

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - - JANUARY 2, 2013

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 one hundred fifty (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 announced that new Police Chief, Michael E. Lloyd, will be sworn in this evening and proceeded to read his bio.

Mayor Richard Pucci welcomed everyone this evening, especially all the members of the Police Department who appeared this evening in support of the new Police Chief. Mayor Pucci then commented on Captain Lloyd's background in law enforcement.

The Mayor introduced Sharon Doerfler, Township Clerk, to administer the Oath of Office to Michael E. Lloyd as the new Police Chief, with his wife Liz holding the Bible.

Chief Lloyd thanked everyone for their support.

Council Members and the Business Administrator offered their comments and congratulations.

Mayor Pucci called on former Police Chief John Kraivec to offer his comments.

A ten minute recess was taken.

The Regular Meeting was recalled to Order at 7:35 p.m.

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 AMENDING THE 2011 – 2014 SALARY AND WAGE ORDINANCE FOR 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 Ordinance Duly Filed.

Councilman Leibowitz verified that in Item #7.b. of the Agenda the Home News Tribune has been reinstated, which Council President Tamburro confirmed, stating that the Home News Tribune has finally agreed to a separate account for the Township Clerk's Office.

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 entitled as follows:

- R-1-2013-001 RESOLUTION DESIGNATING THE SCHEDULE OF PUBLIC MEETINGS OF THE MONROE TOWNSHIP COUNCIL FOR CALENDAR YEAR 2013.** (Regular Meetings to be held the 1st Monday of each month at 7:00 p.m., Agenda Meetings to be held the last Monday of each month at 7:00 p.m. Should any such day fall on a legal Holiday, or for any other good cause, the meeting will be held at the same time and place on the next Wednesday. The Regular Council Meetings in June and November will be held on the Wednesday immediately following the June Primary and November General Elections. The last meeting in December is a Special & Agenda Mtg.)
- R-1-2013-002 RESOLUTION DESIGNATING OFFICIAL TOWNSHIP NEWSPAPERS FOR CALENDAR YEAR 2013.**
- R-1-2013-003 RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS MATERIALS AND SERVICES THROUGH THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE YEAR 2013 WITH EXTENSIONS & ADDENDUMS.**
- R-1-2013-004 RESOLUTION AUTHORIZING THE TAX COLLECTOR TO HOLD TAX SALES DURING CALENDAR YEAR 2013.**
- R-1-2013-005 RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES FOR YEAR 2013.**
- R-1-2013-006 RESOLUTION APPROVING THE 2013 CASH MANAGEMENT PLAN.**
- R-1-2013-007 RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2013 ANNUAL BUDGET TO FEBRUARY 4, 2013.**

- R-1-2013-008** RESOLUTION AUTHORIZING THE 2013 TEMPORARY BUDGET APPROPRIATIONS.
- R-1-2013-009** RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF PATRICK J. BRADSHAW, ESQ. AS MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF MONROE.
- R-1-2013-010** RESOLUTION GRANTING ADVICE AND CONSENT TO THE RE-APPOINTMENT OF RICHARD RAFANELLO, ESQ. AS ALTERNATE MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF MONROE.
- R-1-2013-011** RESOLUTION AUTHORIZING THE AWARD OF BID FOR MONROE TOWNSHIP ELECTRICAL MAINTENANCE FOR YEARS 2013-2014.
- R-1-2013-012** RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND MICHAEL E. LLOYD WHO SHALL SERVE AS THE CHIEF OF POLICE.
- R-1-2013-013** RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER R-8 SUBMITTED BY ARCO CONSTRUCTION GROUP, INC. FOR ADDITIONAL WORK PERFORMED IN CONNECTION WITH THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.
- R-1-2013-014** RESOLUTION OF THE MONROE TOWNSHIP COUNCIL APPROVING THE 2013 EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND ERNEST W. FEIST,P.E., P.P., C.M.E., C.P.W.M. AND THE FIRM OF FEIST ENGINEERING, INC.

Mayor Pucci - Wished everyone a Happy, Healthy New year and hoped that the recession is behind us.

Administrator Hamilton – Advised that at the Agenda Meeting this month there will be a Resolution authorizing the combination of various Bond Ordinances in preparation of the Bond Sale which will take place at the end of this month.

Engineer Feist – No Report but wished everyone a Warm & Healthy New Year.

Council:

Councilman Leibowitz – asked to reconfirm the date of the opening of the New Senior Center. Administrator Hamilton advised they are looking at a Grand Opening for some time in March. He further wished everyone a Happy New Year.

Councilman Dalina – wished everyone a Happy New Year and thanked the Recreation Department for the Make-A-Wish Dodge Ball Tournament fund-raiser and also for all their hard work during Grandparents Day, which is always a huge success.

Councilwoman Koppel – announced the following events: Jan.21st there will be a Chamber Music Series at the Library and is free; Jan. 26th the Legacy Project celebrating the international day of the Holocaust Remembrance at the Richard Marasco Performing Arts Center. On Feb. 16th Westfield Symphony will perform at the Richard Marasco Performing Arts Center.

Council Vice-President Miller – wished everyone a Happy New Year and would like everyone to work together for a better community.

Council President Tamburro – wished a Happy New Year to all. He also spoke on his attendance at Grandparents Day, stating it was a fun day for the 150 people who attended with their grandchildren.

Public:

Attorney James Rollyson representing Lucille DiPasquale who has a home under construction next to a home at 228 Matchaponix Ave. This property has a history of health and debris violations for a number of years. An Order has been given requiring the resident to, on two different dates, to clean-up his property. Nothing has been done and he stated his client would like the municipality to act on the violations.

Administrator Hamilton gave a status report as to how the town is proceeding.

Lucille DiPasquale, 70 Avenue K – referred to letters that she presented on Nov. 26, 2012 which dealt with letters sent to 228 Matchaponix Avenue regarding a mandatory sewer connection and asked for the status.

Mike Rogers, Director, M.T.U.D. stated that the property owner has recently passed the date for hook-up and under the Ordinance he will be taken to Court in order to mandate the hook-up.

Laurie Winter, 308 Federal Rd. – lives next to the Stonebridge Retirement Community. She has had a problem since 2010 dealing with construction starting as early as 5:30 a.m., including on holidays.

Administrator Hamilton stated he will have the Township Engineer follow-up with Lennar.

Engineer Feist explained that he has already noticed Lennar, who has since, put all contractors on notice. According to Mrs. Winters it appears that it is a repeat contractor who is disregarding the Ordinance. Engineer Feist stated he will advise Mr. Calabro from Lennar.

She also mentioned that houses will be constructed right behind her property and asked if there could be bushes or something planted along the property line. She feels like she's living in a fish bowl. Engineer Feist stated he will check into the matter.

Next she spoke about a ditch behind her farm and asked if she could fill it in and Engineer Feist stated again, that he will want to look at it before giving any type of approval.

Harold Kane, Rossmoor – questioned the financing of Bonds, the percentage rate and the term. Administrator Hamilton responded that the rates are pretty much the same and that is why they are going to take advantage of it and achieve the same result. The term is 15 years and the Bond sale is done by public bid.

Joe Haff, Rossmoor – Fire Commissioner, Fire Dist. #3 – spoke on the Fire Study that was done last year and no consolidation being done. He stated they were told to reduce their operating budget. He proceeded to explain all the cuts they have made and wanted to know what is being done at this point.

Administrator Hamilton corrected him in that it was not a Consolidation Study, it was a Consolidation Committee to look at various opportunities in trying to achieve efficiencies and to look at the organization of each district to see if it could be managed in a more cost effective manner. On Friday he received a letter to respond to the three various fire districts regarding concerns about the legal aspects of the shared service agreement. That letter went out on Friday. He stated he is awaiting a response and then will proceed to move forward. Fire District #3, along with the other two districts, had a representative at every meeting who were to go back and advise the other Commissioners as to what was taking place with the Study. He recommended that Mr. Haff come in and he will update him as to how they got to the final conclusion of this Committee.

Virginia McGuinness, 326 Nantucket Lane wanted an update on the pond issue and flooding of Nantucket Lane in Rossmoor.

Engineer Feist explained that next week there will be a meeting with representatives of Rossmoor and their engineering company. We are still waiting for a response from Middlesex County regarding an interlocal agreement that he provided regarding cost sharing and work sharing. He will be submitting his request for 2013 capital funding and it will include the funds

necessary under the proposed interlocal agreement. He is now moving in the direction of a pump station. They would like to pump directly into Cedar Brook and DEP agrees with this.

Michelle Arminio, 9 Nathaniel St. – questioned the following Resolutions on the Agenda:

Resolution #7.g. – Extension of the annual budget. Administrator Hamilton explained that this is done every year due to not getting figures from the State. She then asked when the Budget Workshops will be taking place. Administrator Hamilton stated they are generally scheduled for some time in the middle of March. She asked if there have been budget discussions with the heads of the various departments and he responded that it is going on right now.

Item #7.k. – Electrical Maintenance Bid – asked the number of bids and Administrator Hamilton responded three. It's a two year contract. Year #1 – RJE Electric in the amount of \$54,038.

Item #7.n. – Employment agreements – Administrator Hamilton explained.

She then questioned a resolution that was on the December 26th Meeting for Marguerite Schaffer, asking the hourly rate. Administrator Hamilton stated he did not have the last meetings information at hand but will have it for the next meeting.

Tom Nothstein, 15 Nathaniel St. – Questioned Item #7.e. – Interest to be charged on delinquent taxes which Administrator Hamilton explained.

Item #7.m. – R-8 Change Order for Arco Construction regarding the new Senior Center. Administrator Hamilton explained the items on the Change Order which amount to \$50,286.64.

Next Mr. Nothstein stated that it was his understanding, regarding the Fire Consolidation Study, that in 2013 there is going to be a township wide Fire Chief appointed and asked where we stand with this.

Council President Tamburro referred to the letter that Administrator Hamilton spoke about earlier. There was a question raised by the fire districts as to the Township's role and if there was a legal issue with the Township hiring a Township Fire Chief. Township Attorney Shain responded and we are awaiting the fire districts response. This issue was never raised at any of the Study meetings.

Sharon Decker, 330B Nantucket Lane – spoke on the solution Engineer Feist recommends with the use of a pumping station for the flooding from Cedar Brook. Engineer Feist explained that has been recommended by Rossmoor's engineers, not his firm.

Jerry Kaplan, 50 Turnberry Dr. – Fire Commissioner FD #3 – spoke on the Fire Consolidation Report. He does not understand the hiring of a Fire Chief and his responsibilities. An appointment will be set up with Wayne Hamilton and they will discuss the matter.

Marianne Lester, 44 Avenue K – asked if we have ever gone below the minimum legal fees per month for Shain, Schaffer & Rafanello. Administrator Hamilton stated he did not have that information at hand. She then asked the total amount spent on extraordinary litigation between 2008-2012 for Shain, Schaffer & Rafanello, PC and Administrator Hamilton again responded that he does not have that information at hand. Next she asked the number of years Mr. Shain has been the Township Attorney and Mayor Pucci responded – 25 years.

Bob Zeglarski, 62 Tournament Dr. – asked the governing body to make an effort to keep a lid on property taxes as they deliberate the 2013 budget.

Fran Klinsky, 327A Nantucket Lane – asked if Rossmoor was asked to lower the pond prior to Hurricane Irene. Engineer Feist stated that he believes they were asked but does not believe that they lowered the pond to its shallow depth as was done during Hurricane Sandy.

There was then a discussion as to where the water comes from and the possibility of the Township's ownership of the pond along with Rossmoor possibly buying the homes involved.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the Regular Meeting was Adjourned at 9:03 p.m.

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 _____