

**COUNCIL OF THE TOWNSHIP OF MONROE**  
**MINUTES**  
**SPECIAL & AGENDA MEETING – JANUARY 28, 2013**

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

The Special Meeting was Called to Order at 7:00 p.m. by Council Vice-President Henry L. Miller 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, and Council Vice-President Henry L. Miller.

**ABSENT:** 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 ten (10) members of the Public present in the audience.

Council Vice-President Miller 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 18, 2013 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** on January 23, 2013 and in the **CRANBURY PRESS** on January 25, 2013;
3. Posted on January 18, 2013 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 Vice-President Miller announced that the Special Meeting is being held for the Consideration of Resolutions and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina, the following entitled Resolution was moved for adoption: **RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL OBLIGATION BONDS OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$28,235,000 IN PRINCIPAL AMOUNT.**

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

**R-1-2013-015            RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL OBLIGATION BONDS OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$28,235,000 IN PRINCIPAL AMOUNT.**

Copy of Resolution Duly Filed.

**UPON MOTION** made by Councilwoman Koppel and seconded by Councilman Dalina, the following entitled Resolution was moved for adoption: **RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$28,235,000 GENERAL OBLIGATION BONDS, SERIES 2013 OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS AND DETERMINING CERTAIN MATTERS WITH RESPECT TO THE SALE AND ISSUANCE OF \$14,685,000 BOND ANTICIPATION NOTES.**

Councilman Leibowitz asked if we had the numbers yet.

Administrator Hamilton explained that the sale is this Thursday and feels very optimistic about the numbers. This issue will be a twenty year issue.

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

**R-1-2013-016            RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$28,235,000 GENERAL OBLIGATION BONDS, SERIES 2013 OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS AND DETERMINING CERTAIN MATTERS WITH RESPECT TO THE SALE AND ISSUANCE OF \$14,685,000 BOND ANTICIPATION NOTES.**

Copy of Resolution Duly Filed.

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dalina, the Special Meeting was Adjourned and the regularly scheduled Agenda Meeting Called to Order at 7:10 pm.

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

Council Vice-President Miller read the following entitled **ORDINANCE** for **SECOND READING** at the **MONDAY, FEBRUARY 4, 2013** Regular Council Meeting:

- a. **ORDINANCE AMENDING THE 2011 – 2014 SUPERVISORY SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE.**

Council Vice-President Miller read the following entitled **ORDINANCE** for **INTRODUCTION** at the **MONDAY, FEBRUARY 4, 2013** Regular Council Meeting:

- a. **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES".**

Council Vice-President Miller requested the Council to review the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **MONDAY February 4, 2013** Regular Council Meeting and will direct any questions they have to the proper authority:

- a. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SETTLEMENT AGREEMENT BY AND BETWEEN K. HOVNANIAN AT MONROE NJ LLC AND THE TOWNSHIP OF MONROE REGARDING THE CONSTRUCTION AND OPERATION OF SANITARY SEWER LINES ON PROPERTY IDENTIFIED AS BLOCK 25, LOTS 1 & 25, BLOCK 41, LOT 14 AND BLOCK 40, LOTS 2.02, 3, 4.01 & 5.01 IN THE TOWNSHIP OF MONROE.**
- b. **RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND CHRISTIAN HAYS WHO SHALL SERVE AS CAPTAIN OF POLICE.**
- c. **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO PRINCETON HEALTHCARE SYSTEM FOR OCCUPATIONAL MEDICAL SERVICES FOR CALENDAR YEAR 2013.**
- d. **RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO DYNAMIC TESTING SERVICE FOR MEDICAL, EDUCATIONAL AND ADMINISTRATIVE SERVICES RELATED TO THE DEVELOPMENT OF THE TOWNSHIP'S SUBSTANCE AND ALCOHOL MISUSE POLICY AND TESTING SERVICES FOR CALENDAR YEAR 2013.**
- e. **RESOLUTION GRANTING ADVICE AND CONSENT TO THE RE-APPOINTMENT OF MEMBERS TO THE OPEN SPACE AND FARMLAND PRESERVATION COMMISSION.**
- f. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND TOWNSHIP OF CRANBURY FOR PROVISION OF SANITARY SEWER SERVICES.**
- g. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- h. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- i. **RESOLUTION AUTHORIZING EXECUTION OF A 2013 MUNICIPAL ALLIANCE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE TOWNSHIP OF MONROE.**
- j. **RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION FOR YEAR 2012.**
- k. **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE EXTRAORDINARY LITIGATION REGARDING FRANCIS E. PARKER MEMORIAL HOME, INC.**
- l. **RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT FOR MONROE TOWNSHIP 2013 HVAC MAINTENANCE AND REPAIR SERVICES.**
- m. **RESOLUTION AUTHORIZING RENEWAL OF DOG KENNEL LICENSES FOR YEAR 2013.**
- n. **RESOLUTION AUTHORIZING EXTENSION OF CONTRACT 396R – "INSTRUMENTATION CALIBRATION AND SERVICE" WITH TJM CONTROLS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

- o. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO SIEMENS WATER TECHNOLOGIES CORP. FOR SECTION A OF CONTRACT 415A – “BIOXIDE” FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- p. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO UNIVAR USA, INC. – CONTRACT 415B – “SODIUM HYDROXIDE” FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- q. RESOLUTION AUTHORIZING MODIFICATION OF A PROFESSIONAL SERVICE CONTRACT WITH TIMOTHY HOFFMAN, LLC FOR APPRAISAL SERVICES FOR VARIOUS BLOCKS & LOTS FOR CONDEMNATION/RIGHT OF WAY.
- r. RESOLUTION AUTHORIZING AWARD OF CONTRACT 415C – “CALCIUM HYDROXIDE” TO YARDVILLE SUPPLY COMPANY FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- s. RESOLUTION AUTHORIZING AWARD OF CONTRACT 411-R – “DISPOSAL OF SOLID WASTE” TO JIS INDUSTRIAL SERVICE COMPANY, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- t. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO SKYLINE ENVIRONMENTAL, INC. FOR PROFESSIONAL SAFETY AND HEALTH TRAINING SERVICES FOR THE TOWNSHIP OF MONROE AND THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR CALENDAR YEAR 2013.
- u. RESOLUTION AUTHORIZING AWARD OF CONTRACT 417 – “WELL 21 RSC RESIN SYSTEM REMOVAL” TO CHASE ENVIRONMENTAL GROUP, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- v. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO JOHNSON, MIRMIRAN & THOMPSON, INC. FOR GENERAL ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- w. RESOLUTION WAIVING THE TIME PERIOD BETWEEN THE PASSAGE DATE AND THE EFFECTIVE DATE OF VARIOUS ORDINANCES OF THE TOWNSHIP OF MONROE.
- x. RESOLUTION AUTHORIZING AWARD OF CONTRACT 416 – “ELECTRICAL REPAIR AND MAINTENANCE SERVICES” TO LONGO ELECTRICAL MECHANICAL, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- y. RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2013 ANNUAL BUDGET TO MARCH 4, 2013.
- z. RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS STATE TAX COURT APPEALS IN YEAR 2013 AS EXTRAORDINARY LITIGATION.
- aa. RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS WORKERS’ COMPENSATION CLAIMS IN YEAR 2013 AS EXTRAORDINARY LITIGATION.
- bb. RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO ADVERTISE FOR RECEIPT OF BIDS FOR “ASHMALL AVENUE PUMP STATION #7 IMPROVEMENTS”.

- cc. RESOLUTION AUTHORIZING AWARD OF CONTRACT 413 – “GENERATOR MAINTENANCE AND REPAIR” TO FM GENERATOR, INC. FOR THE TOWNSHIP OF MONROE AND THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- dd. RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACT WITH JERSEY CENTRAL POWER AND LIGHT COMPANY (“JCP&L”) FOR EXTENSION OF THREE-PHASE POWER TO ASHALL AVENUE PUMP STATION #7 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- ee. RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN INTER-LOCAL SERVICES AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE HAZMAT EMERGENCY RESPONSE AND COST RECOVERY SERVICES.
- ff. RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (2012 Green Fair – 150 Seedlings)
- gg. RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH DM MEDICAL BILLINGS, INC. IN CONNECTION WITH THIRD PARTY BILLING.
- hh. RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING A MAINTENANCE GUARANTEE FOR MONROE MEADOWS SOUTH (PB-857-03).
- ii. RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1031 MORNING GLORY DRIVE.
- jj. RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1066 MORNING GLORY DRIVE.
- kk. RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR STRATFORD AT MONROE – SECTION 4.
- ll. RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEES POSTED FOR MONROE 33 TENNIS, BASKETBALL & SPORTS CENTER (PB-1050-07).
- mm. RESOLUTION APPOINTING COUNCIL MEMBER TO THE MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FOR CALENDAR YEAR 2013.

Mayor Pucci – No Report.

Administrator Hamilton – No Report.

Engineer Feist – No Report.

#### **Council Reports:**

Councilman Leibowitz – No Report.

Councilman Dalina – asked the status of trash removal from the house on Matchaponix Avenue and Administrator Hamilton advised that a Purchase Order has been issued to the company being used to clean-up the property. Unfortunately the weather has turned too cold to send personnel out and the property is still too soft to put equipment on. He assured the Council that the work will be done soon.

Councilwoman Koppel – mentioned that that “Songs of the Silver Screen” will be presented by the Cultural Arts Commission on February 16<sup>th</sup> at 2 pm.

Council Vice-President Miller – No Report.

**Public:**

George Gunkelman, 5 Kelly Court – Item #10.II. – questioned the Release of the Maintenance Guarantee for Monroe 33 Tennis & Basketball Sports Center.

Engineer Feist explained that the release is only related to the building, not the developer that would be responsible for the roadway and County roadway improvements. He advised that Council President Tamburro had spoken with the County Engineer’s office and they have begun litigation against the Bond for the improvements to Perrineville Road. The maintenance bond this evening is limited to the site.

Mr. Gunkelman then asked if it would normally be necessary, when applying for a Certificate of Occupancy (“C.O.”) or Temporary Certificate of Occupancy (“T.C.O.”) that the other work be signed off on and Engineer Feist stated that at that time the County did not take exception. They were comfortable with the temporary configuration of the new roadway at Perrineville Rd.

Michelle Arminio, 9 Nathaniel St. – Item #10.z. and 10.aa. – Authorizing Shain, Schaffer & Rafanello to handle various Tax Court Appeals for 2013. She asked if there is an hourly rate.

Administrator Hamilton explained that this is the first authorization that is done in the beginning of the year for Tax Appeal defense work in the amount of \$100,000.

She then asked the total amount for last year and was advised \$275,000.

She then asked the percentage of Appeals that were denied and Administrator Hamilton advised he does not have that information with him this evening. He further explained that most of this work was for commercial and generally ended up in State Tax Court.

She then questioned Item #10.aa. asking the amount for the 2013 Worker’s Compensation Claims and Administrator Hamilton explained that this is the first authorization for 2013 and it’s for \$15,000.

Ms. Arminio questioned Item #10.w. asking for an explanation of the Waiver of the time period between the passage date of various Ordinances.

Administrator Hamilton referred this question to the Township Clerk who explained that this Resolution is in connection with the Ordinance Amending the 2011 – 2014 Supervisory Salary and Wage and waives the 20-day estoppel period after the Notice of Final Adoption has been printed in the newspaper.

Nelson Chen, Ashley Court – mentioned that last month there were general contract fees for Shain, Schaffer and Rafanello not to exceed \$21,000 and asked the difference between that and the extraordinary litigation.

Administrator Hamilton explained that the current contract is for general legal work which is separate from tax appeals and extraordinary litigation.

George Gunkelman, 5 Kelly Court - mentioned that since the M.T.U.D. is now under the Township he has noticed a large number of Resolutions and Contracts coming before the Council and yet very few DPW contracts.

Administrator Hamilton explained that MTUD Contracts still require Council action. Public Works is a lesser entity, having a smaller operation than that of the M.T.U.D.

**UPON MOTION** made by Councilman Dalina and seconded by Councilman Leibowitz the Agenda Meeting was Adjourned at 7:30 p.m.

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

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SHARON DOERFLER, Township Clerk

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HENRY L. MILLER, Council Vice-President

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