

**COUNCIL OF THE TOWNSHIP OF MONROE**

**MINUTES**

**AGENDA MEETING – MARCH 27, 2013**

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

The Agenda 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, Attorney Kevin Boris sitting in for Township Attorney Joel L. Shain and Township Engineer Ernest W. Feist.

**ABSENT:** Mayor Richard Pucci and Township Attorney Joel L. Shain.

There were approximately six (6) members of the Public present in the audience.

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

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

1. Posted on January 4, 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** and **CRANBURY PRESS** on January 4, 2013;
3. Posted on January 4, 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 President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, April 1, 2013** Regular Council Meeting:

- a. **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN AND TO REAPPROPRIATE, AUTHORIZATION AND DOWN PAYMENT AMOUNTS AMONG CERTAIN IMPROVEMENTS SET FORTH THEREIN.**
- b. **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE.**

- c. **ORDINANCE AMENDING CHAPTER 79 ENTITLED, "POLICE DEPARTMENT RULES AND REGULATIONS".**
- d. **ORDINANCE ESTABLISHING CHAPTER 38A OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "FACILITIES POLICIES AND PROCEDURES".**
- e. **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**

Council President Tamburro read the following entitled **ORDINANCE** for **INTRODUCTION** at the **MONDAY, APRIL 1, 2013** Regular Council Meeting:

- a. **ORDINANCE ACCEPTING LANDS TO BE DEDICATED FOR THE PURPOSES OF STORMWATER MANAGEMENT IN THE "MILLWOOD ESTATES" RESIDENTIAL SUBDIVISION AND AUTHORIZING THE TAX ASSESSOR TO CANCEL TAXES FOR TAX YEAR 2013 ASSESSED ON BLOCK 169, LOT 5.08, AND EXEMPT SAID PROPERTY FROM TAXATION.**

Council President Tamburro requested the following entitled **RESOLUTIONS**, a. through aa., listed for **CONSIDERATION** at the **MONDAY, APRIL 1, 2013** Regular Council Meeting, be reviewed and will be happy to address any questions:

- a. **RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 AND FINAL CLOSE-OUT OF CONTRACT NO. 394 WITH PM CONSTRUCTION CORP. FOR "FOREST PARK TERRACE SANITARY SEWER REPLACEMENT" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).**
- b. **RESOLUTION AUTHORIZING PURCHASE OF A VEHICLE UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS, PARKS DIVISION.**
- a. **RESOLUTION REFUNDING THIRD PARTY LIEN PREMIUM PAYMENTS.**
- b. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- e. **RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION OF CONTRACT FOR MONROE TOWNSHIP 2013 LANDSCAPING SERVICES.**
- f. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTERNATIONAL FIREWORKS MANUFACTURING COMPANY.**
- g. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES.**
- h. **RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH A FINAL CLOSE-OUT OF CONTRACT NO. 378-A WITH PM CONSTRUCTION CORP. FOR "WELLS 20 AND 23 RAW WATER TRANSMISSION MAIN" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).**
- i. **RESOLUTION AUTHORIZING RENEWAL OF DOG KENNEL LICENSE FOR THE YEAR 2013. (DeeAnee Kennel)**
- j. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR MONARCH WOODS – PB-967-05.**
- k. **RESOLUTION AUTHORIZING THE EXECUTION OF A 2013 FUNDING AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE FOR SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM.**

- l. RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (Monroe Oak Maintenance - \$1,410.00)**
- m. RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER R-10 SUBMITTED BY ARCO CONSTRUCTION GROUP, INC. FOR ADDITIONAL WORK PERFORMED IN CONNECTION WITH THE CONSTRUCTION OF THE MONROE TOWNSHIP SENIOR/TRANSPORTATION FACILITY.**
- n. RESOLUTION AUTHORIZING A MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH 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.**
- o. RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR TOLL BROTHERS, INC. – BLOCK 35; LOT 2.02 & 17.**
- p. RESOLUTION INTRODUCING THE 2013 MUNICIPAL BUDGET.**
- q. RESOLUTION PROVIDING THAT THE 2013 MUNICIPAL BUDGET BE READ BY TITLE AT THE TIME OF THE PUBLIC HEARING.**
- r. RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR CLEARVIEW ESTATES.**
- s. RESOLUTION TURNING OVER TAX TITLE CERTIFICATE PREMIUMS TO THE DEPARTMENT OF FINANCE.**
- t. RESOLUTION REJECTING ALL BIDS RECEIVED BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR CONTRACT NO.419 – “FIRE HYDRANT FLUSHING SERVICES”.**
- u. RESOLUTION AUTHORIZING AWARD OF BID FOR ION EXCHANGE SYSTEM.**
- v. RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. 402 –ASHMALL PUMP STATION.**
- w. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO BOGUE CUSTOM BUILDERS, LLC FOR THE REPAIR AND RECONSTRUCTION OF FOUR DUG-OUTS AT JAMES MONROE PARK.**
- x. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED TATE CONTRACT VENDORS FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.**
- y. RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE BY AND BETWEEN THE TOWNSHIP OF MONROE MUNICIPAL UTILITIES DEPARTMENT AND THE STATE OF NEW JERSEY, JUVENILE JUSTICE COMMISSION, DEPARTMENT OF LAW AND PUBLIC SAFETY REGARDING THE SANITARY SEWER CONNECTION PROJECT AT BLOCK 53, LOT 11 – NEW JERSEY TRAINING SCHOOL FOR BOYS.**
- z. RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN SOUTHFIELD GRAND, LLC AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP MUNICIPAL UTILITY DEPARTMENT'S PUMP STATION NO. 2.**
- aa. RESOLUTION AUTHORIZING AND APPROVING A PERSON-TO-PERSON TRANSFER OF LIQUOR LICENSE. (Monroe Liquors, Inc. to Franklin Plaza Spirits, Inc.)**

Councilman Dalina questioned Resolution 7.y. – the settlement agreement and release between the Township and the State of NJ Juvenile Justice Commission regarding Sanitary Sewer connection. The M.T.U.D. Director, Mike Rogers, explained the particulars.

Councilman Leibowitz questioned Item 5.e. – Municipal Budget Appropriation Limits to establish a Cap Bank. Administrator Hamilton explained.

Councilwoman Koppel questioned Item 5.d. - Ordinance establishing Chapter 38A of the Code of the Township entitled "Facilities Policies & Procedures, asking if the policies would be reviewed prior to being adopted. Administrator Hamilton explained this Ordinance gives Administration the authority to establish the policies for the Senior Center, Community Center, the Municipal Complex, and Library. He will be glad to share the policies as they are being developed.

Mayor Richard Pucci – Not Present

Administrator Wayne Hamilton – No Report

Engineer Ernest Feist – No Report

**Council Reports:**

Councilman Leibowitz – Spoke on the fatal event that occurred on South Rhoda Street this past week and asked that when the events are made public, to have compassion.

Councilman Dalina – No Report

Councilwoman Koppel – Attended the Chinese Acrobats performance sponsored by the Cultural Arts on Friday and found it absolutely amazing and was very happy with the number of children in attendance. Children are able to attend Cultural Arts performances free of charge.

Council Vice-President Miller – No Report

Council President Tamburro wished all a Happy Passover and Happy Easter.

Council President Tamburro announced introduced Attorney Kevin Boris, sitting in this evening for Township Attorney Joel Shain.

**Public:**

Charles Petretti, 4A Wingate Court, Concordia – asked for an update on work being done at the Chabad House on Applegarth Rd and the new development at the corner of Half Acre and Union Valley Roads. His concern is the hours that the road is being shut down and is there anything that can be done to accommodate the heavy traffic early in the morning.

Engineer Feist responded that Applegarth is a County Road and they would need permission from the County Engineer to open the road and have partial closure of the road. He will look into the matter.

Mr. Petretti mentioned that it is the contractors own men controlling the traffic flow and asking if this is okay with the Township. Administrator Hamilton stated that the men need to be certified to go into the street.

Mr. Petretti next asked about the April 1<sup>st</sup> opening date of the Senior Center. Administrator Hamilton stated that the date has been delayed due to an issue with the fire alarm system and the finishing of the site work.

Item 7.m. – Change Order for the Senior Center. Administrator Hamilton advised the Change Order totals \$12,000.

Item 7.y. – Settlement agreement and release between the Township and the State of NJ Juvenile Justice Commission regarding Sanitary Sewer connection. Council President Tamburro stated it involves sewer lines that were put in and late fees. Litigation would have been far more costly vs. settling the matter.

Tom Nothstein, 15 Nathaniel St. questioned the following Items on the Agenda:

Item 5.b. – Amending Supervisory Salary & Wage Ordinance - Administrator Hamilton explained this is for the establishment of a stipend for Municipal Facilities Co-ordinator who will co-ordinate and oversee most of the Municipal Facilities.

Item 5.c. – Amending Chapter 79 “Police Department Rules & Regulations”. This is correcting an inaccuracy regarding a company involved in our Domestic Violence investigation process which is no longer in business.

Item 5.d. – Item 5.d. - Ordinance establishing Chapter 38A of the Code of the Township entitled “Facilities Policies & Procedures. This is regarding after hours use of our various municipal facilities by Clubs. Mr. Nothstein asked if out of town clubs are able to use the facilities and Administrator Hamilton stated that, right now, it will be limited to in-town only.

Item 7.p. – Municipal Budget – asked for some highlights on the Budget. Administrator Hamilton stated that it will be introduced on Monday and the Mayor will have comments. The tax rate is going down a penny.

Nelson Chen, 4 Ashley Ct – Item 5.b. – Municipal Facilities Coordinator - what is the amount – Administrator Hamilton advised \$12,000. He then asked if it is in addition to the 40 hour work week for that person and Administrator Hamilton responded “yes”.

Councilman Leibowitz asked if the position was advertised and Administrator Hamilton responded that it will be an existing staff person.

Council Vice-President Miller commended Michele Arminio for her description of the differences between the Township Agencies & the Board of Education, which aired on Channel 28.

Michele Arminio, 9 Nathaniel St. – Item #5.b. - Amending the Supervisory Salary & Wage Ordinance. Administrator Hamilton explained that this is for the establishment of a stipend for a Municipal Facilities Coordinator. She asked if this is one person and Administrator Hamilton responded that it is just one person.

Item 7.g. – MTUD specifications for various goods & services, asking the cost. Administrator Hamilton explained this is just authorization to go out to bid, there are no prices yet. Next she asked if there was a cost for someone to prepare specifications and she was told “no”, it is done in-house. Only the advertisement in the newspaper will be billed.

Item 7.k. - Agreement between the Township & the County for Senior Citizen and Disabled Resident Transportation Assistance Program. She was advised that it is a Grant for \$13,000. We also provide some services to Jamesburg residents.

Item 7.q. – Resolution providing that the 2013 Municipal Budget will be read by Title at the time of the Public Hearing. Administrator Hamilton responded that this is something that is done every year at the time of the Public Hearing. It also sets forth the date of the Public Hearing which is May 6<sup>th</sup> where a brief overview of the Budget will be given.

Item 7.w. – Award of Contract to Bogue for Dugout damage due to Super Storm Sandy. She asked the amount and was told \$27,500 which is covered by our insurance. She asked if the town has applied for FEMA money due to the storm and Administrator Hamilton stated that we received the first check in the amount of \$100,000. The total submittal was approximately \$400,000.

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

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 DOERFLER, Township Clerk

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GERALD W. TAMBURRO, Council President

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