

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**REGULAR MEETING - - SEPTEMBER 5, 2012**

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 Gerald W. Tamburro with a Salute to the Flag.

**UPON ROLL CALL** by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilwoman Leslie Koppel, Councilman Michael Leibowitz, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

**ALSO PRESENT** for Council was: Mayor Richard Pucci, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Township Engineer Ernest W. Feist.

There were approximately 140 members of the Public present in the audience.

Council President Tamburro requested the following **SUNSHINE LAW** be read into the record:

In accordance with the Open Public Meetings Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice of this meeting has been provided by the following:

1. Posted on January 6, 2012 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and the **CRANBURY PRESS** on January 6, 2012;
3. Posted on January 6, 2012 on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

Council President Tamburro introduced Judy Kalman, Chairperson of the A.D.A. Committee (Americans with Disabilities Act) who, along with Councilman Michael Leibowitz, who brought the matter to the Council's attention, presented the AIS Award (Accessibility-Inclusion-Sensitivity) to Mike Bennett of VFW Post #262, who was instrumental in spearheading the work done on Lance Corporal Colin Pasciks' house. Also recognized were Mike Bennett's wife, Jean Crawley, the Recreation Dept. Representative, and Helga Stoessler, Public Advocate.

Mr. Bennett thanked the Mayor, Council, ADA Committee, and all the Communities of Monroe for all the tremendous support that was received for this project.

Lance Corporal Colin Pascik entered the room with his family to a standing ovation.

Mr. Bennett thanked Jack Macnavo who was a great help with the project.

Mayor Pucci recognized what a trying experience this has been for both Colin and his family, stating how proud he is of our community and especially Mike Bennett for his leadership in this.

Council Members offered their thanks to Mike Bennett and the members of VFW Post #262.

The following Proclamation of Mayor Richard Pucci was read into the record:

**SEPTEMBER - OVARIAN CANCER AWARENESS MONTH**

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Koppel, the **CLAIMS** per run date of **08/22/2012** were approved for payment as presented.

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

**UPON MOTION** made by Councilman Dalina and seconded by Councilwoman Koppel, the **MINUTES** of the **July 2, 2012 Regular Meeting** and **July 30, 2012 Special & Agenda Meetings** were approved as written and presented.

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE ACCEPTING THE CONVEYANCE OF A CONSERVATION EASEMENT AND DEED OF DEDICATION OF RIGHT OF WAY FROM T&S ASSOCIATES, INC.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

**UPON MOTION** made by Council Vice-President Miller and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOTS 7 AND 7Q ON THE TAX MAP OF MONROE TOWNSHIP.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AUTHORIZING THE ACCEPTANCE OF LANDS GRANTED TO THE TOWNSHIP OF MONROE BY HOBART HILLS, INC. TO BE DEDICATED AS OPEN SPACE.**  
(Block 77, Lot 8.01)

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PORTIONS OF PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOTS 10.01, 10.02 AND 10.03 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

Regarding the Resolutions on the Consent Agenda, Council President Tamburro asked everyone to look at Resolution #13.j. – Middlesex County Community Notification System. Administrator Hamilton explained how the Emergency Notification System will work and how registration will be available on the Township Website to Township residents.

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Koppel, the following Resolutions were moved for adoption under **the CONSENT AGENDA**, as hereinbelow set forth:

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

**RESOLUTIONS** adopted under the **CONSENT AGENDA** are as follows:

- a. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING A MAINTENANCE GUARANTEE FOR REGENCY AT MONROE, PHASE 5 (PB-970-05).**
- b. **RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEES POSTED FOR SILVER HOLLOW ESTATES (BA-571-02 & BA-531-02).**
- c. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- d. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 3 SUBMITTED BY ALLIED CONSTRUCTION GROUP, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) CONTRACT NO. 389 FOR WELLS 20 & 23 IRON REMOVAL SYSTEM.**
- e. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS VALVES AND EQUIPMENT.**
- f. **RESOLUTION AUTHORIZING AWARD OF BID TO WATER WORKS SUPPLY CO., CONTRACT NO. 406 “WATER METERS” FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- g. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY PM CONSTRUCTION CORP. FOR MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) CONTRACT NO. 394, FOREST PARK TERRACE SANITARY SEWER REPLACEMENT.**
- h. **RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF JOHN RIGGS AS DIRECTOR OF PLANNING AND ENVIRONMENTAL PROTECTION OF THE TOWNSHIP OF MONROE.**

- i. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY CLYDE N. LATTIMER & SON CONSTRUCTION CO., INC. FOR MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") CONTRACT NO. 399, WELL 19 IMPROVEMENTS.**
- j. **RESOLUTION AUTHORIZING AN INTER-LOCAL AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE COUNTY OF MIDDLESEX FOR THE MIDDLESEX COUNTY'S COMMUNITY NOTIFICATION SYSTEM (MCCNS).**
- k. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH SHAIN, SCHAFFER AND RAFANELLO, P.C. FOR LEGAL SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.**
- l. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH MARK A. REMSA, PP FOR PLANNING SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.**
- m. **RESOLUTION AUTHORIZING MODIFICATION TO CONTRACT NO. 307B FOR ADDITIONAL ENGINEERING FEES WITH O'BRIEN & GERE ENGINEERS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).**
- n. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- o. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO MCR APPRAISAL FOR BLOCK 26; LOT 21.1 – 291 APPLGARTH ROAD.**
- p. **RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OKTOBERFEST CELEBRATION.**
- q. **RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS (THE "REFUNDING BONDS") OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"), AUTHORIZED BY A REFUNDING BOND ORDINANCE HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON APRIL 2, 2012, TO REFUND CERTAIN BONDS OF THE TOWNSHIP AND PROVIDING FOR THE FORM AND OTHER DETAILS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS.**
- r. **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TIMOTHY HOFFMAN, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE PROSPECT PLAINS ROAD IMPROVEMENTS.**
- s. **RESOLUTION AUTHORIZING THE PURCHASE OF THREE PICK-UP TRUCKS BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FROM THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM.**
- t. **RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 FOR AMOUNTS OWING TO TAXPAYERS FOR TAXES LEVIED IN THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES PURSUANT TO N.J.S.A. 40A:4-51.**
- u. **RESOLUTION APPROVING AFFORDABLE HOUSING DEED RESTRICTIONS ON THE IMPROVEMENTS TO PROPERTY LOCATED AT BLOCK 26, LOT 21.01.**
- v. **RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY.**

**Mayor's Report** – Mayor Pucci reflected on a year ago and our experiences with Hurricane Irene and the volunteer effort in the community. He next spoke about the tax issue and what has happened leading up to the tax increase.

Council President Tamburro commented on an email from the League of Municipalities regarding the property tax formula in New Jersey being archaic.

**Administrator's Report** – Administrator Hamilton reported that the town received an AA stable outlook evaluation as well as a short term borrowing evaluation and rating of SP 1+, which is the highest rating. He advised the bond sale has been accomplished and the town was fortunate enough to get a 2.17% rate for the permanent bond sale and a rate of a quarter of one per cent for the short term borrowing. Item #13.q. is the second part of the refinancing process.

**Engineer's Report** – No Report.

### **Council Reports**

Councilman Leibowitz- commented on the increase in tax on the tax bills and understands the distress.

Councilman Dalina – applauds the efforts made by individuals in the various communities to communicate with legislators and local government officials.

Councilwoman Koppel – commented on the increase in taxes and the number of phone calls she has received. Also commented on the creativity of the town in controlling spending and on the various activities within the town that makes it a community.

Council Vice-President Miller – stated that in 22 years on the Council he has never seen this situation.

Council President Tamburro – mentioned that on Tuesday, Sept. 11<sup>th</sup> there will be a 9-11 Remembrance Ceremony at the Memorial Park on Prospect Plains Road. All are invited. He also commented on the budget and how the revenue and expenses are being reviewed.

### **Public:**

Bob Zeglarski, 162 Tournament Drive - Believes the budget information has been removed from the website. Administrator Hamilton responded that it may have been relocated and explained where it could be found.

He also commented on the drivers that led to the tax increase along with the increase in debt service as well as the decrease in the utility operation surplus.

Mr. Zeglarski questioned that now that the utility surplus has been transferred into the general fund budget what is the prospect for keeping tax rates more reasonable and further asked what will happen with the sewer utility rates since so much of the surplus was used.

Council President Tamburro explained that when the Township took over the utility, there were rumors in Trenton that the Governor was going to take any excess surplus away from the town. The town felt it was prudent to protect those dollars by utilizing them into the tax rate. As far as the utility, those dollars were not used to run the utility. They operate on the fees they collect.

Administrator Hamilton added that the 45 million in surplus was used to help stabilize the taxes in the downturn of the economy. The balance at the end of 2011 in the Water & Sewer Utility Operating Fund is 19.5 million dollars. We are using, in this years' budget, 9.9 million dollars, leaving 9.5 million dollars.

Molly Evans, 111 Rossini Ave. – commented on the spending in the town (New High School, Library Expansion, New Senior Center). She recommended slowing down the expenditures and stop delaying the revaluation.

Council President Tamburro stated that the New High School was a bond referendum that was approved by the voters.

Administrator Hamilton added that the funds for the Expansion of the Community Center, Senior Center and Library were put in place before the downturn of the economy.

Mayor Pucci explained about the delay in the revaluation.

Jerry Krzyzkowski, 3 Glen Eagles Drive – commented on the growth in the Township - Commercial to Residential from 2000-2012 is up 185% from 51 million dollars to 145 million dollars in taxes which he feels is very significant.

Next he commented on State funding and the property wealth per student. Due to the high rate of seniors we are being penalized.

Mayor Pucci commented on the “property tax rebates” and the reason they were put in place to aid seniors. Today that rebate has been decreased. He believes the formula must be revised to be fair to the seniors.

Mr. Krzyzkowski talked about the States calculation of an adequacy budget. Monroe Twp. this year is 7 million dollars in excess of what the State says is adequate to provide a sufficient education per child. This calculates, on a home assessed at \$250,000, to \$470.00 on their tax bill. He feels a stance should be taken with the Board of Education to spend no more than the adequacy budget.

Robert Roche, 18 Muirhead Blvd. – commented on the Utility Surplus. Since 2009 the Township spent \$39 million, which he believes there is \$4 million left.

Administrator Hamilton and Mayor Pucci corrected Mr. Roche, advising the figures in the Audit Reports indicate there is \$9.5 million dollars left.

Mr. Roche then asked what an appropriate amount would be to leave in surplus for the Utility Department for Capital Expenditures in the future.

Mr. Hamilton explained that paying cash for capital improvements is not a fallacy proof method of financing. If you are doing a 15 or 20 year improvement, it should be spread out over a 15 or 20 year period.

Eugene Autbaum, 36 Country Club Drive – compared being revaluated every five years where he formally lived to here in Monroe.

He questioned what value would be put on the real estate tax rolls on a resale – the original price or the resale price? Administrator Hamilton and the Mayor both responded.

He then asked why the township doesn't do a flat revaluation on everyone based on the change in market values as determined by current sales. Administrator Hamilton responded that it is not permitted by the State.

Joe Castelluccio, 20 Ashley Court – Stated he is part of the “Monroe Citizens for Responsible Government” and spoke on the increase in taxes and how this group got started. Its’ a nonprofit/nonpartisan group dedicated to restoring fiscal responsibility back into government by balancing budgets by reducing spending and eliminating waste.

He stated he has lived in Monroe for 35 years and has been involved in the town and schools. He recommended focusing on spending cuts not spending, focusing on needs and not wants, and the goal should be to reduce real estate taxes in this township.

James Pirot, 13 Tanglewood Place – also a member of “Monroe Citizens for Responsible Government”, would like a letter from the Mayor and Council contesting the school taxes.

Council President Tamburro mentioned that he, the Mayor and Business Administrator will be meeting with the Superintendent of Schools, Business Administrator & President of the Board of Education next week to discuss various issues.

Mr. Pirot stated it is his understanding that Commercial & Industrial Real Estate has a different tax base structure and asked what they are doing to offset some of our burden. The Mayor stated there is no tax exemption for them and by state law there are only minimal types of improvements that they have to pay for and there are no contributions that are permitted by law that can be charged. Mayor Pucci stated he is in agreement with focusing on needs and advised there is a threshold of services that are absolutely needed. He recommended that this group along with the Business Administrator work together and have a dialog.

Mark Klein, 53 Turnberry Drive – Board of Education member, invited everyone this evening to attend the Board of Education Meeting being held on Wednesday night.

He also mentioned that, in some States, for people over 65 and handicapped or disabled, they pay no school taxes and he is against that. In some states for the same categories, they allow a 50% reduction for seniors and he is for that. For the past 2 years there has been a Bill before the State Assembly recommending this 50% reduction for seniors and would like to see disabled and handicapped included in the Bill.

Joel Gelfarb, 106 Gascony Ave. – Renaissance – stated that 60% of the tax bill is for the Board of Education, asking the amount. Administrator Hamilton responded “approximately \$88 million dollars”.

He then asked if there is another County in NJ that has the same tax base and what are they spending in school taxes. Mayor Pucci responded that in most urban areas it would be less of a percent. If you deal with suburban areas, which he believes Monroe would be classified as, it would range from 55-80%.

Mr. Gelfarb stated he has people in his development wishing to sell but believe it would be impossible due to the high taxes. He has lived here 3 years and his taxes have more than doubled.

Mary Ann Lester, 44 Avenue I – spoke on controlling spending. (\$10 million dollars on a Senior Center) Stated there is an adequate facility in the Municipal Building and each senior community has their own facility. She feels it is a waste of 10 million dollars that could have gone towards the budget deficit.

Michele Arminio, 9 Nathaniel St. – feels the excuse of the archaic tax system has been used over and over again by the people that have been around a very long time. To keep blaming a system that has been around over 25 years is not being responsible to the taxpayers of Monroe. Most of the Council has been here for long terms. She has attended budget hearings and there is not even a discussion of the numbers of each department. She believes there is a waste of spending. Council President Tamburro asked where the waste is, asking for a list and she said she will be happy to provide a list.

She next referenced professionals that have a contract with the township and come almost every month with a request for additional fees. Council President Tamburro explained that it would be for specific projects that are outside the normal scope of their contract.

Manny Silverman, 8C Ingram Drive – stated that an example of wasteful spending was the Consultant for the Fire Study for the Fire Districts.

Dorothy Mroczek, 21 Tanglewood Place – asked if before raising taxes over 10% were any pay cuts considered. Administrator Hamilton explained that it is part of the collective bargaining process. The contract was settled about 1 ½ years ago with the Unions. There was a 2% contractual increase in the base salary but the most important part was the change in the employee health benefits plan that saved over one million dollars plus per year.

She also noted the number of Township Employees with multiple positions. Administrator Hamilton explained the philosophy behind this practice.

Guy Delre, 24 Ashley Court – Monroe Citizens for a Responsible Government member – Commented on the issues we are hearing now that have been present for a couple of years.

He next commented on the surplus. Instead of cutting expense, the town has used money from surplus to close the budget gap. When the surplus goes away, the needs will still be there. What he sees as electing people to the Council is someone that not only looks out for us today or yesterday, but someone that is looking out for us two years down the road and protects us from these results.

Mayor Pucci asked to remember that there is a 2% CAP. The CAP does restrain spending. It is the reduction in the base that generates the taxes. Because of the tax appeals, not only did the town refund the credits or cash payments back to the residents for commercial, but the base went down. The ratable base dropped \$140 Million Dollars. The Board of Education, even at a 2% CAP, now has a reduced base of 2-3% a year.

Mr. Delre feels the Administration needs to be more pro-active and look at the Township 2-3 years down the road.

He then asked the number of appeals filed and the number of successful appeals. Administrator Hamilton responded that over 1/3 and most won, approximately a 10-20% in reduction of taxes.

Joe Homoki, 61 Hoffman Rd. – was on the Board of Education for 12 years. There are 9 candidates running for 3 Board of Education seats. This is an indicator of dissatisfaction.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 9:30pm.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

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SHARON DOERFLE, Township Clerk

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GERALD W. TAMBURRO, Council President

Minutes were adopted on \_\_\_\_\_