

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING - JUNE 7, 2017**

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 Stephen Dalina with a Salute to the Flag.

**UPON ROLL CALL** by the Township Clerk, Patricia Reid, the following members of Council were present: Councilwoman Miriam Cohen, Councilman Blaise Dipierro, Councilman Michael Leibowitz, Council Vice-President Elizabeth Schneider and Council President Stephen Dalina.

**ALSO, PRESENT:** Mayor Gerald W. Tamburro, Business Administrator Alan M. Weinberg, Township Attorney Joel L. Shain, Engineer Mark Rasimowicz, Chief Financial Officer George Lang and Deputy Township Clerk Christine Robbins.

There were approximately fifty (50) members of the Public present in the audience.

Council President Dalina requested the Township 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 has been provided by the following:

1. Posted on the Bulletin Boards within the Municipal Building on December 30, 2016 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **STAR LEDGER** on January 6, 2017;
3. Posted 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.

Mayor Tamburro presented a Proclamation to Commander Nicholas Ferrarotto and Post Members from American Legion Post 522 for **“Flag Day” – June 14, 2017**; Commander Ferrarotto gave an overview of the significance of the Flag and the importance of Flag Day. He stated that we should continue to gaze upon that Flag proudly and remember those who have fought to defend it. Commander Ferrarotto asked for everyone to please rise while a prayer was read into the record. A call to colors was done, along with a moment of silence, acknowledging all of those who have served under the Flag and remembering those who are not here as they have given the ultimate sacrifice for our Flag to fly; *bugle played “Taps”*. Mayor Tamburro asked everyone to remain standing while the colors were retreated.

Mayor Tamburro presented two 2017 Monroe Township High School Graduates, Matthew Mischler, who will be attending the United States Naval Academy and Kaitlyn Guo, who will be attending the United States Air Force Academy, with certificates of appreciation and pens to write letters home. Councilman Leibowitz spoke of his experience at the West Point Naval Academy and wished them the best of luck in their experiences in the academy. Both graduates thanked their families for all their support through the process.

A brief recess was taken and the Regular Meeting was recalled to order at 7:33 p.m.

Council President Dalina turned the meeting over to Mayor Tamburro, Recreation Assistant Superintendent Jeanne Crawley, Athletic Director of the Monroe Township High School Greg Beyer and Coach Carly Welsh who awarded the Monroe Township High School Girls Lacrosse Team with sweatshirts, pens and certificates for winning the County Championship becoming the 2017 GMC Champions.

**Monroe Township High School Girls Lacrosse Team – “2017 GMC Champions”**

Nicole Cardinali	Kendall LoMauro	Olivia Tucker
Jenna Cutrone	Christina Wang	Lauren Conlon
Courtney Frycz	Ashley Patten	Kathryn “Katie” Gallagher
Lesley Lane	Julianna Palmer	Amanda Laezza
Kara Turco	Elizabeth Skobelev	Ria Varughese
Teresa Buffolino	Emmaleen “Emmy” Regan	Jill Reina
Paige Gandy	Jennifer Conlon	Olivia Hrymoc
		Allison Aitken

**Coaches:** Carly Welsh, Sarah Cummings and Shea Clemencich

A brief recess was taken and the Regular Meeting was recalled to order at 7:45 p.m.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilwoman Cohen, the **CLAIMS** per run date of **05/25/2017** were approved for payment as presented.

ROLL CALL: Councilwoman Miriam Cohen Aye  
Councilman Blaise Dipierro Aye  
Councilman Michael Leibowitz Aye  
Council Vice-President Elizabeth Schneider Aye  
Council President Stephen Dalina Aye

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilman Dipierro, the **MINUTES** of the **April 24, 2017 Agenda Meeting** and **May 1, 2017 Regular Meeting** were approved as written and presented.

ROLL CALL: Councilwoman Miriam Cohen Aye  
Councilman Blaise Dipierro Aye  
Councilman Michael Leibowitz Aye  
Council Vice-President Elizabeth Schneider Aye  
Council President Stephen Dalina Aye

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was moved on second reading for final passage:

**O-5-2017-011 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “LAND DEVELOPMENT”.**

**ORDINANCE** as follows: (O-5-2017-011)

**WHEREAS**, by Resolution dated January 26, 2017, the Monroe Township Planning Board amended the Land Use Plan Element of the Master Plan; and

**WHEREAS**, said amendment requires an amendment to the Official Zoning Map and area requirements for the RR-FLP Zone; and

**WHEREAS**, the Township Council believes these amendments to be in the best interest of the Township;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey, that the Code of the Township of Monroe, Chapter 108, entitled “Land Development” shall be amended as follows:

**SECTION 1.**

- (A) Section 108-6.2 of the Code entitled “Official Zoning Map” of Monroe Township, New Jersey, dated September 7, 2016, and as amended from time to time thereafter, is hereby amended for the purpose of re-zoning Block 26, Lot 18 from R-30 Residential to NC Neighborhood Commercial. Amended Map dated January 6, 2017 is attached hereto as Exhibit A.
- (B) Section 108-6.4 shall be amended to change the minimum lot size for the RR-FLP Zone from 6 acres to 10 acres.
- (C) Section 108-6.27.C. shall be amended to read “The area, yard and building requirements are specified for this zone in the schedule of requirements in § 108-6.4 of this Article and the applicable subsections of this chapter, with the provision that individual lots containing less than 10 acres that complied with the minimum six-acre lot requirement and all other area, yard and building requirements of the RR-FLP district at the time of the adoption of the ordinance for increasing minimum lot size to ten acres shall be ‘grandfathered’ under the prior RR-FLP area, yard and building requirements.”

**SECTION 2.**

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION 3.**

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 4.**

This Ordinance shall take effect upon final passage and publication as provided by law subject to a copy being filed with the Middlesex County Planning Board.

**SO ORDAINED** as aforesaid.

**Jim Etsch, 101 Hoffman Rd.** – Mr. Etsch asked the Council to reconsider voting on this ordinance as the change from six acres to ten acres will affect the landowner equity and limit their ability to borrow funds needed to operate, upgrade equipment and maintain his family farmstead. His family has been farming in the township since 1931, his son is a fourth-generation farmer with no plans of going anywhere. He asked that the ordinance be tabled and further discussed before a vote is given at tonight’s meeting.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman supports the statements made by Mr. Etsch as he feels this ordinance will not only impact commercial farmers but there are unintended consequences in its passing. He conveyed the if we hurt the farmers it will put land into the market, whereas, the objective is to keep land rural and slow down development. If you hurt the farmers, unfortunately, the opposite will happen because they will be forced to sell their land and go places with lower tax rates and more viable farmland. He asked that the Council table the ordinance so further information can be provided and it can be further discussed. Mr. Gunkelman then questioned as to whether the Planning Board had given a recommendation for this ordinance; Council President Dalina asked Planner Mark Remsa to interject and give an overview as to how this ordinance came to fruition and why it is being considered. Mark Remsa explained that the Master Plan was created by the Planning Board and it did go through the process of a first reading with the Planning Board reviewing the ordinance and giving their approval so the Council can consider it at tonight’s meeting, which is why we are here tonight having the second reading. He explained that the genesis of this had started several years ago with the Master Plan

Subcommittee looking to fine tune the land use plan element of the Master Plan. They had looked at several changes and gave their recommendations. In January 2017, the Planning Board adopted an amendment to the land use plan element, making the recommendation of looking at the areas that are environmentally sensitive areas of the farmland preservation residential rural area and lowering the intensity of development in those particular areas because they have the most environmentally sensitive land, an example would be the lack of sanitary sewers, which they are not planned to ever have. He clarified that the intention was to lower the intensity of development and to respect the environmental conditions of the ordinance. He stated that it was realized that there would be a number of homes that would be affected, so it was decided that those who have complied with the six-acre requirement would be grandfathered and not required to come before the Board for variances, as flexibility was incorporated to protect those that are already in the current zone. Lastly, he added that he has done research on operating loans for farmers and has sat down with a lender and asked if there is a difference in practice for lending to farmer's compared to small business loans, and it was explained that the basis is not different as it is all about cash flow, the land is used to secure the loan but a loan equivalent to the value of the land is never given out as it is too risky, it is based off the ability to pay back the loan. Mr. Gunkelman stated that the presentation was factual evidence that more research needs to be done as it should also be discussed with the Open Space and Farmland Preservation Committee. He feels that this ordinance should be tabled and reconsidered at a later date.

**Patrick Hye, 228 Mounts Mills Rd.** – Mr. Hye asked how many farmers and landowners were contacted; Planner Mark Remsa answered that the Planning Board put public notices in the newspapers to let the public know that the change was being considered. Mr. Hye feels that the Council should table this ordinance and talk with the people who make a living farming and consider all the variables first before voting and get the answers firsthand. Administrator Weinberg added that he understands it is a difficult and important issue and explained that when there are periodic reviews of the Master Plan, zones are reviewed and not individual properties. There is no requirement to send out notices to individual property owners. He also stated that it was previously zoned as three acres then amended to six and now proposed to ten. These are environmentally sensitive areas with no access to water and sewer and the Township wants to preserve and maintain certain rural areas. He went on to add that we are trying to look at the greater good of the Township and limit intense development in environmentally sensitive areas. One good piece of news is that the State has reauthorized the Farmland Preservation Program, which will give farmers who preserve their land with the State, the cash value of their property in exchange for their continuing pledge to farm on their property, adding that this program is available and has been very successful throughout the State. Lastly, Administrator Weinberg added that there is an overarching goal to limit development in these environmentally sensitive areas which is what we are trying to accomplish.

As Council Vice-President Schneider and Councilwoman Cohen moved and seconded the adoption, Councilwoman Cohen voted in the affirmative, Councilman Dipierro asked for clarification as to what we were voting on; Council President Dalina clarified that this was to adopt O-5-2017-011, to which Councilman Dipierro asked if the Ordinance could instead be tabled as he felt there was more information and clarification needed before voting to adopt. Council President Dalina asked for a motion and second to table O-5-2017-011.

**UPON MOTION** made by Councilman Dipierro and seconded by Councilman Leibowitz an Ordinance of which the following is the title was asked to be **tabled** until the July 5, 2017 Regular Meeting:

**O-5-2017-011 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "LAND DEVELOPMENT".**

ROLL CALL: Councilwoman Miriam Cohen	Nay
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Nay
Council President Stephen Dalina	Nay

Since the motion to table failed to pass, Council President Dalina asked for a motion to approve O-5-2017-011 as presented.

Council Vice-President Schneider asked how many farms were affected; Administrator Weinberg answered in the rural residential zone, the largest land owners are the State and the New Jersey

Turnpike and every farm is under one hundred acres; thirty-five properties are over thirteen acres and the owners include land companies, realty companies and several farmers. It would have an impact depending on how many acres someone had. Many are owned by private companies, developers and some are owned by farmers. Council Vice-President Schneider commented that we are not talking about individually owned properties that are owned by residents; Administrator Weinberg answered that a lot are owned by realty companies, with the real impact being on someone who owns fifty plus acres as they will be limited to how many homes that can be built on their land. He added that the zone was created and advanced because it is an environmentally sensitive area. Council Vice-President Schneider asked if they can still do farmland preservation; Administrator Weinberg answered that they can still farm, no one would stop them from farming; Councilman Leibowitz clarified that if they opted to do the farmland preservation, they get paid the value of the land upfront; Administrator Weinberg answered that they do but they have to commit to farming for the rest of their lives which not everyone is committed to doing.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:

**O-5-2017-011 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “LAND DEVELOPMENT”.**

ROLL CALL: Councilwoman Miriam Cohen	Aye
Councilman Blaise Dipierro	Nay
Councilman Michael Leibowitz	Abstain
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Ordinance Duly Filed.  
O-5-2017-011

**UPON MOTION** made by Councilman Dipierro and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was **tabled** from consideration:

**O-5-2017-012 ORDINANCE APPROVING SUBDIVISION AND TRANSFER OF TOWNSHIP PROPERTY TO FIRE DISTRICT #3 AND TO THE BOARD OF EDUCATION FOR PUBLIC USE.**

**ORDINANCE** as follows: (O-5-2017-012)

**WHEREAS**, Monroe Fire District #3 owns property on the corner of Schoolhouse Road and Buckelew Avenue, designated as Lot 1.01 in Block 52, on which an existing firehouse is located; and

**WHEREAS**, Monroe Fire District #3 has determined it to be in the public interest that it replace the existing firehouse on the property with a new firehouse; and

**WHEREAS**, Monroe Fire District #3 needs additional land to accommodate a new firehouse at the site; and

**WHEREAS**, the Township of Monroe (“Township”) owns land adjacent to Fire District #3’s property, designated as Lot 2.03 in Block 52, and is willing to convey a portion of its property to Fire District #3 to accommodate a new firehouse at the site in accordance with the subdivision plan prepared by Center State Engineering dated January 5, 2016, a copy of which is annexed hereto as Exhibit A; and

**WHEREAS**, by Resolution dated April 4, 2017, Monroe Fire District #3 has reviewed and approved the subdivision plan as it relates to the land upon which a new firehouse will be build; and

**WHEREAS**, the Monroe Township Board of Education also needs land for overflow school bus parking; and

**WHEREAS**, the Township owns land adjacent to Board of Education property, designated as Lot 2.03 in Block 52, and is willing to convey a portion of its property to the Board of Education to accommodate the Board of Education's needs; and

**WHEREAS**, the Buildings and Grounds Committee of the Board of Education has reviewed and approved the subdivision plan as it relates to the portion of land to be transferred to the Board of Education for overflow bus parking; and

**WHEREAS**, in connection with the Township transferring the above-described property to Fire District #3 and to the Board of Education, the Township will reserve rights-of-way for future roadway improvements, if any; and

**WHEREAS**, the Council believes that the construction of a new firehouse in Fire District #3 and the dedication of land to the Board of Education for overflow bus parking will benefit the citizens of Monroe; and

**WHEREAS**, to effectuate the purposes described above, existing Lot 1.01 in Block 52 will be transferred from Fire District #3 to the Township; the Township will consolidate Lot 1.01 with Lot 2.03 in Block 52; the Township will subdivide the newly-consolidated Lot into new Lots 1.02, 2.05 and 2.06; the Township will transfer Lot 1.02 to Fire District #3; the Township will transfer Lot 2.05 to the Board of Education; the Township will reserve rights-of-way on Lots 1.02 and 2.05 for future roadway improvements, if any; and the Township will retain Lot 2.06.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Monroe, in the 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 Lot 1.01 in Block 52; to consolidate Lots 1.01 and 2.03 in Block 52; to subdivide the newly-consolidated Lot into new Lots 1.02, 2.05 and 2.06; to transfer Lot 1.02 to Fire District #3 to transfer Lot 2.05 to the Board of Education; and to reserve rights-of-way in Lots 1.02 and 2.05 for future roadway improvements, if any.

**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 Dalina advised that this Ordinance would be tabled until the **July 5, 2017** Regular Meeting due additional time needed for title work.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-6-2017-013                      ORDINANCE      ACKNOWLEDGING      MONROE TOWNSHIP'S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF SPOTSWOOD-ENGLISHTOWN ROAD AND OLD TEXAS ROAD.**

ROLL CALL: Councilwoman Miriam Cohen	Aye
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-6-2017-014 BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,767,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$310,000) AND AUTHORIZING THE ISSUANCE OF \$2,634,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

ROLL CALL: Councilwoman Miriam Cohen	Aye
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Ordinance Duly Filed.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Dipierro, an Ordinance of which the following is the title was introduced on first reading for final passage: **O-6-2017-015 BOND ORDINANCE PROVIDING FOR VARIOUS 2017 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$6,105,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$6,105,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

Copy of Ordinance Duly Filed.

**RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, the following Resolutions were moved for Adoption under the **CONSENT AGENDA**

**R-6-2017-153 RESOLUTION REFUNDING TAX OVERPAYMENTS.**

**WHEREAS**, the Tax Collector for the Township of Monroe has recommended this Council's approval to make refunds for tax overpayments in the amount of twenty-seven thousand three hundred eighty-seven dollars and eight cents (\$27,387.08) for the amounts described on Schedule A and attached hereto;

**WHEREAS**, good cause has been shown

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe in the County of Middlesex and State of New Jersey that the Township's Certified Municipal Finance Officer be and is hereby directed to draw a check from the General Account refunding the Tax overpayments described above to be distributed as set forth on the attached Schedule A:

**SO RESOLVED**, as aforesaid.

**R-6-2017-154**

**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 FOR 2017.**

**WHEREAS**, in the interests of the citizens of the Township of Monroe, County of Middlesex, the Monroe Township Utility Department (“M.T.U.D.”) has a need for the following goods and services:

1. Forsgate Pump Station #2 Influent Channel Cover and Odor Control
2. Well 26 Irrigation Project

; and

**WHEREAS**, pursuant to N.J.S.A. 40a:11-4, every contract or agreement for the performance of any work or furnishing of any materials or supplies, the cost of the contract price wherefore is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefore;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the M.T.U.D. Purchasing Manager is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-6-2017-155**

**RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP  
CLERK TO EXECUTE A CONTRACT WITH JAMES H. LASKEY,  
ESQ. FOR SERVICES RELATED TO THE CATV TELEVISION  
REFRANCHISE.**

**WHEREAS**, the Township of Monroe seeks professional legal Services related to the Municipal approval process and to make recommendations and oversee the Monroe Township Cable TV refranchise negotiations; and

**WHEREAS, James H. Laskey, Esq.** of Norris, McLaughlin & Marcus, P.A., 400 Crossing Blvd., 8<sup>th</sup> Floor, Bridgewater, N.J. 08807 possesses the technical expertise required for said professional services needed for this project; and

**WHEREAS**, the total amount of compensation for said services shall be at the rate of \$199.00 per hour plus reimbursements for actual disbursements, including but not limited to mailings, postage, photocopying, messenger and/or overnight courier service, transportation and filing fees; and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1700029, a copy of which is attached hereto as Exhibit “A”; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the award of contracts for “professional services” without competitive bids and further provides that the contract itself must be available for public inspection;

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with **James H. Laskey, Esq.** of Norris, McLaughlin & Marcus, P.A., 400 Crossing Blvd., 8<sup>th</sup> Floor, Bridgewater, N.J. 08807, in accordance with the Agreement annexed hereto as Exhibit “B”;



- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by **James H. Laskey, Esq** in an amount of \$199.00 per hour not to exceed **\$15,000.00** without prior approval of the Township Council;
- (3) The Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for services performed by persons authorized by law to practice a recognized profession that is regulated by law.
- (4) The Contract is awarded with the stipulation that **James H. Laskey, Esq** shall include within the Contract Mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;
- (5) A notice of this action shall be printed once in the Home News Tribune.

**SO RESOLVED**, as aforesaid.

**R-6-2017-156                    RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS TOWNSHIP PROJECTS.**

**WHEREAS**, in the interest of the citizens of the Township of Monroe, in the County of Middlesex, the Township has a need for the following goods and services:

- Concrete Improvements – Township Wide
- Roadway Striping – Township Wide
- Soccer Complex Improvements

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, every contract or agreement for the performance of any work or the furnishing of any materials or supplies, the cost of the contract price wherefore is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefor;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Monroe Township Engineer is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-6-2017-157                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO AQUATIC TECHNOLOGIES, INC. FOR WET BASIN MAINTENANCE.**

**WHEREAS**, on March 10, 2017, the Township of Monroe has solicited proposals for Wet Basin Maintenance for 2017; and

**WHEREAS**, the three (3) competitive quotes received are as herein below set forth:

**Aquatic Technologies, Inc.** Branchville, N.J. - \$19,311.04  
(includes permits and treatment)

**Aqua Link, Inc.** - Doylestown, PA. - \$14,400.00  
(plus T & M for permit submittals and \$4,500 per sulfate treatment)

**Solitude Lake Management** – Hackettstown, N.J. - \$58,000.00  
(includes permits and treatments)

**WHEREAS**, the Township Engineer has reviewed the three (3) proposals received and, by copy of letter dated April 13, 2017, recommends the award of contract to **Aquatic**

*Technologies, Inc., P.O. Box 769 Branchville, N.J. 07826*, in the amount of **\$19,311.04**; and

**WHEREAS**, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.A.C. 17:27-1, *et seq.*) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor or business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the affirmative action plan approved under the terms established in the above-cited regulations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex that it has rendered its advice and hereby consents to the award of contract, to *Aquatic Technologies, Inc.*, for 2017 wet basin maintenance for a total contract price of **\$19,311.04**; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1700027, a copy of which is attached hereto; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with *Aquatic Technologies, Inc.*; and

**BE IT FURTHER RESOLVED** that the Certified Municipal Finance Officer is hereby authorized and directed to pay *Aquatic Technologies, Inc.* in accordance with the contract entered into between the parties; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that *Aquatic Technologies, Inc* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

**SO RESOLVED**, as aforesaid.

**R-6-2017-158                    RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS ("RFQs") FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PUBLIC SAFETY COMPLEX.**

**WHEREAS**, the Township of Monroe, County of Middlesex, has a need to prepare and advertise Requests for Qualifications ("RFQs") for Construction Management Services for the Public Safety Complex; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.5, the Township of Monroe, in the County of Middlesex, has a need to solicit resumes setting forth qualifications for these services;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Monroe Township Business Administrator/QPA is hereby authorized to prepare qualifications and advertise RFQs for Construction Management Services for the Public Safety Complex, and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-6-2017-159**

**RESOLUTION AUTHORIZING THE PAYMENT OF  
ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. RELATED TO  
THE CASE OF TOWNSHIP OF MONROE v. LOVE’S TREE  
REMOVAL, INC. ET AL. AS EXTRAORDINARY LITIGATION.**

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer P.C., previously known as Shain, Schaffer & Rafanello, P.C., pursue the Township’s claims against Love’s Tree Removal, Inc., and various other persons and companies in Monroe Township, identified on Exhibit “A” hereto, who are using real property as mulch processing facilities, and other related uses, which are in violation of Township ordinances, as extraordinary litigation; and

**WHEREAS**, the Township Council, by Resolution No. R-4-2017-122, acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain Schaffer, P.C. for the defense of the Township of Monroe in this matter pending further authorization of the Township Council; and

**WHEREAS**, Shain Schaffer, P.C. has incurred legal fees in excess of the budgeted amounts and has requested authorization in the additional amount of \$50,00.00; and

**WHEREAS**, the Township Council has reviewed the request and believes that an additional authorization in the amount of \$50,000.00 is reasonable at this time; and

**WHEREAS**, the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available in the amount of \$50,000.00, as evidenced by Certificate No. C-1700024, copy of which are annexed hereto as Exhibit “A”;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Monroe, County of Middlesex, and State of New Jersey, that it has rendered its advice and hereby consents to the additional payment of legal fees to Shain Schaffer, P.C. for the action entitled Township of Monroe v. Love’s Tree Removal, Inc. et al in an amount not to exceed \$50,000.00.

**SO RESOLVED**, as aforesaid.

**R-6-2017-160**

**RESOLUTION PROVIDING ADVICE AND CONSENT TO THE  
APPOINTMENT OF A MEMBER TO THE LIBRARY BOARD OF  
TRUSTEES.**

**WHEREAS**, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, by copy of letter dated May 3, 2017, has appointed **LISA D. CHEN** to serve as a member on the **LIBRARY BOARD OF TRUSTEES** to fill the unexpired five (5) year term of Audra Dipierro commencing immediately and expiring December 31, 2020; and

**WHEREAS**, the Administrative Code of the Township of Monroe requires the Advice and Consent of Council for such appointments;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Township Council hereby provides its Advice and Consent and confirms the appointment of **LISA D. CHEN** to serve as a member on the **LIBRARY BOARD OF TRUSTEES** for the unexpired five (5) year term of Audra Dipierro commencing immediately and expiring December 31, 2020.

**SO RESOLVED**, as aforesaid.

**R-6-2017-161**

**RESOLUTION APPOINTING AN INTERIM QUALIFIED  
PURCHASING AGENT AND SETTING THE BID THRESHOLD.**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-9(b), contracting units that have appointed a Qualified Purchasing Agent are authorized to take advantage of a higher bid threshold pursuant to

N.J.S.A. 40A:11-3, giving municipalities the ability to increase their bid threshold to \$40,000.00; and

**WHEREAS**, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS**, Abby Goldman possesses the designation of Qualified Purchasing Agent, Certification # Q-1206, as issued by the Director of the Division of Local Government Services; and

**WHEREAS**, the Township Council is desirous of appointing Abby Goldman as the Interim Qualified Purchasing Agent for Monroe Township, hereby authorizing her to exercise the duties of purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility and accountability of the purchasing activity of the Township of Monroe as well as granting her authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, as stated in Resolution No. R-10-2015-262 the bid threshold for the Township of Monroe shall be \$40,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Monroe, County of Middlesex, and State of New Jersey, that Abby Goldman is hereby appointed interim Qualified Purchasing Agent for the Township of Monroe and the bid threshold shall be set at \$40,000.00.

**BE IT FURTHER RESOLVED**, in accordance with N.J.A.C. 5:34-5.2, the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Director of the Division of Local Government Services.

**SO RESOLVED**, as aforesaid.

**R-6-2017-162                      RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES.**

**WHEREAS**, the Construction Official, by copy of letters dated May 8, 2017 and May 10, 2017 copies of which are attached hereto as Exhibit A, has recommended the Council approve the following construction permit refunds:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
SSG - Barco Inc. 122 Walters Avenue Ewing, N.J. 08638	Permit # 20170579 Request to void permit/ Work no longer being performed	\$45.00
SSG – Barco Inc. Same as above	Permit # 20170578 Request to void permit/ Work no longer being performed	\$94.00
Reliable Air LLC. 250 Main St. Apt. 9 Spotswood, N.J. 08884	Permit # 20171086 Request to void permit Work no longer being performed	\$90.00
Solar City Corporation 9 Corporate Drive Cranbury, N.J. 08512	Permit # 20160222 Request to void permit/ Work no longer being performed	\$228.00
Vivant Solar Developer LLC. 370 Sullivan Way Ewing, N.J. 08628	Permit # 20152211 Request to void permit Work no longer being performed	\$256.00

**WHEREAS**, Council has reviewed the recommendations of the Construction Official and finds the request for the above refunds to be reasonable;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the request is hereby authorized and that a refund be made to **SSG-Barco Inc. in the amount of \$45.00, SSG-Barco Inc. in the amount of \$94.00, Reliable Air LLC in the amount of \$90.00, Solar City Corporation in the amount of \$228.00, and Vivant Solar Developer LLC. in the amount of \$256.00;**

**SO RESOLVED**, as aforesaid.

**R-6-2017-163                    RESOLUTION AUTHORIZING THE DISCHARGE OF  
AFFORDABLE HOUSING LIEN GIVEN FOR BLOCK 1.14, LOT  
65.1, QUALIFIER C1126.**

**WHEREAS**, on February 14, 2012, Angela Ciaston, (“Ciaston”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring Ciaston to pay the sum of \$90,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1126 Morning Glory Drive, (the “Property”) as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on March 8, 2012, in Mortgage Book 6330 on Page 16 *et seq.* (the “Ciaston Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

**WHEREAS**, on January 30, 2017, Ciaston sold the Property to Miteshkumar Patel and Kinnari Patel, the (“Patel’s”); the Patel’s executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to 1126 Morning Glory Drive for the sum of \$165,000.00, said deed having been recorded with the Middlesex County Clerk on January 30, 2017 in Deed Book 06936, Page 0724 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

**WHEREAS**, on January 30, 2017, the Patel’s gave a recapture mortgage in accordance with the State’s Affordable Housing Program to the Township of Monroe requiring the Patel’s to pay the sum of \$54,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1126 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on February 14, 2017 in Mortgage Book 16671 on Page 0134 *et seq.*; a copy of said mortgage is attached as Exhibit “C”; and

**WHEREAS**, the Ciaston Affordable Housing Lien qualifies for discharge under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the rules of the New Jersey Housing and Mortgage Finance agency set forth in N.J.A.C. 5:80-26.1 et seq.; and

**WHEREAS**, Ciaston sold the Property to Miteshkumar Patel, and Kinnari Patel executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Ciaston Affordable Housing Lien should be discharged; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are authorized and directed to execute the Discharge of Mortgage, annexed hereto as Exhibit “D”.

**SO RESOLVED**, as aforesaid.

**R-6-2017-164                    RESOLUTION SUPPORTING ASSEMBLY BILL A222 & SENATE  
BILL S2171 ENTITLED THE “NEW JERSEY LIBRARY  
CONSTRUCTION BOND ACT”.**

**WHEREAS**, Assembly Bill A222 and Senate Bill S2171, entitled the “New Jersey Library Construction Bond Act”, authorizes the issuance of \$125,000,000.00 in general obligations bonds to finance capital projects; and

**WHEREAS**, it has been over fifteen years since a library construction bond program has been developed by the State of New Jersey; and

**WHEREAS**, numerous public library facilities need capital funding to provide physical and technological improvements to meet the growing needs of their communities, and

**WHEREAS**, many public library facilities in New Jersey are not ADA compliant and therefore limit access to library services to thousands of New Jersey residents; and

**WHEREAS**, the Township of Monroe supports this financing for capital projects at public libraries around the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Monroe, that it does express and hereby affirm its support of Assembly Bill A222 and Senate Bill S2171 and urges its passage; and

**BE IT FURTHER RESOLVED**, that the Township Clerk is directed to convey a certified copy of this Resolution to NJ Assembly Speaker Vincent Prieto and all members of the NJ General Assembly, as well as, to the NJ Senate President and all members of the NJ Senate.

**SO RESOLVED**, as aforesaid.

**R-6-2017-165                    RESOLUTION REFUNDING THIRD PARTY TAX LIEN  
PREMIUM PAYMENTS.**

**WHEREAS**, Premiums have been paid for various properties for the purchase of Tax Lien Certificates for properties listed on the Tax Map of the Township of Monroe, in the amount of Twenty-five thousand dollars and no cents (\$25,000.00),

**WHEREAS**, pursuant to N.J.S.A. 54: 5-33 said premiums must be returned to the purchasers upon redemption:

**WHEREAS**, The Tax Lien Certificates as outlined on Schedule A have been redeemed:

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Monroe in the County of Middlesex in the State of New Jersey that the Township's Certified Municipal Financial Officer is hereby authorized and directed to draw a check from the Township's Trust Account in the amount listed on Schedule A and forward same to the Tax Collector for distribution to the purchasers.

**SO RESOLVED**, as aforesaid.

**R-6-2017-166                    RESOLUTION AUTHORIZING THE PREPARATION AND  
ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR  
A PRIVATE FIRM TO PROVIDE OPTIONAL SANITARY SEWER  
AND WATER SERVICE REPAIR PLANS TO BE OFFERED TO  
MONROE TOWNSHIP RESIDENTIAL PROPERTY OWNERS.**

**WHEREAS**, the Township is not responsible for maintaining the sanitary sewer and water connections between residents homes and the Township's sanitary sewer and water systems; and

**WHEREAS**, the cost to make emergency repairs to the sanitary sewer and water connections between residents' homes and the Township's sanitary sewer and water systems can be substantial; and

**WHEREAS**, private home warranty service plan companies offer for sale a variety of home warranty products including service plans that cover the costs of emergency repairs to the sanitary sewer and water connections between residents homes and the Township's sanitary sewer and water systems; and

**WHEREAS**, home warranty service providers may be able to provide sanitary sewer and water service plans to Monroe Township Utility Department ("M.T.U.D.") customers at a discount; and

**WHEREAS**, the Township Council has determined that such discounted service contracts are in the public interest and are at no cost to the Township; and

**WHEREAS**, the Township Council has determined that the M.T.U.D. should prepare and advertise a Request for Proposals to provide discounted home warranty service plans to its customers;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the Director of the Monroe Township Utility Department, in consultation with the Township Attorney, is hereby authorized to prepare and advertise Request for Proposals for a private firm to provide optional sanitary sewer and water service plans to be offered to Monroe Township residential property owners and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-6-2017-167                    RESOLUTION AUTHORIZING THE SUBORDINATION OF AN AFFORDABLE HOUSING LIEN, BLOCK 1, LOT 10.2, QUALIFIER C1173.**

**WHEREAS**, on October 29, 2009, Dora L. Sabik, (“Sabik”), unmarried, gave a repayment mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe, requiring Sabik to pay the sum of \$175,000.00 to the Municipality upon the first non-exempt sale of her property having an address of 1173 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on November 16, 2009, in Book 13700, Page 0529 *et seq.* (the Affordable Housing Lien); and

**WHEREAS**, on October 29, 2009, Sabik gave a mortgage to Affinity Federal Credit Union, in the amount of \$108,000.00, said mortgage having been recorded with the Middlesex County Clerk on November 16, 2009 in Mortgage Book 13700, Page 0508 *et seq* (the “2009 Affinity Federal Credit Union Mortgage”); and

**WHEREAS**, Sabik has applied to refinance the 2009 Affinity Federal Credit Union Mortgage and has asked the Township of Monroe to subordinate the Affordable Housing Lien; and

**WHEREAS**, the proposed refinancing qualifies for the subordination of Monroe’s affordable housing lien under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 *et seq* and the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.1 *et seq*;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute the Mortgage Subordination, annexed hereto as Exhibit “A”.

**SO RESOLVED**, as aforesaid.

**R-6-2017-168                    RESOLUTION AUTHORIZING EXTENSION OF THE TERM OF THE SERVICE CONTRACT WITH GABEL ASSOCIATES, INC., AN ENERGY CONSULTANT, TO ADMINISTER THE MUNICIPAL ENERGY AGGREGATION PROGRAM IN THE TOWNSHIP OF MONROE.**

**WHEREAS**, the Township Council, at its meeting held on May 4, 2015, adopted Resolution No. R-5-2015-124, which authorized the award of a service contract with Gabel Associates, Inc. (“Gabel Associates”); and

**WHEREAS**, the Township of Monroe (the “Township”) and Gabel Associates entered into a service contract (the “Agreement”) designating Gabel Associates as a provider of energy

agent services to be utilized by the Township in connection with the development and administration of energy procurement processes for a Government Energy Aggregation (“GEA”) program; and

**WHEREAS**, the term of the Agreement expires on December 31, 2017; and

**WHEREAS**, the Agreement may be extended upon mutual agreement between the Township and Gabel Associates, for a period of up to an additional two years, as permitted by law; and

**WHEREAS**, by copy of letter dated May 24, 2017, attached hereto and made a part hereof, Gabel Associates has agreed to a two-year extension of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, that the Mayor and Township Clerk be and are hereby authorized and directed to extend the term of the Agreement for an additional two years.

**SO RESOLVED**, as aforesaid.

**R-6-2017-169                    RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF SPOTSWOOD-ENGLISHTOWN ROAD AND MOUNTS MILL ROAD FOR THE INSTALLATION OF A FORCE MAIN WITHIN THE PUBLIC RIGHT OF WAY.**

**WHEREAS**, JSM at Monroe, LLC, by copy of letter received May 19, 2017, seeks the temporary closure of Spotswood-Englishtown Road and Mounts Mill Road for the installation of a force main within the public right of way; and

**WHEREAS**, the temporary closure of Spotswood-Englishtown Road and Mounts Mill Road necessitates the detour of traffic, as shown on the Detour Plan prepared by EP Design Services, a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, the Township Engineer, by copy of letter dated May 24, 2017, recommends Council approval of the temporary road closure and detour route; and

**WHEREAS**, the Detour Plan, as presented by EP Design Services, has been reviewed by the Monroe Township Police Department and by copy of letter dated May 25, 2017, have approved the Detour Plan as submitted;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that Spotswood-Englishtown Road and Mounts Mill Road shall be temporarily closed and traffic shall be detoured as per the attached Detour Plan.

**SO RESOLVED**, as aforesaid.

**R-6-2017-170                    RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) AGAINST OPROCK CRANBURY, TRS, LLC, OWNER AND OPERATOR OF COURTYARD BY MARRIOTT.**

**WHEREAS**, a dispute has arisen between the Monroe Township Utility Department (“MTUD”); and OpRock Cranbury, TRS, LLC, owner and operator of Courtyard by Marriott (“Courtyard by Marriott”), over the amount owed for irrigation water provided to Courtyard by Marriott at 420 Forsgate Drive; and

**WHEREAS**, the MTUD sent an invoice to Courtyard by Marriott in the amount of \$42,518.38 for the outstanding irrigation bills owed to the MTUD; and



**WHEREAS**, Courtyard by Marriott has denied liability, but has offered to settle the matter for \$16,000; and

**WHEREAS**, the Director of the MTUD has recommended settlement of the dispute; and

**WHEREAS**, Courtyard by Marriott has conditioned its settlement payment upon the execution of a release of the Township's Claims in the form attached hereto as Exhibit "A;" and;

**WHEREAS**, the Township Attorney has reviewed and approved the form of the Release and recommended settlement to avoid the costs of litigation; and

**WHEREAS**, the Township Council has determined that settling the matter without litigation is in the public interest;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the Business Administrator of the Township of Monroe is hereby authorized and directed to settle the dispute with Courtyard by Marriott for \$16,000 and authorized to execute any and all documents approved by the Township Attorney, including the Release requested by Courtyard by Marriott to effectuate the settlement.

**SO RESOLVED**, as aforesaid.

**R-6-2017-171            RESOLUTION AUTHORIZING A CONTRACT WITH TRI-STATE LIGHT AND ENERGY INC. FOR AN AUDIT FOR THE MUNICIPAL BUILDING UNDER THE 70/30 DIRECT INSTALL PROGRAM SPONSORED BY THE NEW JERSEY BOARD OF PUBLIC UTILITIES.**

**WHEREAS**, pursuant to Resolution R-6-2015-125 dated June 3, 2015, the Township entered into an agreement with Concord Engineering Group, Inc. to perform an energy audit of the Municipal Building, Library, and Community Center under a grant from the Board of Public Utilities (hereinafter referred to as "the BPU") Local Government Energy Audit Program; and

**WHEREAS** in its final energy audit report issued November 19, 2015 Concord Engineering determined that the Municipal Building meets the criteria to qualify for the Direct Install Program (hereinafter called "the Program") which provides energy efficiency grants which target small facilities with a peak demand of less than 250kw and provides up to 70% for the cost of eligible upgrades including HVAC, lighting, etc. with a cap of \$125,000.00 for each project; and

**WHEREAS**, the Program operates through participating contractors designated by the BPU who perform program services including the initial energy assessment to identify equipment to be replaced, arranging for program approval of the chosen improvements, and performing the actual equipment replacement pursuant to established and set pricing for all participating contractors; and

**WHEREAS**, the Division of Local Government Services, New Jersey Department of Community Affairs, approved the bidding and contractor selection process used by the BPU to select Program participating contractors met the requirements of the Local Public Contracts Law; and

**WHEREAS**, pursuant to BPU guidelines, only contractors certified to perform services under the Program are allowed to perform said work;

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Monroe that the Mayor and Township Clerk are authorized to execute a contract with the BPU approved vendor for Middlesex County, Tri-State Light & Energy, 855 Sussex Boulevard, Broomall, Pennsylvania 19008 to conduct a study of the Municipal Building energy use and install energy efficient improvements under the 70/30 Direct Install Program subject to the approval of the Township Council by resolution and appropriation of funds for said project.

**SO RESOLVED**, as aforesaid.

**R-6-2017-172            RESOLUTION ESTABLISHING A DIGITAL MEDIA SITES POLICY.**

**WHEREAS**, the Township of Monroe feels it is in the best interest to establish a digital media sites policy to set forth appropriate and acceptable standards and guidelines for the Township of Monroe's online presence; and

**WHEREAS**, the Monroe Township Council has reviewed the policy, attached hereto as Exhibit "A" and finds that the establishment of a digital media sites policy is reasonable, necessary and proper for the good of the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe that the Digital Media Sites Policy is hereby approved as submitted, and shall be effective immediately.

**SO RESOLVED**, as aforesaid.

**R-6-2017-173            RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP 2017 LANDSCAPING SERVICES.**

**WHEREAS**, on December 21, 2016, two (2) sealed bids were received by Monroe Township regarding the 2017 Monroe Township Landscaping Services; and

**WHEREAS**, on February 6, 2017 per Resolution No. R-2-2017-036, the lowest bidder, **Pleasant View Landscaping & Lawn Maintenance, Inc.** was awarded the 2017 Landscaping Services contract; and

**WHEREAS**, on May 24, 2017 correspondence was received from Jim Scherer of Pleasant View Landscaping terminating the remainder of the 2017 landscape contract; and

**WHEREAS**, due to the termination of the contract, it is the recommendation of the Business Administrator, as detailed in his letter attached dated May 26, 2017, to award the remainder of the 2017 Landscaping Services contract to the second lowest bidder, **Greenleaf Landscape Systems & Services**; and

**WHEREAS**, **Greenleaf Landscape Systems & Services** has agreed to assume the remainder of the contracted period at a prorated rate based on their earlier bid for a contract price of **\$131,948.93**, of which \$17,387.50 is attributed to the Monroe Township Utility Department; and

**WHEREAS**, the Township Council has reviewed the recommendations made by the Business Administrator regarding said bid; and

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No C-1700028, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Utility Finance Manager has certified availability of funds in Certificate No. M-170019, a copy of which is attached hereto as Exhibit "B"; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the remainder of the **2017 Monroe Township Landscaping Services to Greenleaf Landscape Systems & Services** at a total contract price of **\$131,948.93** for a contract term beginning immediately and expiring December 31, 2017 with the provision authorizing the Business Administrator to extend for a period of one additional year with the consent of both parties under the same terms, conditions and prices; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Greenleaf Landscape Systems & Services, 276 Pine Brook Road Eatontown, N.J. 07724**; and

**BE IT FURTHER RESOLVED** that the Township Finance Department is hereby authorized and directed to pay **Greenleaf Landscape Systems & Services**, in accordance with the contract entered into between the parties; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that **Greenleaf Landscape Systems & Services** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

**SO RESOLVED**, as aforesaid.

**R-6-2017-174            RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE TOWNSHIP OF SOUTH BRUNSWICK FOR THE LEASE OF POLICE MOBILE DATA COMPUTER EQUIPMENT.**

**WHEREAS**, the Township of Monroe is desirous of expanding its capability of making electronic inquiries via radio through the South Brunswick Township Police Department's computer connection to the New Jersey Criminal Justice Information System (NJ CJIS) for National Crime Information Center (NCIC) / State Crime Information Center (SCIC) / Department of Motor Vehicles (DMV) information; and

**WHEREAS**, the Township of South Brunswick agrees to provide the services known and described on a Lease of Personal Property Agreement, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Township of Monroe and the Township of South Brunswick want to enter into the attached five (5) year Lease Agreement which may be renewed at any time by mutual agreement; and

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certification No. C-1700030, a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, the Township Council, upon its review, finds the execution of the Lease of Personal Property Agreement with the Township of South Brunswick to be in the best interest of the residents of the Township of Monroe;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk be and are hereby authorized and directed to execute the attached Lease of Personal Property Agreement with the Township of South Brunswick for the leasing of Police Mobile Data Computer System units and equipment (with maintenance) from South Brunswick to Monroe;

**SO RESOLVED**, as aforesaid.

ROLL CALL: Councilwoman Miriam Cohen	Aye
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

Copy of Resolutions Duly Filed.

## **REPORTS:**

### **Mayor's Report –**

- Reported that tonight is Councilman Dipierro's last meeting, as he fulfilled a lifetime dream that his father held for almost 30 years, and has proved to be a valuable asset to the Council. He extended well wishes to him and his family in their new venture.
- Memorial Day turned out to be a very rainy day but the memorial wreaths were placed later in the day by our DPW. Multiple events were held honoring our veterans, such as, the chorus performing at the middle school honoring the Vietnam Veterans who were never recognized, and the high school honoring all the members of the Armed Services for their selfless dedication in protecting our country. At tonight's meeting, we honored members of the American Legion.
- Regarding the aggregation resolution, he explained that prices going forward will be much better than what we have now. There will be a dramatic cost difference going forward as it is included in the contract that whatever price we receive must be at least 5% cheaper than our last contract amount.
- Lastly, Mayor Tamburro mentioned that he is looking forward to the summer and mentioned that the Concerts in the Park will start on Monday, along with several other programs the County will have throughout.

### **Administrator's Report –**

- Reported that on May 18<sup>th</sup>, Keep Middlesex Moving gave a Smart Workplace Award to the Township, thanks to Mr. Robert Hudak for pursuing and receiving the recognition.
- The Township Facebook page has passed 1,000 followers. Having this page is a great way for us to share what is going on in the community and communicate with the residents.
- Council President Dalina asked Administrator Weinberg if there was a follow-up to the resident who had an issue over on Public Road; Administrator Weinberg responded that our Zoning Officer has reached out to the landowner, who has agreed to clean up the property and understands if they choose not to, then further enforcement action will take place. He also added that the police department will increase their presence in that area since it is a vacant lot. Council President Dalina thanked him for his diligence in addressing the issue.

### **Engineer's Report –**

- The traffic signal on Federal Road and Perrineville Road is now operating and that project is deemed complete. The traffic signalization project at Union Valley Road and Perrineville Road is ongoing with an anticipation of being completed sometime in August.
- Addressed the questions regarding the resurfacing of Perrineville Road; has received the list of projects from the County and it does include a portion of Union Valley Road and Prospect Plains Road, which is scheduled to be done some time this year. Perrineville Road will be done in a future phase later in the year once the traffic signal is completed.

## **COUNCIL REPORTS:**

**Councilman Dipierro** – Reported that the Police Unity Tour was very successful with a few of our officers involved, riding 300 miles to Washington D.C. and raising money for the families of officers who have died in the line of duty. He is very proud of all who committed to this tour.

On May 20<sup>th</sup> attended the Grand Opening of the Kiddie Corral, along with his fellow councilmembers, which is owned by a local family.

The ADA Committee met last week and has reported that they will be adding more handicap spots to the high school football field.

Lastly, he announced that this is his last council meeting and it is a very bittersweet moment as he has been here all his life and it is very hard to leave. He and his family will be relocating to Florida. He thanked everyone and noted it has been an honor to work with everyone.

**Councilwoman Cohen** – Reported that the Spray Park opened on May 26<sup>th</sup>, which is located on Avenue K and open daily from 10am to 8pm.

Announced that Summer Camp registration is open; the cost is very reasonable and very helpful to families and their budget. Camp will be from June 26<sup>th</sup> through July 27<sup>th</sup> and sign up can be done right on the Monroe Recreation website.

Enjoyed the Veterans call to colors and the reaction of the students in the audience watching. Thought how wonderful it is that our library will have revolutionary programming for those interested in learning more about the history of the Battle of Monmouth.

Attended the Grand Opening of the Kiddie Corral.

Extended good wishes for a great summer to all.

**Councilman Leibowitz** – Attended the Memorial Day ceremonies which were held inside due to the inclement weather. Urged anyone who has never attended before to do so.

**Council Vice-President Schneider** – Attended the Clearbrook Jewish War Veterans parade two weeks ago which a very nice event. Agreed with Councilmember Leibowitz that more people should attend these events.

Very grateful to the Jamesburg Elks for setting up a program that provides a free lunch to children and seniors who need a hot meal on the weekend. Reiterated that there is a notable hunger problem in Middlesex County with 3 out of 4 children going to sleep hungry.

Attended the Parker House 110<sup>th</sup> Anniversary; met an interesting woman who was sitting at her table who ended up being one of the guest speakers. She is 98 years old and stressed that age is only a number, as you only feel as old as you do on the inside. She was born in India, was a model for the House of Chanel, as well as, an actress and an author and yoga teacher. She was traveling back to India to receive two awards.

Announced that a new business has opened, named Hot Breads Indian Cuisine and Bakery, which happens to be the first Indian restaurant and bakery in our Township.

**Council President Dalina** – Extended his well wishes to Councilman Dipierro; stating that he was going to miss working with him. Acknowledged Councilman Dipierro as a man of integrity, as well as, a family man and agreed that he was doing the right thing in moving, adding he was envious.

Primary Election Day was yesterday, thanked the Clerk's office for all their hard work; *applause*.

Attended the Recreation Advisory Scholarship Award Night; truly feels that it encompasses the theory that it takes a village to raise a child. The children participate in the recreation programs and the board members, presidents, and commissioners give out scholarships to the children for their participation. Extended congratulations to all of the young men and women for their participation in the recreation programs and wished them well in college.

Attended the Senior vs. Senior games, where members of the senior communities get together with the seniors from the high school to compete against each other in various sports. Had an opportunity to participate in pickleball which is not only the hottest game in the senior communities but also very popular amongst all ages. Extended thanks to Norma Linsky for spear heading this event.

**Public:**

**Hy Grossman, 15 Doral Dr.** – Mr. Grossman expressed his appreciation to the American Legion for attending tonight's meeting and found the presentation to them very moving and timely as there were students present at tonight's meeting as well.

Mr. Grossman had a question regarding R-6-2017-172 referencing the Township's Digital

Media Policy, he asked for an elaboration to which Administrator Weinberg explained that it is important to have a policy in how the employees manage the process of the Township's media presence, such as the Township Facebook page. He further explained that it is important for the employees to engage with the public fairly and follow a process in doing so. Mr. Grossman asked if there would be a link on the website that explains the policy to which Administrator Weinberg responded that there will be a link on both the Facebook page, as well as, the Township website which will be prominently displayed. He also mentioned that if there are any further questions he would be happy to address them, as this is a policy very similar to what other towns already have in place and it follows the best practices from the League of Municipalities.

Commented in regard to O-5-2017-011, the ordinance amending Chapter 108, that he feels those directly affected should have been contacted before the ordinance was voted on, also commenting that he would hate to see this become a controversial issue in November.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman commented that the procedure we went through prior regarding O-5-2017-011 had input given from the professionals which was not correct. He felt that the explanation in how farmland preservation works was presented in a way that was incorrect although it may not have been the intention. He added that there was a chance to correct that misinformation from being given if the professionals spoke prior to the public portion or tabling the ordinance altogether and feels that we missed the opportunity to have our voting council have the best, informed and most clear information prior to voting. Council President Dalina responded that he did not feel as though an opportunity was missed, explaining that council has an opportunity to ask any questions and review any information necessary to make an informed decision and vote.

**Patrick Hye – 228 Mounts Mills Rd.** – Mr. Hye was in attendance at last month's meeting and shared concerns he had regarding the truck traffic on Mounts Mills Road; tonight, he was pleased to report and thank the Police Department, Engineer, Council, Mayor and Administrator for working on the issue, as it is not totally rectified but much better. He commented that for some reason many people traveling through our township treat it as though it is a thorough fare and ignore the laws that are in affect.

Mr. Hye expressed his disagreement with the decision to pass O-5-2017-011, amending Chapter 108, feeling that it could have been tabled until more information was brought forward. He added that the committee that should be directly involved did not even know that this was being brought forth to Council to vote on and does not understand what the urgency was to pass this.

Lastly, Mr. Hye thanked Councilman Dipierro for his time on the Council, stating that his father would be very proud of him.

**UPON MOTION** made by Councilman Dipierro and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 8:40pm.

ROLL CALL: Councilwoman Miriam Cohen	Aye
Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

*Patricia Reid*  
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PATRICIA REID, Township Clerk

*Stephen Dalina*  
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STEPHEN DALINA, Council President

Minutes were adopted on: July 5, 2017.