

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING – OCTOBER 1, 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 Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Township Engineer Ernest W. Feist.

ABSENT: Mayor Pucci

There were approximately 150 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 gave an update on the Mayor's recovery from back surgery stating that the Mayor is doing well and hopes to be present at the next Council meeting.

Council President Tamburro introduced Jay Brown, Program Supervisor of the Monroe Township Recreation Department to present the Mayor's Cup Awards.

A Recess was called at 7:25pm and the recalled to Order at 7:45pm.

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

Put the Brakes On Fatalities Day
October 10, 2012

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, the **CLAIMS** per run date of **09/29/2012** 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 **August 6, 2012 Regular Meeting** and **August 27, 2012 Special & Agenda Meetings** were approved as written and presented.

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

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

ORDINANCE as follows: (O-10-2012-033)

WHEREAS, T&S Associates, Inc., a New Jersey Corporation, with an address of P.O. Box 188, Tennant, New Jersey 07763, is the owner of the premises designated as Lot 15 in Block 9, as shown on the Tax Map of the Township of Monroe, County of Middlesex and State of New Jersey; and

WHEREAS, as a condition of the approval of the bulk variance granted by the Board of Adjustment of the Township of Monroe on November 29, 2005, the owner was required to provide certain conservation rights and a right-of-way dedication to the Township of Monroe; and

WHEREAS, the Council believes that accepting these conservation rights and right-of-way dedication is in the public interest; and

WHEREAS, the Township Engineer and Township Counsel have reviewed the proposed Conservation Easement and Deed of Dedication of Right-of-Way and find them satisfactory in form and content.

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

Section 1. The Mayor and Township Clerk are hereby authorized to accept the Conservation Easement and Deed of Dedication of Right-of-Way relating to Lot 15 in Block 9, as provided for in attached Exhibit "A"; and

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. 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 the Ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Michele Arminio, 9 Nathaniel St. – asked the amount of land and Engineer Feist advised 23.086 acres.

As Council Vice-President Miller Koppel and Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **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 Ordinance Duly Filed.
O-10-2012-033

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOT 7 AND 7Q ON THE TAX MAP OF MONROE TOWNSHIP.**

ORDINANCE as follows: (O-10-2012-034)

WHEREAS, the Township Council of the Township of Monroe has decided that it is in the public interest that certain parcels of land, located at the northern terminus of Legends Drive, be dedicated as open space (the "Project"); and

WHEREAS, as part of the Project, the Township of Monroe must acquire parcels of land identified as Lots 7 and 7Q in Block 77, as shown on the Tax Map of the Township of Monroe; and

WHEREAS, the Appraiser, retained in connection with the Project, has advised the Township of Monroe that the fair market value of the aforesaid Lots 7 and 7Q in Block 77 is \$1,700,000.00; and

WHEREAS, Irena Kolakowski is the owner of the certain premises known as Block 77, Lots 7 and 7Q in the Township of Monroe; and

WHEREAS, as part of the Project, the Township of Monroe has negotiated the price of the land with the property owner; and

WHEREAS, as part of the Project, the property owner and the Township of Monroe have agreed upon the consideration of One Million, Nine Hundred Thousand Dollars (\$1,900,000.00); and

WHEREAS, the Township's Chief Financial Officer, has verified that there are sufficient funds remaining from the issuance of bonds pursuant to the Open Space Acquisition Bond Ordinance O-2-2012-001 to pay for the aforesaid acquisition;

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

Section 1. The purchase price for Lots 7 and 7Q in Block 77 on the Monroe Township Tax Map from Irena Kolakowski shall be One Million, Nine Hundred Thousand Dollars (\$1,900,000.00), as determined through arms length negotiations and in accordance with the "Eminent Domain Act" (Chapter 3 of Title 20 of the New Jersey Statutes).

Section 2. Township Council shall provide sufficient funds for the acquisition of such property from the funds raised by the issuance of bonds pursuant to Bond Ordinance Number O-2-2012-001 which was introduced and passed on first reading by the Township Council on January 4, 2012, and approved on second reading and final adoption on February 6, 2012.

Section 3. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the property on the referenced Lots and Block for municipal use, provided the Deed is in a form satisfactory to the Township Attorney.

Section 4. The owner of the property shall convey the property free and clear of encumbrances and restrictions.

Section 5. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey the property to Monroe Township.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 7. If any section, subdivision, sentence, 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 the Ordinance shall be deemed valid and effective.

Section 8. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Michele Arminio, 9 Nathaniel St. – asked if the land was purchased for open space and Administrator Hamilton responded that it will be used for open space. The land consists of 44 acres at a cost of \$1.9 million dollars or about \$43,000 per acre. He added that Items 10, 11 & 12 are contiguous properties between the Legends and the Reserve. Item #11 is a donation and the other two are open space acquisitions. They are very important for flood control in that area and for conservation purposes.

Ms. Arminio then asked if it was going into the Open Space Inventory or is it land for municipal use. Administrator Hamilton stated the lands are exclusively “Open Space”.

As Councilwoman Koppel and Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOT 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 Ordinance Duly Filed.
O-10-2012-034

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second 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)

ORDINANCE as follows: (O-10-2012-035)

WHEREAS, Hobart Hills, Inc. is the owner of certain property located in the Township of Monroe and designated as Lot 8.01 in Block 77 on the Tax Map of the Township of Monroe; and

WHEREAS, Hobart Hills, Inc. has offered to donate said property to the Township as part of the single-family residential subdivision known as Hobart Hills; and

WHEREAS, Hobart Hills, Inc. received preliminary and final major subdivision approval of application PB-679-99 on February 24, 2000, memorialized on March 23, 2000, which subdivision approval included the dedication of said lot; and

WHEREAS, the Township Engineer has reviewed the attached metes and bounds description of said lot and has found same to be in conformity with the Planning Board approval and hereby recommends acceptance of the deed of dedication;

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the donation of Hobart Hills, Inc.;

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

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the donation by Hobart Hills, Inc. of property known as Lot 8.01 in Block 77 on the Tax Map of the Township of Monroe as an open space lot.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. 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 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Administrator Hamilton explained this is the Hobart Hills property consisting of 40.8 acres, 70% wetlands and 30% uplands and is adjacent to the Matchaponix Brook. It is needed for flood control and groundwater recharge. Engineer Feist stated he believes the property has been donated as part of a site plan approval.

As Councilman Leibowitz and Councilwoman Koppel regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **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

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

ORDINANCE as follows: (O-10-2012-036)

WHEREAS, the Township Council of the Township of Monroe has decided that it is in the public interest that certain portions of parcels of land, located along the east side of Spotswood-Englishtown Road be dedicated as open space (the "Project"); and

WHEREAS, as part of the Project, the Township of Monroe must acquire certain portions of the parcels of land identified as Block 77, Lots 10.01, 10.02 and 10.03 on the Tax Map of Monroe Township, as more fully described in the legal description attached as Exhibit "A"; and

WHEREAS, the Appraiser retained in connection with the Project has advised the Township of Monroe that the fair market value of the aforesaid portions of Block 77, Lots 10.01, 10.02 and 10.03 is \$810,000.00; and

WHEREAS, Julio and Yadira Espinosa are the owner of the certain premises known as Block 77, Lots 10.01, 10.02 and 10.03 in the Township of Monroe; and

WHEREAS, as part of the Project, the Township of Monroe has negotiated the price of the land with the property owners; and

WHEREAS, as part of the Project, the property owner and the Township of Monroe have agreed upon consideration of Eight Hundred Ten Thousand Dollars (\$810,000.00); and

WHEREAS, the Township of Monroe, Chief Financial Officer, has verified that there are sufficient funds remaining from the issuance of bonds pursuant to the Open Space Acquisition Bond Ordinance O-2-2012-001, to pay for the aforesaid acquisition;

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

Section 1. The purchase price portions of Block 77, Lots 10.01, 10.02 and 10.03 on the Monroe Township Tax Map from Julio and Yadira Espinosa, shall be Eight Hundred Ten Thousand Dollars (\$810,000.00), as determined through arms length negotiations and in accordance with the "Eminent Domain Act" (Chapter 3 of Title 20 of the New Jersey Statutes).

Section 2. Township Council shall provide sufficient funds for the acquisition of such property from the funds raised by the issuance of bonds pursuant to Bond Ordinance Number O-2-2012-001 which was introduced and passed on first reading by the Township Council on January 4, 2012, and approved on second reading and final adoption on February 6, 2012.

Section 3. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the property on the referenced Lot and Block for municipal use, provided the Deed is in a form satisfactory to the Township Attorney.

Section 4. The owner of the property shall convey the property free and clear of encumbrances and restrictions.

Section 5. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey the property to Monroe Township.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 7. If any section, subdivision, sentence, 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 the Ordinance shall be deemed valid and effective.

Section 8. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Hye Grossman, 15 Doral Drive – asked if the parcel is located on Route 522 & 613. Engineer Feist responded that it is not. It is an open space acquisition and located farther to the north.

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE ACKNOWLEDGING MONROE TOWNSHIP'S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF BUCKELEW AVENUE (CR 522) AND HOFFMAN STATION ROAD (CR 614)**

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 Ordinance Duly Filed.

Administrator Hamilton commented on Resolution No. 14.x. & 14.y. Administrator Hamilton advised these Resolutions deal with a reverse energy auction which will be conducted tomorrow. It is anticipated that approximately \$100 thousand dollars of savings in electricity cost.

UPON MOTION made by Councilman Dalina 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:

R-10-2012-269 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR MAKE-A-WISH FOUNDATION OF NEW JERSEY.

R-10-2012-270 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR REGENCY AT MONROE, PHASE 7, MOUNTS MILLS ROAD CURVE REALIGNMENT.

R-10-2012-271 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO VINCENTSEN-THOMPSON-MEADE, INC. FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE MONROE TOWNSHIP SENIOR CENTER PROJECT.

- R-10-2012-272** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO ARCARI AND IOVINO ARCHITECTS, P.C. FOR ARCHITECTURAL SERVICES RELATED TO THE MONROE TOWNSHIP SENIOR CENTER PROJECT.
- R-10-2012-273** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR CLEARVIEW ESTATES.
- R-10-2012-274** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT AWARDED TO SKYLINE ENVIRONMENTAL, INC. FOR ADDITIONAL SAFETY AND HEALTH TRAINING SERVICES.
- R-10-2012-275** RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2011 ANNUAL AUDIT.
- R-10-2012-276** RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH CIRCLE JANITORIAL SUPPLY SOUTH FOR CALENDAR YEAR 2013.
- R-10-2012-277** RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-10-2012-278** RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2012 AS EXTRAORDINARY LITIGATION.
- R-10-2012-279** RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 392 "SYSTEM REPAIR SERVICES" WITH PM CONSTRUCTION CO., INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.")
- R-10-2012-280** RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (2012 Quality of Life Grant - \$5,000)
- R-10-2012-281** RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING OLD FORGE ROAD DRAINAGE IMPROVEMENTS.
- R-10-2012-282** RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 408 "HYDRAULIC SEWAGE GRINDER" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-10-2012-283** RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO GANNETT FLEMING, INC. FOR WATER INFRASTRUCTURE DESIGN SERVICES FOR WELL NO. 22 – ADDITIONAL TREATMENT FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-10-2012-284** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH GANNETT FLEMING, INC. FOR WELLS 20 & 23 – ADDITIONAL ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-10-2012-285** RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR/QPA TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS ("RFQ's") FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2013.

- R-20-2012-286** RESOLUTION AUTHORIZING THE TOWNSHIP UTILITY DEPARTMENT PURCHASING MANAGER TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS (“RFQ’s”) FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2013 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- R-10-2012-287** RESOLUTION AMENDING RESOLUTION NO. R-9-2012-265 TO ADD FLEMINGTON BUICK CHEVROLET PONTIAC GMC, LLC AS AN ADDITIONAL VENDOR TO THE RESOLUTION ENTITLED “RESOLUTION AUTHORIZING THE PURCHASE OF THREE PICK-UP TRUCKS BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FROM MALL CHEVROLET USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM”.
- R-10-2012-288** RESOLUTION IN SUPPORT OF PROPOSED LEGISLATION (S-1896 AND A-1503) REQUIRING FIRE DISTRICTS, SCHOOL DISTRICTS AND COUNTY GOVERNMENTS TO PAY THEIR FAIR SHARE OF TAX APPEAL REFUNDS AND SETTLEMENTS.
- R-10-2012-289** RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-10-2012-290** RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE EXTRAORDINARY LITIGATION FOR THE FRANCIS E. PARKER MEMORIAL HOME, INC.
- R-10-2012-291** RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER R-6 SUBMITTED BY ARCO CONSTRUCTION GROUP, INC. FOR ADDITIONAL WORK PERFORMED IN CONNECTION WITH THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.
- R-10-2012-292** RESOLUTION SELECTING EMEX, LLC TO ADMINISTER A REVERSE ELECTRICITY AUCTION AND AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE WINNING BIDDER BASED UPON PRE-DETERMINED TARGET PRICING FOR ELECTRICITY REQUIRED BY THE TOWNSHIP OF MONROE.
- R-10-2012-293** RESOLUTION SELECTING EMEX, LLC TO ADMINISTER A REVERSE ELECTRICITY AUCTION AND AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE WINNING BIDDER BASED UPON PRE-DETERMINED TARGET PRICING FOR ELECTRICITY REQUIRED BY THE MONROE TOWNSHIP UTILITY DEPARTMENT.
- R-10-2012-294** RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND FOR THE FALL 2012 TREE PLANTING PROGRAM. (Richard Bentz – Fall 2012 Tree Planting Program)
- R-10-2012-295** RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (Andy Matt, Inc. – Planting of approx. 137 trees)
- R-10-2012-296** RESOLUTION AUTHORIZING THE ADJUSTMENT OF TAX ASSESSMENT ON PROPERTY LOCATED AT BLOCK 58, LOT 17.3 – 127 HALF ACRE ROAD OWNED BY PRESBYTERIAN HOME AT MONROE AND THE REFUNDING OF EXCESS TAX PAYMENTS COLLECTED ON SAID PROPERTY FOR THE YEARS 2004 THRU 2006 AND 2008 THRU 2012.

- R-10-2012-297** RESOLUTION AMENDING AND RESTATING RESOLUTION NO. R-9-2012-260 ENTITLED, "RESOLUTION REFUNDING TAX OVERPAYMENTS" HERETOFORE DULY ADOPTED BY THE TOWNSHIP COUNCIL ON SEPTEMBER 5, 2012, TO AMEND THE REFUND AMOUNT ON BLOCK 35, LOT 2.2 AND THE SCHEDULE "A" ATTACHED THERETO REFLECTING THE TAX REFUND.
- R-10-2012-298** RESOLUTION AMENDING AND RESTATING RESOLUTION NUMBER R-9-2012-266 ENTITLED, "A RESOLUTION OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, 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", HERETOFORE DULY ADOPTED BY THE TOWNSHIP COUNCIL ON SEPTEMBER 5, 2012, TO AMEND THE AMOUNT OF THE EMERGENCY APPROPRIATION AND THE SCHEDULE "A" ATTACHED THERETO REFLECTING TAX APPEALS".
- R-10-2012-299** RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED AGREEMENT MADE BY AND BETWEEN THE COUNTY OF MIDDLESEX, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, THE TOWNSHIP OF MONROE, A MUNICIPAL CORPORATION IN THE COUNTY OF MIDDLESEX, AND TOLL II, L.P., A NEW JERSEY LIMITED PARTNERSHIP, WITH REGARDS TO PROPOSED IMPROVEMENTS TO BE MADE TO THE INTERSECTIONS OF COUNTY ROUTE 522 (AKA BUCKELEW AVENUE) AND MOUNTS MILLS ROAD, COUNTY ROUTE 522 (AKA BUCKELEW AVENUE) AND COUNTY ROUTE 613 (AKA SPOTSWOOD-ENGLISHTOWN ROAD), AND COUNTY ROUTE 613 (AKA SPOTSWOOD-ENGLISHTOWN ROAD) AND MOUNTS MILLS ROAD IN MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY.

Mayor's Report – Absent

Administrator's Report – Administrator Hamilton explained the "Best Practices" work sheet that the State asks to be completed and was forwarded for Council review. He stated it is similar to a score card. If you do not score well, State dollars are taken away from the municipality. Monroe Township has scored 92%. Anything less than 80% results in a reduction in State Aid.

Councilman Dalina asked the significance of the color coding which Administrator Hamilton explained.

Administrator Hamilton again commented on the Debt Service and the incorrect statements made by Governor Christie.

He then mentioned that two items will appear on the website tomorrow i.e. the Audit that was accepted by the governing body tonight as well as the revised Budget and a Petition started at the School Board level for the need of more State Aid coming into Monroe.

Engineer's Report – No Report.

Council Reports:

Council President Tamburro - read a letter he wrote to Administrator Hamilton and the response he received from Mr. Hamilton by way of George Lang, the Chief Finance Officer regarding the "Budget levy cap calculation". New Tax Bills will be sent out reflecting the error. The average return to the average tax assessed house is approximately \$26.00.

Councilman Leibowitz – Commented on the Mayors' Cup Trophy events.

Councilman Dalina – Attended an event with Boy Scout Troop #60 where two young men attained the rank of Eagle Scout, Brian Lee Ronan and Zachery John Leving.

Councilwoman Koppel – Commented on the traffic signal on Route 522 being up and running.

Council Vice-President Miller – No Report

Public:

Charlie Lerman, 11 Doral Drive – thanked the Mayor, Council, and Township Engineer for working with Regency on the traffic light. They are now working on the Route 613 & 522 traffic light which is very dangerous and a bit more complicated.

He next commented on the Utility Departments surplus used in the last three budgets asking if it was surplus or reserves. Administrator Hamilton responded “surplus”, and is a non-dedicated revenue source that has built-up.

He next asked if this surplus was “earmarked” to address infrastructure problems or projects going forward. Administrator Hamilton explained that when the town took over the utility and reviewed the matter it made more sense for improvements that were about to be undertaken to go ahead and pay for them over a 15-20 year period because the useful life of the projects were in excess of that period.

Brian Hackett, 3 Avenue D – stated that “while the state & multiple people missed the errors, ultimately the error occurred in Monroe Township”. He further commented on his internet search and determined that in Monroe, the CFO and Tax Assessor are “triple & quadruple dippers”. He asked how we can employ people with such constraints on their time. Perhaps the calculation errors could have been prevented.

Joel Gelfarb, 106 Gaston Ave. – Renaissance @ Monroe – feels the deceleration lane is still not moving ahead. Engineer Feist corrected that it is not a “deceleration” lane but rather an “auxiliary” lane. He explained that the NJ DOT would not approve a deceleration lane, but agreed that if the Township would fund the project, an auxiliary lane would be permitted. There have been two revisions. There is a Permit in hand for the construction and the construction will most likely start at the end of this year or first thing in the Spring when construction re-opens after the winter months. The current lane is not built according to NJ DOT standards for a highway lane, accessory lane or auxiliary lane and will be removed and rebuilt.

Mr. Gelfarb also expressed concern about pedestrian traffic. Engineer Feist stated that the DOT does not condone pedestrian traffic along the highway. The widening that was mentioned will have a shoulder along the roadway.

Councilwoman Koppel added that the approval process is very frustrating.

Anthony Prezioso, 8 Equestrian Way – asked how much Mr. Lang's error cost the Township. Council President Tamburro stated that the total amount to be returned to the taxpayers is \$530,000. The cost to send out new tax bills is between \$15-\$20,000. This is why Mr. Lang spoke with the Department of Community Affairs to see if this adjustment could be included in the 2013 Tax Bill. Tax Bills are now being resent to reflect the \$26.00 average credit.

Administrator Hamilton added that in conversations with Division of Local Government Services, and as has been the past policy and practice of the Division, in an event such as this calculation error, they would allow you to make the adjustment the following year. We asked them to do that and they did not consent to same.

Alan Kahn, 11 Crenshaw Court – questioned Resolutions 14.c. & d. – Modifications for professional service contracts for the Senior Center, asking the amount. Administrator Hamilton responded that the Construction Mgmt. Co. (Item #14.c.) is \$14,600 through Oct. 31st and the Architect (Item #d.) – is \$12,500 through Oct. 31st. As reported at last weeks' meeting, substantial completion is expected by the end of this month. There will still be additional punch list items.

Mr. Kahn asked Mr. Hamilton the total cost of the Senior Center at this point and Mr. Hamilton did not have that figure with him this evening but would have it at the next Council meeting.

Council President Tamburro stated that the original cost was \$9.9 million dollars. To date there are \$304,000 (3%) in Change Orders related to this project. General Construction will be approximately \$10.2 million dollars.

Hye Grossman, 15 Doral Drive – commended the Council & their letter to Mr. Lang believing the responsibility is on the CFO and he should pay for the mistake.

He next spoke about the traffic on Schoolhouse Road stating how you are unable to see runners and people walking. Administrator Hamilton advised a cautionary Notice can be placed on the Township Website.

Kathy Speranza, 82 Pergola Ave. – commented that she has lived in Monroe for 12 years and her taxes have doubled. She does not understand what happened. With all the building and ratables's, her taxes continue to go up. This governing body, the County, the Board of Education is a perfect example of how much money is paid in taxes and it will never be enough.

Council President Tamburro responded that the Municipal Budget is driven by the services that are provided. This is something that may have to be cut out. The services that are mandatory are Police, EMS, and Library services that are mandatory in the town.

She questioned the library services and felt the old library was sufficient. She also felt the Senior Center on Applegarth Road was an unnecessary expense.

Steve Gorbe, 113 Gravel Hill-Spotswood Rd. – felt the Fire Study was a complete waste of money. The three Fire Districts remain the same. He took the Budgets of the three fire districts. and proceeded to give the breakdown of expenses. He blamed the Council for creating the fire districts.

Administrator Hamilton corrected him in stating that the “voters” created the three fire districts.

Mr. Gorbe stated that this Council has the authority to dissolve the districts and did not. He proceeded to say that by combining the services of the three fire districts over a 10 year period there would be over a \$3 million dollars savings.

Joe Castelluccio, 20 Ashley Court – Spokesman for the “Monroe Citizens for Responsible Government”. He believes the denial must be stopped. Spending cuts must take place.

Robert Roche, 18 Muirfield Road – asked the status of the Fire Consolidation Report.

Administrator Hamilton explained that the shared services/interlocal agreement with the three fire districts has been reviewed by the Chairs of the three fire districts and their attorney has sent a letter to Attorney Shain's office which is in the process of being reviewed.

Mr. Roche spoke of the unfairness in taxes between the three fire districts. He would like to see one Fire Department for the town.

Tom Nothstein, 15 Nathaniel St. - Understands that approximately \$1 million dollars has been saved in healthcare benefits for the employees. He asked if this savings took into consideration the lawsuit by the retirees.

Administrator Hamilton responded that the lawsuit is still pending and we are awaiting the Judges' Ruling and believes the town will prevail in the Suit.

Tom Nothstein agreed that we need to stop the spending.

Michele Arminio, 15 Nathaniel St. - questioned Item #14.j. – Additional Fees to Shain, Schaffer & Rafanello for Tax Appeals for 2012. Administrator Hamilton advised this Resolution is for \$75,000 bringing the total amount to date for 2012 Tax Appeals to \$245,000.

Item #14.c. & 14.d. – Resolution extending contracts for Senior Center Contractor & Architect. She stated their contracts were extended until the end of the year and Administrator Hamilton corrected her by stating the contracts were extended until October 31, 2012 (2 months).

Ms. Arminio next talked about the reserve funds which she believes are builder's contributions for water and sewer. Council President Tamburro stated they were accumulated water & sewer connection fees. She asked if these funds were being used for water & sewer projects or are they spread around in the general fund.

Administrator Hamilton stated the law allows utilizing these funds regardless if they are utility or municipal.

She then asked the amount of these funds used for infrastructure and Administrator Hamilton responded that he had no idea. She asked what would happen to future water & sewer projects.

Administrator Hamilton explained that all projects have been initiated under the Capital Improvement Program since the Township took over the Utility. These are all improvement projects where Capital Ordinances were put in place, some of which were paid for in cash through that fund and the larger/ longer term improvement projects were financed.

Item 14v – Add'l funds to Shain, Schaffer & Rafanello for the Francis E. Parker extraordinary litigation. She questioned the amount. Mr. Hamilton stated the original authorization was \$15,000. and it is amended to add an additional \$12,000.

Item #14.m. – Old Forge Drainage - asked the cost and Administrator Hamilton advised the cost to the town is \$15,000.

She then commented that this had to do with flooding after the development was built. She stated that the engineering mistakes made on this project cost the Township.

Engineer Feist responded that no engineering mistakes were made and proceeded to explain the reasons for the flooding problems.

Mr. Berkin, 112 Gascony Ave. – stated that we need some sort of guarantee from the budget people not to raise taxes and recommends living within the scope of the existing tax base.

Manny Silverman, 8 Sebring Drive, Concordia – spoke about the School Budget and our fair share of money from the State. He also mentioned the Senior Center and Administrator Hamilton advised the staffing at the Senior Center will remain the same with the exception of an additional custodian. As for the total cost of the Senior Center, including the professionals, he will have that figure at the next meeting. Mr. Silverman did not feel the Senior Center was a necessity.

Jim Pirot, 13 Tanglewood Place – expressed the same concerns and frustrations heard this evening. Would like to know the outcome of the meeting with the Board of Education and the Township and asking what are the plans that both groups will bring to the Township to reduce the deficit.

Administrator Hamilton stated that we are beginning the first steps of the budget process now. As indicated, a letter is going out to all Departments to be prepared for cuts. The Public is being heard loud & clear that spending must be curtailed.

Mr. Pirot asked the outcome of the meeting with the Board of Ed and the two collective groups. He feels there is a need to report back to the residents as to what both groups are going to do as a unified front and not what is being done on the municipal side.

Once again Administrator Hamilton responded that based on the policymakers sitting at the Council Table and the Mayor, the message has been heard loud and clear.

Council President Tamburro stated that at the meeting held with the Board of Education, that going forward through the new Master Plan they are encouraging the construction of commercial. It will start on Route 33 which is presently approved through the Zoning Board and it comes before the Board this month for final approval. Because of this, there will be more commercial starting on Route 33. There have been some questions by developers to convert housing, approximately 120 homes, and turn it into commercial space.

All Capital projects for next year are being reviewed as to which ones are necessary and which ones can be postponed or cut.

MaryAnn Lester, 44 Avenue I – wondered if the municipality gives municipal funds to the Library above the minimum funding level. The reason she is asking is that in 2010 they made a law where the library tax had to be separate. In the 2011 municipal budget, money would be given for books and other resources. She wondered if we were funding it above the minimum funding level and Administrator Hamilton responded that we do fund it above the minimum level. He does not have the exact amount but can have it at the next Council Meeting. She stated she would like the figures for the last three years. He advised he can provide it for the last two years when the amount was broken out. She added that just for the record, the Library was 2 million dollars over budget. Both Administrator Hamilton & Council President Tamburro added that they did not believe that to be accurate. Both agreed that the Library was the one project that came in on budget. She proceeded to read a news article reporting the cost.

Administrator Hamilton added that there are professional expenses. Architectural and Construction Management are two of the biggest aspects of any type of major construction job. The \$5.5 Million Dollars was the general contractor portion.

She asked if there are any overages in a contract, why isn't the contractor held responsible and Administrator Hamilton explained the circumstances for a Change Order on any publicly bid job.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 9:20pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____