

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
AGENDA MEETING – APRIL 24, 2017

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council 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: Councilwoman Miriam Cohen, Councilman Blaise Dipierro, Councilman Michael Leibowitz, Council Vice-President Elizabeth Schneider and Council President Stephen Dalina.

ALSO PRESENT: Mayor Gerald W. Tamburro, Business Administrator Alan M. Weinberg, Township Attorney Joel Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately eight (8) members of the Public present in the audience.

Council 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.

Council President Dalina read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, MAY 1, 2017** Regular Council Meeting:

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| O-4-2017-009 | ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. |
| O-4-2017-010 | ORDINANCE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c. 24 AND N.J.A.C. 14:4-6. |

Council President Dalina read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, MAY 1, 2017** Regular Council Meeting:

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| O-5-2017-011 | ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “LAND DEVELOPMENT”. |
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O-5-2017-012 **ORDINANCE APPROVING SUBDIVISION AND TRANSFER OF TOWNSHIP PROPERTY TO FIRE DISTRICT #3 AND TO THE BOARD OF EDUCATION FOR PUBLIC USE.**

Council President Dalina requested the following entitled **RESOLUTION** for **CONSIDERATION UNDER THE CONSENT AGENDA** at the **MONDAY, MAY 1, 2017** Regular Council meeting be reviewed and any questions will be addressed:

R-5-2017-132 **RESOLUTION ADOPTING THE 2017 MUNICIPAL BUDGET.**

Council President Dalina requested the following entitled **RESOLUTION** for **CONSIDERATION UNDER THE CONSENT AGENDA** at the **MONDAY, MAY 1, 2017** Regular Council meeting be reviewed and any questions will be addressed:

R-5-2017-133 **RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COST SHARING AGREEMENT WITH THE COUNTY OF MIDDLESEX FOR IMPROVEMENTS TO AND TRAFFIC SIGNALIZATION AT THE COUNTY ROUTE 612 (MATCHAPONIX AVENUE) AND SPOTSWOOD-GRAVEL HILL ROAD INTERSECTION.**

Council President Dalina requested the following entitled **RESOLUTIONS** for **CONSIDERATION UNDER THE CONSENT AGENDA** at the **MONDAY, MAY 1, 2017** Regular Council meeting be reviewed and any questions will be addressed:

R-5-2017-134 **RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR GATEWAY AT MONROE – RESIDENTIAL (BA-5096-14).**

R-5-2017-135 **RESOLUTION GRANTING PERMISSION TO MAKE-A-WISH FOUNDATION TO CONDUCT A DISPLAY OF FIREWORKS.**

R-5-2017-136 **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY QUALITY 1ST CONTRACTING, INC. IN CONNECTION WITH THE TOWNSHIP WIDE CONCRETE IMPROVEMENT PROJECT. (Decrease of \$30,815.12)**

R-5-2017-137 **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY QUALITY FIRST CONTRACTING, INC. IN CONNECTION WITH THE TOWNSHIP WIDE CONCRETE IMPROVEMENT PROJECT.**

R-5-2017-138 **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTERNATIONAL FIREWORKS MANUFACTURING COMPANY. (Contract Price Not to Exceed: \$17,200.00)**

R-5-2017-139 **RESOLUTION AUTHORIZING MODIFICATION #2 TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO DM MEDICAL BILLINGS, LLC IN CONNECTION WITH THIRD PARTY BILLING. (Modification Amount: \$20,000.00)**

- R-5-2017-140** **RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR PRIMROSE ACRES, SECTION 1 PHASE 1 AND SECTION 1 PHASE 2 (PB-744-01).**
- R-5-2017-141** **RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR PRIMROSE ACRES SECTION 2 (PB-768-01).**
- R-5-2017-142** **RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR LAYFAYETTE KNOLLS (PB-812-02).**
- R-5-2017-143** **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES (shirts and hats, printing, shade tree removal and pruning).**
- R-5-2017-144** **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.**
- R-5-2017-145** **RESOLUTION AUTHORIZING ADDITIONAL 90-DAYS OF EXTENDED SICK LEAVE.**
- R-5-2017-146** **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF WELLS FARGO BANK, N.A. v. ROBERT F. STYLES, ET AL. AS EXTRAORDINARY LITIGATION. (Final Payment: \$3,200.00)**
- R-5-2017-147** **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- R-5-2017-148** **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE COUNTY OF MIDDLESEX PROVIDING FOR EMERGENCY PRE-EMPTION EQUIPMENT AT THE INTERSECTION OF SPOTSWOOD-ENGLISHTOWN ROAD AND OLD TEXAS ROAD, MONROE, NEW JERSEY.**
- R-5-2017-149** **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT (“MTUD”) TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES FOR 2017. (Replacement of Well 17/19 Filter Media)**
- R-5-2017-150** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WESTON & SAMPSON ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES FOR DEVELOPMENT OF A WASTEWATER SYSTEM CAPITAL IMPROVEMENT MASTERPLAN FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“MTUD”). (Contract Amount: \$305,100.00)**
- R-5-2017-151** **RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 431 “WELL MAINTENANCE AND REPAIR” WITH A.C. SCHULTES, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)**

RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY THE MONROE TOWNSHIP UTILITY DEPARTMENT AGAINST AMERICAN PLUMBER, INC. (“M.T.U.D.”)

Mayor’s Report – Mayor Tamburro reported that Saturday was opening day for baseball, as well as, softball, with 300-400 children in attendance; thankfully the rain held out. Very impressed that there is a pre-k softball league as well. Then attended Carmela Epifano 100th Birthday celebration. He commented he had a full day with children in the morning and Seniors in afternoon.

Administrator’s Report – Administrator Weinberg reported that he was pleased to join Council Vice-President Schneider on their trip to Trenton to speak on Monroe’s fair share of school funding. He feels there will be real progress this year and will report to the public the status as the fight continues.

Engineer’s Report – No Report.

Council’s Reports:

Council Vice-President Schneider –

- Attended Monroe Webelo’s Pack #3’s Cub Scout meeting to help them earn their government badge.
- Attended baseball and softball opening day.
- Went to Trenton, along with nine other school districts, who stood with us in the fight for fair school funding. Hopefully they were listening.
- This Sunday, April 30th is the Multicultural Festival at the high school.

Councilman Dipierro – No Report.

Councilman Leibowitz –

- Reported that the Library, Senior Center and Recreation Center all helped get the petitions signed for our fight for fair share funding for the school districts and there was a lot of resident support.

Councilwoman Cohen –

- Reported that the Middlesex County Health Department reached out to her to participate in a “Green Project” which she is very excited to participate in.

Council President Dalina –

- Reported that the mock crash was held at the high school today with the Police Department, Fire Districts, EMS and local businesses in attendance. It was a very good presentation that the Youth Advisory Committee put together.

PUBLIC:

George Gunkelman. 5 Kelly Ct. – Mr. Gunkelman asked what the amount of the contract extension on an annual basis is in reference to R-5-2017-151; Mike Barnes answered that there is no set amount, it is only done on an as needed basis therefore they are only paid when work needs to be done. Mr. Gunkelman asked if there is a cap on the amount; Mike Barnes responded that there is a cap on it but does not have the exact figure tonight. Council President Dalina responded that the amount will be noted for the May 1, 2017 Regular Meeting.

Mr. Gunkelman asked if we are undertaking anything that M.T.U.D., as agents of the Township, can use to train local staff or are we going to continue indefinitely to contract these technical services for people with permits and licenses; Mike Barnes explained that this in particular is for well drilling and we could not afford the equipment it takes to do this work.

Mr. Gunkelman referenced R-5-2017-150 which is for professional services; Mike Barnes explained that this is for the Master Plan, specifically Pump Station #2, which have tanks that need to be rehabbed.

Mr. Gunkelman clarified his question, asking if we are contracting for services for engineering services that require different levels of certifications that we do not have in house; Mike Barnes explained further that we pick and choose dependent upon what the need is for the work that has to be done.

John Elbasan, 8 Belmont Ct. – Mr. Elbasan asked if a copy of O-5-2017-012 can be provided; Administrator Weinberg answered that copy will be made available tomorrow.

Mr. Elbasan asked if that Ordinance is related to the parcel of land on Old Church Rd. as it relates to the developer, Toll Brothers; Mayor Tamburro answered no. Mr. Elbasan asked if the land on Old Church Rd. is being considered as a land grant to the Board of Education; Mayor Tamburro answered that the Board of Education is now considering purchasing other land. This has nothing to do with the land on Old Church Rd. The other piece of land will come to the Township once all the work has been completed. Mr. Elbasan would like to make sure the builder fulfills all requirements. The builder is required to put a nature trail on the property which was not done yet. Township Engineer Rasimowicz responded that the builder has not requested release but all will be considered before any bonds are released. The punch list items, the nature trail being one of them, must be completed.

Steven Manfre, 12 Belmont Ct. – Mr. Manfre thanked the Mayor and Council for attending the opening day ceremonies, he stated that for the children “the greatest gift is a gift of confidence”, it meant a lot and lifted everyone’s spirits. He encouraged everyone to continue to attend the games this season.

He asked for an elaboration as to what happened in Trenton; Administrator Weinberg explained that the School Funding Reform Act was introduced back in 2009, explaining that each municipality is eligible for a percentage of a State share and a percentage of a local share of funding. Unfortunately, when that law was passed back in 2009 they did two things that have been difficult for Monroe and is what we are trying to fix; firstly, they did something called Hold Harmless, in which they did not want to hurt municipalities so they allowed them to keep the funding that they already had even if the new formula meant that they should be receiving less. There are over \$600,000,000 in districts that are receiving over 100% of their State share and they still may be under adequacy that they are low funding their local share that together they are not at their 100%. More importantly they froze the formula in regard to growth caps and township’s like Monroe that are growing get hurt tremendously. We are working with the legislature to get our fair share of state funding. Mr. Manfre asked what we are doing differently; Administrator Weinberg responded that we are making a collective effort to evoke change; there is a lot of pressure to make change in Trenton. Mr. Manfre asked what the foresight to get ahead was so we make sure we are not in a similar situation; Council President Dalina answered that we have a Master Plan in place and many of the developments that have been planned over the many years that the Master Plan has been in place do take a long time to finish. There will be a cap at some point on buildout. Mr. Manfre added that he looks forward to continuing the discussion as he feels it appears that the Township does not have control of this particular issue.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio commented that in 2010-2011, Council with the recommendation of the Planning Board, did change the Master Plan to create overlay zones, which put a lot of commercial zones into high density residential zones. We are experiencing the results of that now as an effect of what has been done internally over the last ten years by the Council and the Planning Board. The citizens have come to the meetings for years and voiced their concern, asking for reduction and relief, as we cannot expect the State to give us relief when it is the responsibility of our leaders in this community to care for the needs of the students and the residents of the Township.

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Cohen, the Agenda Meeting of April 24, 2017 Adjourned at 7:35PM.

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: June 7, 2017