun Pharmaceuticals seeks to increase its annual discharge to the MTUD sanitary sewer system; and

**WHEREAS**, Pump Station No. 2 does not have sufficient capacity to handle Sun Pharmaceuticals' increased discharge without certain improvements being made to the Pump Station; and

**WHEREAS**, Sun Pharmaceuticals has agreed to make the necessary improvements to Pump Station No.2 to handle its increased discharge; and

**WHEREAS**, Sun Pharmaceuticals wishes to enter into an Agreement with the Township in order to make the necessary improvements to Pump Station No. 2 to ensure that there is sufficient capacity to handle the its projected sanitary sewer flows; and

**WHEREAS**, the Township and Sun Pharmaceuticals desire to set forth in writing the terms and conditions concerning Sun Pharmaceuticals' private construction of the improvements to Pump Station No. 2; and

**WHEREAS**, The Director of the M.T.U.D. has recommended that the Township enter into the Sewer Agreement attached and made a part hereof as Exhibit "A" (the "Agreement"); and

**WHEREAS**, The Township Attorney has reviewed and approved the attached Agreement; and

**WHEREAS**, Execution of the attached Agreement, is in the best interests of the Township of Monroe;

**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 Mayor and Township Clerk be and are hereby authorized to execute the Developer's Agreement, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-3-2017-085**

**RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH INSURANCE DESIGN ADMINISTRATORS.**

**WHEREAS**, the Township of Monroe desires to retain an independent third party administrator to review claims from Retired Employees and maintain substantially similar benefits for covered persons from the previous AETNA QPOS + Horizon BCBS Plans and the new AETNA Choice POS Plan; and

**WHEREAS**, Insurance Design Administrators a UHY Advisors Company specializes in such business and possesses such expertise; and

**WHEREAS**, the Township of Monroe and Insurance Design Administrators wish to enter into a Professional Services Agreement, for a three (3) year period effective May 1, 2017 and expiring April 30, 2020, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the execution of the Agreement is in the best interest of the Township of Monroe; and

**WHEREAS**, Insurance Design Administrators has submitted a proposal indicating the fees for such services shall be in accordance with the attached fee schedule and payment for such services shall be made to Insurance Design Administrators, 153 Bauer Drive, Oakland, NJ 07436; and

**WHEREAS**, pursuant to *N.J.A.C. 5:30-5.4*, the Township's Certified Municipal Finance Officer has certified the availability of funds in Certificate No. C-1700020, a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, the Utility Finance Officer has determined that sufficient funds are available, as set forth in Certificate No M-170017, a copy of which is attached hereto as Exhibit "C";

**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 and directed to execute the attached Agreement with Insurance Design Administrators, a UHY Advisors Company; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided to Insurance Design Administrators for proper execution;

**SO RESOLVED**, as aforesaid.

**R-3-2017-086                    RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2017 BUDGET TO APRIL 3, 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 April 3, 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 April 3, 2017.

**SO RESOLVED**, as aforesaid.

**R-3-2017-087                    RESOLUTION ENDORSING THE 2017 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE.**

**WHEREAS**, on February 15, 2017 the Housing and Community Development Citizens Advisory Committee ("HCD Citizens Advisory Committee") held a Public Hearing in the Municipal Complex, One Municipal Plaza for the purpose of providing information about the Community Development Block Grant Program ("CDBG"), solicit comments, ideas and recommendation, verbally or in writing and identify proposed municipal projects; and

**WHEREAS**, the HCD Citizens Advisory Committee has submitted to the Township Council for its review, the 2017 Project Proposal Applications for:

- ***A FRIEND IN NEED***
- ***ADA INTERSECTION IMPROVEMENTS AT PERRINEVILLE ROAD AND SCHOOLHOUSE ROAD***

; and

**WHEREAS**, upon the Township Council's review of the 2017 Project Proposal Applications, as recommended by the HCD Citizens Advisory Board, it hereby renders its endorsement of the attached 2017 Project Proposals for:

- ***A FRIEND IN NEED***
- ***ADA INTERSECTION IMPROVEMENTS AT PERRINEVILLE ROAD AND SCHOOLHOUSE ROAD***

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, that it hereby endorses the 2017 Project Proposals, as recommended by the HCD Citizens Advisory Committee; and

**BE IT FURTHER RESOLVED** that three (3) copies of the 2017 Project Proposal Applications with three (3) certified copies of the Resolution endorsing same be forwarded to Paul Buckley, Middlesex County Administration Building, Middlesex County Housing and Community Development Office - 2<sup>nd</sup> Floor, John F. Kennedy Square, New Brunswick, NJ 08901.

**SO RESOLVED**, as aforesaid.

**R-3-2017-088                      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 Two hundred forty-five thousand four hundred dollars and no cents (\$245,400.00),

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

**WHEREAS**, The Tax Lien Certificates as outlined on Schedule A have been redeemed:

**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-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.**

**WHEREAS**, the Township Council awarded a bid to New York SMSA Limited Partnership D/b/a Verizon Wireless ("Verizon Wireless") for the installation and rental of a communication tower on Township property located at 12 Abeel Road, Monroe Township (the "site"); and

**WHEREAS**, in order for Verizon Wireless to fully determine the viability and feasibility of the Site, Verizon Wireless needs to enter upon and inspect the Site and/or to temporarily locate communications equipment on the Site to conduct short term radio propagation tests such that it can determine the suitability of the Site for its intended use; and

**WHEREAS**, Verizon Wireless has requested that the Township enter into a Right of Entry Agreement in the form attached hereto as Exhibit “A;” and

**WHEREAS**, the Director of the Monroe Township Utility Department has recommended granting the access requested; and

**WHEREAS**, the Township Attorney has reviewed and approved the form of the Right of Entry Agreement; and

**WHEREAS**, the Township Council has determined that granting the access requested 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 Township Business Administrator is hereby authorized and directed to execute the Right of Entry Agreement authorizing the access requested by Verizon Wireless.

**SO RESOLVED**, as aforesaid.

**R-3-2017-090                    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 Thirty-four thousand eight hundred thirty-six dollars and ninety-one cents (\$34,836.91) for the amounts described on Schedule A and attached hereto;

**WHEREAS**, good cause has been shown

**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-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.**

**WHEREAS**, on July 1, 2016, the Township of Monroe (“Township”) filed a Verified Complaint and Order to Show Cause in the Superior Court of New Jersey, Chancery Division, Docket No. C-103-16 (the “Legal Action” or “Complaint”) in which the Township, in part, alleges that The Board Of Commissioners Of Fire District No. 1 (“Fire Commissioners”), and others, illegally deposited asphalt millings on property located at 80 Avenue K, Monroe Township, New Jersey; and

**WHEREAS**, the Fire Commissioners deny the allegations in the Legal Action and assert that their deposit of asphalt millings on 80 Avenue K was not illegal; and

**WHEREAS**, the Fire Commissioners have agreed to have the asphalt millings removed from 80 Avenue K if the Township will dismiss the Complaint against them; and

**WHEREAS**, The Township attorneys, Shain, Schaffer & Rafanello, P.C., recommend that the Township settle the claims against the Fire Commissioners; and

**WHEREAS**, the Township Council having determined the removal of the asphalt millings from 80 Avenue K and dismissal of the Complaint against the Fire Commissioners, upon proof satisfactory to the Township that the asphalt millings have been removed, 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 it has rendered its advice and hereby consents to the dismissal of the claims asserted in the Legal Action against the Fire

Commissioners upon proof satisfactory to the Township that the asphalt millings have been removed from 80 Avenue K; and

**BE IT FURTHER RESOLVED**, that the Township Council authorizes and directs the Shain Schaffer & Rafanello, P.C. to execute any and all documents necessary to effectuate the settlement; and

**SO RESOLVED**, as aforesaid.

**R-3-2017-092            RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS MATTERS AS EXTRAORDINARY LITIGATION.**

**WHEREAS**, the Township of Monroe, has the need for legal representation in connection with the matter of Wells Fargo Bank, N.A. v. Robert F. Styles, Et Al. and the handling of foreclosures under the In-Rem Tax Foreclosure Act; and

**WHEREAS**, Shain, Schaffer & Rafanello, P.C. possesses the expertise necessary to represent the Township in these matters; and

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain, Schaffer & Rafanello, P.C. defend the interests of the Township and these matters be treated as extraordinary litigation; and

**WHEREAS**, acknowledgement of the status of “extraordinary litigation” requires the advice and consent of the Township Council; and

**WHEREAS**, the Township Council, by Resolution No. R-10-2016-363 and R-11-2014-290 acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain, Schaffer & Rafanello, P.C. pending further authorization of the Township Council; and

**WHEREAS**, Shain, Schaffer & Rafanello, P.C. has incurred legal fees in excess of the budgeted amounts and has requested authorization for the following:

Wells Fargo v. Robert F. Styles – additional **\$3,000**; and  
In Rem Foreclosures – additional **\$11,000.00**

**WHEREAS**, the Council has reviewed the request and believes that an additional authorization in the amount of **\$14,000.00** for the above two (2) referenced litigations is reasonable at this time; and

**WHEREAS**, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No **C-160060** and **C-140063** copies of which are annexed 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 authorizes Shain, Schaffer & Rafanello, P.C. be paid for legal services rendered in connection with the matter of Wells Fargo Bank, N.A. v. Robert F. Styles, Et Al. and the handling of foreclosures under the In-Rem Tax Foreclosure Act in the amount of **\$14,000.00**.

**SO RESOLVED**, as aforesaid.

**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.**

**WHEREAS**, in the Township of Monroe, County of Middlesex, the Township has a need for ADA Restrooms at the Farmhouse; and

**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, County of Middlesex, State of New Jersey that the Monroe Township Engineer along with HMR Architects are hereby authorized to prepare plans, specifications and advertise for receipt of bids; and

**BE IT FURTHER RESOLVED** that the Monroe Township Engineer and HMR Architects are further authorized to enter into the bidding process for the aforementioned materials and supplies and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-3-2017-094                    RESOLUTION AUTHORIZING AWARD OF BID FOR PURCHASE OF AN ADULT MINI BUS.**

**WHEREAS**, on February 22, 2017 three (3) sealed bids were received by Monroe Township for an Adult Mini Bus – 16 ambulatory with 2 wheelchairs or 20 ambulatory; and

**WHEREAS**, the Township Business Administrator, by copy of letter dated February 23, 2017, has recommended *Alliance Bus Group – 51 Kero Road, Carlstadt, N.J. 07072-2601* be awarded the bid based upon their bid submission in the amount of **\$56,700.00**; and

**WHEREAS**, the Township Council has reviewed the recommendations made by the Township Engineer regarding said bid; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700021, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.A.C. 17:27-1, et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid there under, to any contractor, subcontractor of 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 plan 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 that it has rendered its advice and hereby consents to the award of bid to *Alliance Bus Group* for an Adult Mini Bus – 16 ambulatory with 2 wheelchairs or 20 ambulatory at a total contract price of **\$56,700.00**; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with *Alliance Bus Group*; and

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Alliance Bus Group* in accordance with the contract entered into between the parties; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that *Alliance Bus Group* 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.

**SO RESOLVED**, as aforesaid.

**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 **\$5,348,417.00**;

**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:

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

**2017 OPERATING EXPENSES**

**CURRENT FUND**

<b><u>ACCOUNT NAME</u></b>	<b><u>TEMPORARY APPROPRIATION AMOUNT</u></b>
<b>ADMINISTRATION &amp; FINANCE:</b>	
<u>Business Administrator</u>	
Salary & Wages	\$ 5,000.00
<u>Cultural Arts</u>	
Other Expenses	\$ 15,000.00
<u>Human Resources</u>	
Salary & Wages	\$ 1,200.00
<u>Division of Planning</u>	
Salary & Wages	\$ 10,000.00
<u>Ambulance Services O/S CAP</u>	
Salary & Wages	\$ 270,000.00
Other Expenses	\$ 30,000.00
<u>Vehicle Maintenance</u>	
Salary & Wages	\$ 10,000.00
Other Expenses	\$ 30,000.00
<u>Parks Department</u>	
Other Expenses	\$ 10,000.00
<u>Utilities</u>	
Other Expenses	\$ 100,000.00
<u>Employee Group Insurance</u>	
Other Expenses	\$ 350,000.00
<u>PERS</u>	
Other Expenses	\$ 1,600,000.00
<u>PFRS</u>	
Other Expenses	\$ 1,531,217.00
<b>SUB TOTAL:</b>	<b>\$ 3,947,417.00</b>



<u>Water Sewer Utility Operating Fund</u>		
Other Expenses	\$	900,000.00
PERS	\$	301,000.00
<b>GRAND TOTAL</b>	<b>\$</b>	<b>5,148,417.00</b>

2. 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-3-2017-096            RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE PROGRAM REPAYMENT AGREEMENT WITH OWNER OF AN AFFORDABLE HOUSING UNIT; BLOCK 14.11, LOT 1 QUAL. C-105.**

**WHEREAS, TAEIN JOUNG and JIWON JOUNG** are about to be the owners of property located at 105 Morgan Way, Monroe Township, New Jersey, Unit 3 in Building 23, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and

**WHEREAS,** the property owner has requested a *Down Payment Assistance Loan* from the Affordable Housing Trust Fund; and

**WHEREAS,** the Township of Monroe is willing to extend a loan to the property owner toward the payment of a down payment in the amount of **\$16,500.00**; and

**WHEREAS,** it is appropriate for the Township of Monroe to enter into an Agreement with the property owner setting forth the terms of the agreement at this time.

**NOW THEREFORE BE IT RESOLVED** on this 6th day of March, 2017, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that:

1. The Mayor, Business Administrator, Clerk and/or Attorney are hereby authorized to execute a Homeowner Assistance Program Repayment Agreement with the owner of an Affordable Housing unit located at 105 Morgan Way, Monroe Township, New Jersey, Unit 3 in Building 23, Block 14.11, Lot 1, Qualifier C-105.
2. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent.
3. Check in the amount of **\$16,500.00** shall be made payable to **Premier Abstract and Title Agency Trust Account** and mailed to the Attention of Jerome J. Convery, Attorney at Law, 272 Highway 34, Suite 3, Matawan, NJ 07747.

**SO RESOLVED,** as aforesaid.

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

Copy of Resolutions Duly Filed.

## **REPORTS:**

**Mayor's Report** – Mayor Tamburro reported that there are many historic things that have happened in Monroe Township. Leslie Koppel being appointed to the Board of Chosen Freeholders is one of them. We have always had a great working relationship with that Board and with Freeholder Koppel having been appointed to the Board there is no doubt that will continue.

Commented that all of the candidates nominated for the vacancy are great. He welcome Miriam Cohen to Council.

Lastly, Mayor Tamburro commented that Administrator Hamilton has been a great asset to the Township. He added that he will be greatly missed and wished him luck in his retirement.

**Administrator's Report** – Administrator Hamilton reported that there was a sanitary sewer backup at the municipal building which is why tonight's meeting was moved to the Senior Center. He announced that the municipal building will be closed tomorrow with an anticipating opening on Wednesday with the exception of the lower level which will be closed for cleanup.

Reported that he received communication from Mr. Gorski that the State Aid was announced with us remaining flat again adding that we are receiving a lack of support from the State.

The Budget Workshop will be help March 15<sup>th</sup> and 16<sup>th</sup> at 6:00pm. The introduction of the budget will be April 3<sup>rd</sup>.

**Engineer's Report** – Township Engineer Rasimowicz reported that road improvements on Route 32 and County Road 535 will begin on March 8<sup>th</sup> from 9:00am to 3:00pm. Delays are to be expected.

## **COUNCIL REPORTS:**

### **Council Vice-President Schneider** –

- Council Vice-President Schneider reported that she read Dr. Seuss to the 3<sup>rd</sup> grade class at Oak Tree School and had a delightful time.
- She visited an assisted living facility where a former Rossmoor resident resided. He was a 91 year old veteran from the Battle of the Bulge who has since passed on but his family commented how much that visit meant to him.
- Attended the Eagle Scout Court of Honor for Justin Murray.
- The Senior Center will kick off the Fight Hunger Empty Bowl on March 10<sup>th</sup>.
- There will be a cultural event at the high school on April 30<sup>th</sup>.
- Tax time at the Senior Center for anyone who needs help with their tax return.

### **Councilman Dipierro** –

- Councilman Dipierro reported that he is still shaken up from an event that happened earlier in the day. He explained that around 5:30pm he was on his knees trying to revive someone back to life due to a heroin overdose. He extended thanks to all our public servants and added that there is a huge heroin epidemic in this country and we all need to help each other out.

### **Councilwoman Cohen** –

- Councilwoman Cohen commented that her and Council Vice-President Schneider attended the Indu US inauguration which was a very enjoyable event.

### **Councilman Leibowitz** –

- No Report.

**Council President Dalina** –

- Reported on the Citizen’s Review Board meeting which gives an opportunity for the administrators of the NJ Training School for Boys in Monroe Township to give an overview of what has been going on there. He commented that he is always overwhelmed to hear about all the programs they have. The population there is 142. Recently they had visitors from Japan that were here studying the Juvenile Justice System.

**Public:**

**Gary Busman, 7 Monarch Rd.** – Mr. Busman spoke about the Community Garden and how Administrator Hamilton fast tracked that project. Within two years the project was completed and by the third-year applications were made available online, as well as, the library, Recreation Center and the municipal building. He extended his thanks to Administrator Hamilton, Mayor Tamburro and Council for their help and support and added that opening day will be April 1<sup>st</sup>.

**Andy Paluri, 16 St. James St.** – Mr. Paluri extended congratulations to Administrator Hamilton on his retirement.

Welcomed new councilwoman Miriam Cohen.

The Crime Prevention program was a wonderful program with over 150 people in attendance.

Thanked Councilman Dipierro for what he did today in helping to save a life.

Lastly commented that we need to fight as an entire Township to get money for the schools.

**Prakash Parab, no address given** – Mr. Parab thanked the police department, Council Vice-President Schneider and Councilman Dipierro for attending the program on crime prevention. He commented that there are still some worries amongst the residents.

Commented on the school funding formula and asked what our plan is to work with the legislators to come up with a game plan; Mayor Tamburro responded that we testified at the State hearing explaining that Monroe Township has three hundred new students this year and we only receive \$50.00 per student. He added that because of the Hold Harmless Clause in the State School Aid, any town with a declining population will get more money and because of this inner cities will lose money. Legislatures need to change the rules so that each student is worth the same amount in State Aid. The Board of Education is putting together an ad-hoc team to help fight this issue.

**Lori Leer, 10 Hoffman Rd.** – Mrs. Leer asked what is going on with Love’s Tree Removal Service; she showed a picture from her ipad of what it looks like outside her front door and commented that it stinks, it is piled high and there is flooding because of this issue; Administrator Hamilton responded that the next course of action which we have put into motion is litigation in Superior Court in which legal action will be taken against Love’s and all illegal mulching within the Township.

Attorney Joel Shain added that his firm has been directed by the Mayor to move immediately. Action should be taken sometime either this week or early next week. He asked Mrs. Leer to please forward all pictures to the Township Clerk so it can be used in litigation.

Council Vice-President Schneider thanked her for her patience.

**Charlie Lerman, 11 Doral Dr.** – Mr. Lerman commented on the State Aid issue and said that action needs to be done by Senator Greenstein and Assemblyman Benson. He has tried to call them but never can speak with them directly only their assistants. He commented that it is sad they are not supporting our concerns and they should be bringing our problem to the forefront. He suggested that the Mayor and Council should call them and ask why they are not addressing their concerns.

**Les Barton, 223 Rhode Hall Rd.** – As Chairman of Fire District #3 he wanted to extend his thanks to Administrator Hamilton and wish him well on his retirement from one Firefighter to another.

**Joseph Atanasio, 21 Wellington Pl.** – Mr. Atanasio commented that he is a resident of Greenbriar and asked Councilwoman Miriam Cohen, who is a resident of Greenbriar as well, to reach out to the Home Owner’s Association of the senior communities to allow candidates to electioneer within them; Councilwoman Cohen responded that Homeowner’s Associations have their own rules when it comes to candidates going door to door but is not aware of any restrictions when it comes to voting. She invited Mr. Atanasio to speak with her after the meeting for further information.

**Kevin Ostrow, Stonebridge resident-** Mr. Ostrow commented that he is a Stonebridge resident and they do not allow electioneering within their community. Councilwoman Cohen reiterated that the Homeowner’s Associations have their own rules when it comes to that which cannot be governed by the Council.

Council President Dalina read the following entitled Resolution in full into the record:

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, **R-3-2017-071 RESOLUTION AUTHORIZING CLOSED PORTION OF PUBLIC MEETING. Personnel Matters – Business Administrator Candidate Possible Action to Follow** was adopted.

**WHEREAS**, the Open Public Meetings Act N.J.S.A. 10:4-12b(8) permits the Township Council to exclude the public from a meeting, or any portion thereof, at which the Township Council wishes to discuss personnel matters; and

**WHEREAS**, the Township Council wishes to discuss the matter concerning the appointment of a new Business Administrator;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council shall exclude the public from that portion of its March 6, 2017 Meeting which pertains to the afore-mentioned matter; and

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Monroe, that the public portion of this meeting is hereby closed and when reconvened possible action by council may be taken.

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

Copy of Resolution Duly Filed.

Mayor, Administrator, Attorney, Council Members, Township Clerk and Deputy Clerk left the public meeting and convened in a Conference Room for the closed portion of the Public Meeting.

The Regular Meeting was reconvened at 9:00pm.

At this time the following entitled Resolutions were added to the Agenda for action by Council:

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, **R-3-2017-071a RESOLUTION OF THE MONROE TOWNSHIP COUNCIL GRANTING ITS ADVICE AND CONSENT TO THE APPOINTMENT OF ALAN M. WEINBERG AS DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE AND WHO SHALL SERVES AS BUSINESS ADMINISTRATOR** was adopted.

**R-3-2017-071a RESOLUTION OF THE MONROE TOWNSHIP COUNCIL GRANTING ITS ADVICE AND CONSENT TO THE APPOINTMENT OF ALAN M. WEINBERG AS DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE AND WHO SHALL SERVES AS BUSINESS ADMINISTRATOR**

**WHEREAS**, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, in the County of Middlesex, pursuant to N.J.S.A. 40:69A-43 and Chapter 3, Article VI of the Code of the Township of Monroe, has appointed Alan M. Weinberg as Director of the Department of Administration and Finance; and

**WHEREAS**, the appointment as Director of the Department of Administration and Finance shall be coterminous with the term of Gerald W. Tamburro, Mayor of the Township of Monroe, or until the appointment and qualification of a successor; and

**WHEREAS**, the appointment of Director of the Department of Administration and Finance requires the advice and consent of the Township Council;

**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 appointment of Alan M. Weinberg as Director of the Department of Administration and Finance and to thereby serve as the Business Administrator for the Township of Monroe.

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

Copy of Resolution Duly Filed.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Dipierro, **R-3-2017-071b RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND ALAN M. WEINBERG AS DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE AND WHO SHALL SERVE AS BUSINESS ADMINISTRATOR** was adopted.

**R-3-2017-071b RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND ALAN M. WEINBERG AS DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE AND WHO SHALL SERVE AS BUSINESS ADMINISTRATOR**

**WHEREAS**, the Township of Monroe and Alan M. Weinberg have reached an agreement on a contract pursuant to which Alan M. Weinberg shall be engaged as Business Administrator and shall perform those duties as are required by the laws of the State of New Jersey and Articles V and VI of the Code of the Township of Monroe, including but not limited to the Directorship of the Department of Administration and Finance and shall receive an annual salary consistent with the Township Salary and Wage Ordinance; and

**WHEREAS**, a copy of the referenced Employment Agreement is annexed hereto as Exhibit "A" and made a part hereof; and

**WHEREAS**, this Agreement shall be effective from April 1, 2017 through and including December 31, 2019;

**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 and directed to execute the annexed Employment Agreement between the Township of Monroe and Alan M. Weinberg.

**SO RESOLVED**, as aforesaid.

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

Copy of Resolution Duly Filed.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, the Regular Meeting was Adjourned at 9:01pm.

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

*Patricia Reid*  
\_\_\_\_\_  
PATRICIA REID, Township Clerk

*Stephen Dalina*  
\_\_\_\_\_  
STEPHEN DALINA, Council President

Minutes were adopted on April 3, 2017.