

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING - AUGUST 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 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 Jose Rivera-Benitez, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately seventy (70) 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.

Council President Dalina announced that a proclamation is being presented “**In Honor of the Military Order of the Purple Heart**” to Monroe Township residents Leo McKernan, Norm Osborne, Moses Katz and Stephen Carnes, as well as, all of the citizens of our community who have earned the Purple Heart Medal. Mayor Tamburro introduced Freeholders Leslie Koppel and Shanti Narra who helped present the Proclamations. Councilman Michael Leibowitz joined Leo McKernan and Norm Osborne, who were in attendance, as Mayor Tamburro read aloud the proclamation from the Township and Freeholders Shanti Narra and Leslie Koppel presented the proclamation from the County Board of Freeholders and thanked the veterans for their heroism and bravery.

Mayor Tamburro read aloud a letter written from Stephen Carnes, who was unable to attend tonight’s meeting, explaining that he received the Purple Heart Medal for his time spent in Vietnam, being wounded after the aircraft he was on came under a barrage of intense enemy fire. His bravery and devotion to duty during that time is why he was and is deserving of such an honor.

Norm Osborne briefly discussed his time spent in Vietnam as a United States Marine. He was wounded on October 26, 1966 where over one hundred Americans were killed that day. He was shot in the leg and after recovering went back into combat. He conveyed that he feels very blessed to be here.

Leo McKernan shared that he was at the wrong place at the wrong time while fighting in Vietnam. He was in charge of sixteen-millimeter mortars and was shot in the head and sent to the hospital where he recovered and then was sent back out to combat.

Council President Dalina asked Councilman Leibowitz to share his experience; Councilman Leibowitz served in Vietnam in the single core unit which was next to the hospital. He observed many wounded come in and out and it was very traumatic and is very happy to be here to share the opportunity of being here tonight.

Council Vice-President Schneider extended her thanks for their service adding that she is happy that they could come home.

Councilman Baskin thanked everyone for their risk and putting their lives on the line in protecting our country and happy to see them here.

Councilwoman Cohen shared that they are all indeed heroes and honored to be here serving on the Council to honor them. She extended thanks to the County Freeholders for their efforts with veteran housing and keeping our veterans from being homeless.

Council President Dalina commented that he is proud to be a resident of Monroe Township and asked for a standing ovation.

Mayor Tamburro thanked the members of the American Legion 522 for coming out tonight to support Mr. McKernan, along with his wife Catherine who works closely with the American Legion Ladies Auxiliary.

A brief recess was taken and the Regular Meeting was recalled to order at 7:25 p.m.

Mayor Tamburro once again invited Freeholders Leslie Koppel and Shanti Narra to come forward, as well as, Recreation Assistant Superintendent Jeanne Crawley and Recreation Advisory Board Chairman Joe Isola, explaining the partnership between the Township and Middlesex County to renovate soccer fields in Thompson Park. He explained that the Monroe Township Soccer Club expressed the need for the fields to be renovated and upgraded and understanding that need the Township turned to the County for help to make this happen. The County provided \$1 million dollars towards the \$1.9 million-dollar cost of the much needed renovations and upgrades. Township Engineer Mark Rasimowicz gave an overview of the work that will be done to renovate and upgrade the fields, including: state of the art synthetic turf replacing the front field. The main field will also have the Monroe Township Soccer logo and will be able to be utilized as either one large field or two small fields, as well as, also being completely fenced. The rear fields will have a natural grass turf replacing its current turf which also brings it into conformance with the new U.S. Soccer Regulations for larger playing field sizes. The fields will also all have sports lighting which will be remotely operated by the Recreation Department's computer system. Additionally, there will be LED lighting in both parking lots. He gave an approximate timeframe of completion being six to eight months, which will pose no disruption to the Soccer Club's schedule as they will relocate their practices and games to the multipurpose fields located on Avenue K at Veteran's Park.

Recreation Assistant Supervisor Jeanne Crawley commented that she is very excited about the project stating that the kids will have a great field to play on once completed. She reiterated that the multipurpose fields on Avenue K will be used temporarily while these fields are being renovated.

Recreation Advisory Board Chairman Joe Isola thanked the Council and the County and commented that he is proud to be a resident in a Township where the current and previous administrations provide such services to keep our children off the streets and playing ball. He added that Monroe Township is a jewel in the state and he is very proud to be chairman and have the support.

Recreation Board Members Kelan Magee – Executive Vice President, Lori Magee – Vice President of Programs and Marco Soares – Vice President of Recreation and Youth Participants, along with David Salter and Treasurer Elaine Levy thanked the Mayor, Council, Business Administrator and Recreation Department.

Mayor Tamburro asked for the Monroe Township Soccer Club players to come forward to be presented each with soccer balls and to take a photo. He thanked Council President Dalina for his involvement in the Recreation Program and added that the program has over 1,000 children participating.

Freeholder Leslie Koppel commented that she is always excited to support new achievements in communities and pointed out that growing up in the Township she has seen the fields evolve and it has been amazing to witness. She added that there are trails behind the fields in Thompson Park to explore and reminded everyone of the importance to be happy and healthy while enjoying the county land. Freeholder Shanti Narra added that a number of people have said that the fields and programs are to help keep the young people out of trouble but she also feels it is to keep the parents occupied as well and they too deserve a round of applause.

Mayor Tamburro presented a proclamation for “**New Jersey Makers Day**” to Library Director, Irene Goldberg and Assistant Library Director, Leah Wagner for their hard work and contribution in making Maker's Fest an amazing event. There were over 710 attendees and numerous exhibitors. Library

Director, Irene Goldberg thanked everyone for their support in making Maker's Fest so successful and a well attended event. Mr. Steve Hrubes came forward and stated that it is a pleasure to serve the community and explained that the premise behind Maker's Fest is to encourage learning and entrepreneurship. The event appeals to all ages with the exhibitors being local businesses, groups and our youth. The most popular exhibit amongst the youth attendees was the slime making. He invited two exhibitors to come forward and share their experience; Mr. Levitt has been an exhibitor at the Maker's Fest for three years and he runs the woodshop over in Rossmoor and has demonstrated wood working for many years. Mr. Boff came forward and demonstrated a simple science experiment. He also invited everyone to next year's Maker's Fest which will be held on March 10, 2018.

Mayor Tamburro read a proclamation for "**August 15<sup>th</sup> - Indian Independence Day and Recognition of India's 70<sup>th</sup> Birthday**" and announced that on Sunday, August 13<sup>th</sup> there will be a celebration of their anniversary by having a 5K held at the Dey Farm.

A brief recess was taken and the Regular Meeting was recalled to order at 7:52 p.m.

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **07/27/2017** were approved for payment as presented.

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

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Leibowitz, the **MINUTES** of the **June 26, 2017 Agenda Meeting** and **July 5, 2017 Regular Meeting** were approved as written and presented.

ROLL CALL: Councilman Leonard Baskin	Aye
Councilwoman Miriam Cohen	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-7-2017-018 ORDINANCE ACCEPTING DEED OF DEDICATION FROM VASO AND MARINA TODORIC FOR PORTIONS OF BLOCK 20, LOTS 28.04 AND 28.07 FOR THE PURPOSE OF A RIGHT-OF- WAY DEDICATION. (224 Federal Road)**

**ORDINANCE** as follows: (O-7-2017-018)

**WHEREAS**, the Monroe Township Zoning Board of Adjustment approved the application of SMSA Limited Partnership d/b/a Verizon Wireless, Application No.: BA-5088-15, for Use Variances, Bulk Variances, Preliminary and Final Major Site Plan approval with Design Exceptions and Minor Subdivision approval for the installation of a monopole for wireless telecommunications on the property located at 244 Federal Road, Block 20, Lots 28.04 and 28.07; and

**WHEREAS**, Application No. BA-5088-15 provides for dedication to the Township of Monroe of portions of Block 20, Lots 28.04 and 28.07, for right of way; and

**WHEREAS**, Block 20, Lots 28.04 and 28.07 are owned by Vaso and Marina Todoric; and

**WHEREAS**, Vaso and Marina Todoric intend to dedicate portions of Block 20, Lots 28.04 and 28.07 to the Township; and

**WHEREAS**, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept a deed of dedication from Vaso and Marina Todoric; and

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

**WHEREAS**, the Township Attorney has reviewed the deed of dedication and has found it to be legally sufficient;

**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 the deed of dedication from Vaso and Marina Todoric.

**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.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio asked how much money this was going to cost; Administrator Weinberg answered that the cost is \$1.00. Engineer Rasimowicz added that this was an application before the Zoning Board for Verizon for a subdivision and installation of a cell tower and this is a Right of Way dedication. The Township has nothing to do with the owners and Verizon. Mrs. Arminio asked if an easement is taken as eminent domain; Engineer Rasimowicz answered no, and explained further that this was a subdivision along one of our Right of Ways, a requirement is to provide the Right of Way dedication and conformance with the Master Plan for that roadway. They provided the approximate 8 ½ foot strip of land along the front edge of that subdivision.

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

**O-7-2017-018 ORDINANCE ACCEPTING DEED OF DEDICATION FROM VASO AND MARINA TODORIC FOR PORTIONS OF BLOCK 20, LOTS 28.04 AND 28.07 FOR THE PURPOSE OF A RIGHT-OF- WAY DEDICATION. (224 Federal Road)**

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

Copy of Ordinance Duly Filed.  
O-7-2017-018

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

**O-7-2017-019 ORDINANCE AUTHORIZING THE ACQUISITION OF A PORTION OF LAND FOR OPEN SPACE, LOCATED AT 431 SCHOOLHOUSE ROAD AND APPEARING ON THE OFFICIAL TAX MAP AS BLOCK 52, LOT 4.08.**

**ORDINANCE** as follows: (O-7-2017-019)

**WHEREAS**, Raymond and Audrey Cornish own real property commonly known as 431 Schoolhouse Road, identified on the official Tax Map of the Township of Monroe as Block 52, Lot 4.08 in the County of Middlesex, and State of New Jersey (the “Property”); and

**WHEREAS**, the Property abuts publicly-owned open space in the Township of Monroe; and

**WHEREAS**, the Property consists of 8.31± acres; and

**WHEREAS**, on October 19, 2015, the Monroe Township Open Space and Farmland Preservation Commission recommended the purchase of a portion of the Property by the Township as open space; and

**WHEREAS**, the Township Engineer prepared an Open Space Dedication Subdivision plan, dated January 25, 2017, annexed hereto as Exhibit "A," pursuant to which the Property would be subdivided and a 6.18733± acre portion would be acquired by the Township as open space; and

**WHEREAS**, by Resolution No.: R-11-2016-379, the Township Council authorized an appraisal of the portion of the Property proposed to be acquired by the Township as open space; and

**WHEREAS**, by appraisal dated January 30, 2017, the appraised value of the portion of the Property proposed to be acquired by the Township for open space was determined to be Two Hundred Twenty One Thousand Dollars (\$221,000.00); and

**WHEREAS**, on April 20, 2017, the Township offered to purchase the subject portion of the Property for open space from Raymond and Audrey Cornish for Two Hundred Twenty One Thousand Dollars (\$221,000.00); and

**WHEREAS**, Raymond and Audrey Cornish have agreed to sell the subject portion of the Property to the Township of Monroe for open space for Two Hundred Twenty One Thousand Dollars (\$221,000.00); and

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

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

**Section 1.** The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to execute any and all documents as are reasonably necessary to perfect the subdivision of Block 52, Lot 4.08 and acquire fee simple title to a portion of the Property in accordance with the Preliminary Minor Subdivision Plan prepared by the Township Engineer, including all improvements erected on, over and beneath aforesaid lands to be acquired; and all easements, rights-of-way or uses, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands to be acquired and all right, title and interest of the owners in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining aforesaid lands to be acquired.

**Section 2.** The purchase price for the portion of the Property to be acquired for open space shall be Two Hundred Twenty One Thousand Dollars (\$221,000.00), as determined through arm's length negotiations.

**Section 3.** The Mayor and Township Clerk are hereby authorized to accept the Deed transferring a portion thereof to the Township as open space, provided the Deed is in a form satisfactory to the Township Attorney.

**Section 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 5.** 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 6.** This Ordinance shall take effect upon final passage and publication as provided by law.

**Gary Busman, 7 Monarch Rd.** – Mr. Busman asked what the purchase price and total acreage is; Council President Dalina answered that the total purchase price is \$221,000 and the total acreage is 6.2 acres.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio commented that she believes this a very good ordinance and we should go forward with it. She asked if the land borders the brook; Engineer Rasimowicz answered that it does border Manalapan Brook in the rear and the lot that we are getting is approximately 6 (six) acres. She asked if this was passive open space with no intention to build; Administrator Weinberg answered that there is no intention to ever build and it is adjacent to town and county open space. Mrs. Arminio commented that this is a wonderful acquisition to preserve wildlife and complimented the Council on this ordinance.

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

**O-7-2017-019 ORDINANCE AUTHORIZING THE ACQUISITION OF A PORTION OF LAND FOR OPEN SPACE, LOCATED AT 431 SCHOOLHOUSE ROAD AND APPEARING ON THE OFFICIAL TAX MAP AS BLOCK 52, LOT 4.08.**

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

Copy of Ordinance Duly Filed.  
O-7-2017-019

Council President Dalina stated that at this point he would like to bring a little more information to the table and called on Administrator Weinberg to explain. Administrator Weinberg explained that the Township continues to speak and negotiate with the owners of the property and after speaking to our Bond Council it is recommended that this Ordinance would be tabled until the **September 6, 2017** Meeting, as we are currently working through negotiations for a win-win situation amongst the taxpayers, students and owners. Council President Dalina agreed and advised that it is recommended that based on Administrator Weinberg's comments this ordinance should be tabled until the September 6, 2017 meeting.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was **tabled**. This Ordinance will be considered for final passage after a public hearing which will be held at the September 6, 2017 regular meeting:

**O-7-2017-020 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY BEING DESIGNATED AS BLOCK 25, LOTS 14.1 AND 16 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,375,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. (254 Applegarth Rd – Block 25 Lots 14.1 and 16)**

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

**ORDINANCE** as follows: (O-7-2017-020)

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

**SECTION 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$2,500,000, which sum includes \$125,000 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "Local Bond Law"). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$2,500,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,375,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$2,375,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.** (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition of and the payment of the purchase price for real property, a lawful public purpose, such real property being designated as Block 25, Lots 14.1 and 16

on the Official Tax Map of the Township, with a street address of 254 Applegarth Road (the "Applegarth Road Property"), including any structures and buildings currently located thereon.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,375,000.

(c) The estimated cost of said improvement or purpose is \$2,500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment for said improvement or purpose in the amount of \$125,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Middlesex, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,375,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

**SECTION 8.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated

to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township is hereby authorized to acquire the Applegarth Road Property and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said Applegarth Road Property.

**SECTION 10.** The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 10 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,375,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 11.** The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

Ordinance **O-8-2017-020** is hereby tabled.

**UPON MOTION** made by Councilwoman Cohen 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-8-2017-021 ORDINANCE ACCEPTING DEED OF DEDICATION FROM THE NEW JERSEY TURNPIKE AUTHORITY FOR THE BROOKLAND WETLANDS MITIGATION SITE.**

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

Copy of Ordinance Duly Filed.  
O-8-2017-021

**UPON MOTION** made by Councilman Leibowitz and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was introduced on first reading for final Passage: **O-8-2017-022 CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION OF A ROAD PAVER FOR THE DEPARTMENT OF PUBLIC WORKS FROM THE COUNTY OF MIDDLESEX, BY, IN AND FOR THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$25,000 TO PAY FOR THE COST THEREOF WHICH AMOUNT IS AVAILABLE FROM THE GENERAL CAPITAL FUND BALANCE.**

ROLL CALL: Councilman Leonard Baskin	Aye
Councilwoman Miriam Cohen	Aye
Councilman Michael Leibowitz	Aye
Council Vice-President Elizabeth Schneider	Aye



Copy of Ordinance Duly Filed.

O-8-2017-022

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

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Leibowitz, the following Resolutions were moved for Adoption under the **CONSENT AGENDA**

**R-8-2017-202                    RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE NEW JERSEY TURNPIKE AUTHORITY AND THE TOWNSHIP OF MONROE FOR CONSTRUCTION AND MAINTENANCE OF THE MOLLY PITCHER REST AREA PUMP STATION (“M.T.U.D”).**

**WHEREAS**, The New Jersey Turnpike Authority (the “Turnpike Authority”) is the owner of the Molly Pitcher Service Area (Service Area 7S) located in the Township of Cranbury; and

**WHEREAS**, the Township, provides sanitary sewer service to the Molly Pitcher Service Area, as successor in interest to the Monroe Township Municipal Utilities Authority (“MUA”) pursuant to certain agreements between the MUA and the Turnpike Authority dated May 26, 1981, June 15, 1982, and November 22, 1994, respectively (collectively the “Sewer Service Agreements”); and

**WHEREAS**, the Township provides such sanitary sewer service to the Molly Pitcher Service Area using a pump station and force main (collectively, the “Pump Station”) operated and maintained by the Township and located on property owned by the Turnpike Authority; and

**WHEREAS**, the “Pump Station is in need of replacement; and

**WHEREAS**, the Turnpike Authority has agreed to construct a replacement Pump Station in accordance with the plans, specifications and designs approved by the Township (the “New Pump Station”); and

**WHEREAS**, upon completion of construction, The Turnpike Authority will own, operate and maintain the New Pump Station at its sole cost and expense pursuant to the Agreement Attached hereto as Exhibit “A”; and

**WHEREAS**, the Director of the Monroe Township Utility Department has recommended that the Township enter into a Sewer Agreement substantially in the form of the agreement attached and made a part hereof as Exhibit “A” (the “Agreement”); and

**WHEREAS**, The Township Attorney has reviewed the attached Agreement; and

**WHEREAS**, Execution of the attached Agreement, is in the best interests of the Township of Monroe;

**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 be and are hereby authorized to execute a The Agreement with the New Jersey Turnpike Authority for the Construction and Maintenance of The Molly Pitcher Rest Area Pump Station, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-8-2017-203                    RESOLUTION AUTHORIZING MODIFICATION #1 TO A PROFESSIONAL SERVICE CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL WELL 25 ENGINEERING SERVICES FOR MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (Additional \$46,100)**

**WHEREAS**, after considerable analysis and review, the Monroe Township Utility Department (“M.T.U.D.”) has determined it is in its best interest to change its initial design for its drilled Well No. 25; and

**WHEREAS**, additional professional engineering services are required by the M.T.U.D. to facilitate changes to Emergency Power & Permitting, Fire Suppression System, NJEIT funding and construction coordination, along with an Advisory Allowance for Water Process which were not

included in, or have changed from the original scope of services in the initial agreement by the Monroe Township Utility Department; and

**WHEREAS**, H2M Associates, Inc was awarded a contract January 4, 2017 in the amount of \$282,200.00 (Two Hundred Eighty-Two Thousand Two Hundred Dollars), to perform the required tasks outlined in the initial proposal for the Utility Department; and

**WHEREAS**, on July 14, 2017, H2M ASSOCIATES, INC. submitted a proposal to perform additional aforementioned professional engineering services to the original professional service contract for additional work in the amount of \$46,100.00 (Forty-Six Thousand One Hundred Dollars), a copy of which is attached as Exhibit "B"; and

**WHEREAS**, M.T.U.D. Director, by copy of memo dated July 24, 2017, has recommended that the Council approve the modification to the contact award to H2M ASSOCIATES, INC, a copy of which is attached as Exhibit "C"; and

**WHEREAS**, as per the proposal, the fees for said additional services to be performed in the amount of \$46,100.00 (Forty-Six Thousand One Hundred Dollars), will bring the new total of the contract agreement to \$328,300.00 (Three Hundred Twenty-Eight Thousand Three Hundred Dollars); and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township's Certified Municipal Finance Officer has certified availability of funds in Certificate No. M-170001, a copy of which is attached hereto as Exhibit "A",

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

- (1) The Mayor and Township Clerk are hereby authorized to enter into a contract modification with H2M ASSOCIATES, INC. for additional work, as outlined within the July 14, 2017 proposal letter attached hereto as Exhibit "B";
- (2) The Township's Chief Finance Officer is hereby authorized and directed to pay invoices for additional services rendered by H2M ASSOCIATES, INC. in accordance with the attached proposal;
- (3) The contract modification is awarded without competitive bidding through a fair and open RFQ process 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;
- (4) A notice of this action shall be printed once in the Home News Tribune.

**SO RESOLVED**, as aforesaid.

**R-8-2017-204                      RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE FOR MR. AND MRS. KOLUDA, BLOCK 147.09, LOTS 21-25 & 36-39 PB-1099-11. (Cleveland Ave.)**

**WHEREAS**, Section 108-13.9 of the Code of the Township of Monroe requires the Developer to furnish a two (2) year maintenance guarantee in an amount equal to fifteen percent (15%) of the original performance guarantee upon release of the performance guarantees by the Township Council upon the Township Engineer's written recommendation; and

**WHEREAS, Mr. and Mrs. Koluda**, has posted Performance Guarantees for Block 147.09, Lots 21-25 & 36-39 in the amount of \$18,857.16; and

**WHEREAS**, a request has been made by Mr. Koluda to release the performance guarantees posted for Block 147.09, Lots 21-25 & 36-39, PB-1099-11; and

**WHEREAS**, the Township Engineer's office, by copy of letter dated July 6, 2017, recommends release of the projects Performance Guarantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that release of the project performance guarantees shall be conditioned upon resolution of all outstanding escrow balances associated with the administration of this project by Township officials, as well as the posting of maintenance guarantees for 15% of the project total (\$15,714.30), or \$2,357.15 for this project. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the

Council;

**BE IT FURTHER RESOLVED**, in accordance with the Monroe Township Code, the developer shall maintain funds in the engineering inspection escrow account in the amount of fifty percent (50%) of the original deposit”, however the Township Engineer’s office feels the funds currently being held in escrow with the Township will be sufficient.

**SO RESOLVED**, as aforesaid.

**R-8-2017-205                    RESOLUTION AUTHORIZING AWARD OF BID TO DOT  
DESIGNING LLC. FOR THE MONROE TOWNSHIP SHIRTS AND  
HATS.**

**WHEREAS**, on June 28, 2017 two (2) sealed bids were received by Monroe Township regarding the Shirts and Hats bid; and

**WHEREAS**, the Monroe Township Business Administrator recommends in his letter dated July 10, 2017, a copy of which is attached hereto, that the contract be awarded to **DOT Designing LLC.**, 242 Possum Hollow Road, Monroe Twp., NJ 08831 at the unit pricing provided by the bidder and as shown on the attached schedule of rates; 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-1700033, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Utility Finance Manager has certified the availability of funds in Certificate No. M-170021, a copy of which is attached hereto as Exhibit "B"; 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 of 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, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for 2017 - 2019 Monroe Township Shirts and Hats at the unit pricing provided by the bidder, said contract to expire on July 31, 2019, with the provision authorizing the Business Administrator to extend for a period of one additional one year period with the consent of the bidder; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **DOT Designing LLC.**; and

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

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that **DOT Designing LLC** 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-8-2017-206                    RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING  
HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT  
AGREEMENT WITH THE OWNER OF AN AFFORDABLE  
HOUSING UNIT, BLOCK 14.11, LOT 1 QUAL. C-107.**

**WHEREAS, Anil K. Kamineni** is about to be the owner of property located at 107 Morgan Way, Monroe Township, New Jersey, Unit 4 in Building 23, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and

**WHEREAS,** the property owner has requested a ***Down Payment Assistance Loan Program*** loan from the Affordable Housing Trust Fund; and

**WHEREAS,** the Township of Monroe is willing to extend a loan to the property owner toward the payment of a down payment in the amount of ***\$16,500.00***; and

**WHEREAS,** it is appropriate for the Township of Monroe to enter into an Agreement with the property owner setting forth the terms of the agreement at this time.

**NOW THEREFORE BE IT RESOLVED** on this 7<sup>th</sup> day of August 2017, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that:

1. The Mayor, Business Administrator, Clerk and/or Attorney are hereby authorized to execute a Down Payment Assistance Loan Program Agreement with the owner of an Affordable Housing unit located at 107 Morgan Way, Monroe Township, New Jersey, Unit 4 in Building 23, Block 14.11, Lot 1, Qualifier C-107.
2. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent.
3. Check in the amount of ***\$16,500.00*** shall be made payable to ***Premier Abstract and Title Agency, Inc. Trust Account*** and mailed to the Attention of Jerome J. Convery, Attorney at Law, 272 Highway 34, Suite 3, Matawan, NJ 07747.

**SO RESOLVED,** as aforesaid.

**R-8-2017-207                    RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING  
HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT  
AGREEMENT WITH THE OWNER OF AN AFFORDABLE  
HOUSING UNIT, BLOCK 14.11, LOT 1 QUAL. C-035.**

**WHEREAS, Ali Z. Jafri & Binte Fatima** are about to be the owners of property located at 35 Morgan Way, Monroe Township, New Jersey, Unit 3 in Building 9, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and

**WHEREAS,** the property owner has requested a ***Down Payment Assistance Loan Program*** loan from the Affordable Housing Trust Fund; and

**WHEREAS,** the Township of Monroe is willing to extend a loan to the property owner toward the payment of a down payment in the amount of ***\$13,500.00***; and

**WHEREAS,** it is appropriate for the Township of Monroe to enter into an Agreement with the property owner setting forth the terms of the agreement at this time.

**NOW THEREFORE BE IT RESOLVED** on this 7<sup>th</sup> day of August 2017, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that:

1. The Mayor, Business Administrator, Clerk and/or Attorney are hereby authorized to execute a Down Payment Assistance Loan Program Agreement with the owner of an Affordable Housing unit located at 35 Morgan Way, Monroe Township, New Jersey, Unit 3 in Building 9, Block 14.11, Lot 1, Qualifier C-035.
2. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent.
3. Check in the amount of ***\$13,500.00*** shall be made payable to ***Premier Abstract and Title Agency, Inc. Trust Account*** and mailed to the Attention of Jerome J. Convery,

**SO RESOLVED**, as aforesaid.

**R-8-2017-208**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
FIRST CHOICE VENDING FOR VENDING MACHINES WITHIN  
THE MONROE TOWNSHIP MUNICIPAL BUILDINGS.**

**WHEREAS**, on July 6, 2017 at 9:30 a.m. two (2) sealed bids were received by Monroe Township regarding the Vending Machine services within the Municipal Buildings; and

**WHEREAS**, the Monroe Township Business Administrator, by copy of letter dated July 24, 2017, a copy of which is attached hereto, recommends the contract be awarded to **First Choice Vending**, located at 12 Horseshoe Court, Monroe Township, NJ 08831; and

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

**WHEREAS**, the award of contract is subject to the compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.; any contractor, subcontractor of business firm agree and guarantee 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, State of New Jersey that it has rendered its advice and hereby consents to the award of a two (2) year contract, said contract expiring July 31, 2019, with the provision authorizing the Business Administrator to extend the contract for two (2) additional one (1) year terms with the consent of the bidder; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **First Choice Vending**; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that **First Choice Vending** 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-8-2017-209**

**RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL  
FEES RELATED TO THE REPRESENTATION OF THE TOWNSHIP  
IN CONNECTION WITH A DECLARATORY JUDGEMENT ACTION  
REGARDING THE TOWNSHIP'S COAH COMPLIANCE. (Additional  
\$6,500)**

**WHEREAS**, on March 10, 2015, the Supreme Court of the State of New Jersey issued a decision paving the way for municipalities to proceed with civil actions to determine compliance with constitution affordable housing obligations; and

**WHEREAS**, the Court's decision directed that certain municipalities who had achieved "participating status" before the Council on Affordable Housing (COAH) file a declaratory judgment action to determine whether its housing plan meets its Mount Laurel obligations in order to forestall applications seeking builder's remedies; and

**WHEREAS**, Monroe, having achieved that status, believes it to be in the public's interest to commence a declaratory judgment action; and

**WHEREAS**, pursuant to Resolution No. R-4-2015-099 and R-8-2015-192 the Township Council authorized Shain Schaffer P.C., Jerome Convery, Esq., and Mark A. Remsa, PP, CLA, AICP, ASLA to render legal services at a cost not to exceed \$25,000.00 per professional; and

**WHEREAS**, due to the extensive nature of this litigation, additional authorizations have been requested from the Township Council; and

**WHEREAS**, the Council has reviewed the request and believes the request for additional authorizations, as hereinbelow set forth, is reasonable at this time:

Shain, Schaffer & Rafanello, P.C.	\$1,500.00
Jerome J. Convery, Esq.	\$1,500.00
Mark A. Remsa, PP, CLA, AICP, ASLA	\$3,500.00

; and

**WHEREAS**, the Township’s Chief Financial Officer has determined that sufficient funds are available in the Township budget, as evidenced by Certificate Nos, C-150027, C150028, and C-150044; copies of which are annexed hereto as Exhibit “A”;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to additional authorization of legal fees to Shain Schaffer, P.C., Jerome J. Convery, Esq., and Mark A. Remsa, PP, CLA, AICP, ASLA, handling the matter of the declaratory judgment to establish the Township’s COAH compliance, as extraordinary litigation for which legal services may be provided in an additional amount up to **\$6,500.00**.

**SO RESOLVED**, as aforesaid.

**R-8-2017-210                    RESOLUTION AUTHORIZING AWARD OF BID TO JAMESBURG PRESS FOR MONROE TOWNSHIP PRINTING SERVICES (GROUPS A &B).**

**WHEREAS**, on July 6, 2017 two (2) sealed bids were received by Monroe Township in connection with Monroe Township Printing Services; and

**WHEREAS**, the Monroe Township Business Administrator, in a letter dated July 25, 2017, a copy of which is attached hereto, recommends a contract be awarded to **Jamesburg Press**, 9 East Railroad Avenue, Jamesburg, NJ 08831 based upon the *unit pricing and estimated quantities* contained within their bid documents, and upon final review by the Office of the Township Attorney; and

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

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700034, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Utility Finance Officer has certified the availability of funds in Certificate No. M-170022, a copy of which is attached hereto as Exhibit “B”; 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 of 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, State of New Jersey that it has rendered its advice and hereby consents to the award of a two (2) year contract with **Jamesburg Press** for Printing Services groups A & B for Monroe Township expiring 7/31/2019; 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 Monroe Township Printing Services **Groups A & B**, as per the unit prices bid, and with the provision authorizing the Business Administrator to extend for one additional one-year extension, with the consent of the bidder;

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

- (1) The Mayor and Township Clerk are hereby authorized to enter into a contract with Jamesburg Press in accordance with their submitted bid;

(2) The Utility Finance Officer is hereby authorized and directed to pay invoices for material delivered by Jamesburg Press in accordance with their bid;

(3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;

(4) This contract is awarded with the stipulation that Jamesburg Press shall provide a properly executed certificate of insurance as required by the bid specifications.

**SO RESOLVED**, as aforesaid.

**R-8-2017-211                    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-8-2017-212                    RESOLUTION AUTHORIZING THE AWARD OF CONTRACT  
TO CME ASSOCIATES, CONSULTING & MUNICIPAL  
ENGINEERS FOR AS NEEDED ALTERNATE ENGINEERING  
SERVICES.**

**WHEREAS**, the Township of Monroe, in accordance with N.J.A.C. 19:44A-20.5 and the Fair and Open Process requirements, advertised for Request for Qualifications (“RFQ’s”) in the July 7, 2017 edition of the Home News Tribune and on the Township’s website for Municipal Engineering Services/Conflict, Alternate Engineer; and

**WHEREAS**, on July 19, 2017 two (2) respondents submitted qualifications for Municipal Engineering Services/Conflict, Alternate Engineer.; and

**WHEREAS**, the Township Business Administrator, by copy of letter dated July 26, 2017, attached hereto as Exhibit “A”, recommends that a one (1) year contract, effective immediately and expiring August 7, 2018, be awarded to **CME Associates, Consulting & Municipal Engineers, 3141 Bordentown Avenue Parlin, N.J. 08859-1162** in accordance with the pricing proposal, attached hereto and made a part hereof; and

**WHEREAS**, the fees for such services will not exceed Thirty-Five Thousand Dollars (\$35,000.00); and

**WHEREAS, CME Associates, Consulting & Municipal Engineers** possesses the professional engineering expertise needed in times of conflict to represent the Township; and

**WHEREAS,** the Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1700037, a copy of which is attached hereto as Exhibit “B”; 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 are hereby authorized to enter into a one (1) year professional service contract with CME Associates, Consulting & Municipal Engineers in accordance with the proposal attached hereto as Exhibit “B”;

(2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by CME Associates, Consulting & Municipal Engineers accordance with the attached proposal;

(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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

(4) This contract is awarded with the stipulation that CME Associates, Consulting & Municipal Engineers, Inc. shall include mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action documents 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-8-2017-213                      RESOLUTION AUTHORIZING AWARD OF BID TO QUALITY 1<sup>ST</sup>  
CONTRACTING INC. FOR CONCRETE IMPROVEMENTS  
TOWNSHIP WIDE.**

**WHEREAS,** on July 25, 2017, six (6) sealed bids were received by Monroe Township regarding **Concrete Improvements – Township Wide**; and

**WHEREAS,** the Township Engineer, by copy of letter dated July 25, 2017, has recommended *Quality 1<sup>st</sup> Contracting, Inc. 359 Route 35 South Cliffwood, N.J. 07721*, be awarded the bid based upon their bid submission in the amount of **\$139,610.00**; and

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

**WHEREAS,** the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700036, a copy of which is attached hereto as Exhibit "A"; 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 there under, to any contractor, subcontractor of 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, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *Quality 1<sup>st</sup> Contracting, Inc.* for the **Concrete Improvements – Township Wide**, at a total contract price of **\$139,610.00**; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized



and directed to execute a contract with *Quality 1<sup>st</sup> Contracting, Inc.*; and

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Quality 1<sup>st</sup> Contracting, 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 *Quality 1<sup>st</sup> Contracting, 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-8-2017-214                    RESOLUTION AUTHORIZING AWARD OF BID TO THE LANDTEK GROUP FOR PROSPECT PLAINS ROAD SOCCER COMPLEX ARTIFICIAL TURF AND LIGHTING IMPROVEMENTS.**

**WHEREAS**, on July 25, 2017, five (5) sealed bids were received by Monroe Township regarding the Prospect Plains Road **Soccer Complex Artificial Turf and Lighting Improvements**; and

**WHEREAS**, the Township Engineer, by copy of letter dated July 25, 2017, has recommended *The LandTek Group, 235 County Line Road Amityville, N.Y. 11701* be awarded the bid based upon their bid submission in the amount of **\$1,919,182.00**; and

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

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1700035, a copy of which is attached hereto as Exhibit "A"; 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 there under, to any contractor, subcontractor of 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, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *The LandTek Group* for the **Soccer Complex Artificial Turf and Lighting Improvements**, at a total contract price of **\$1,919,182.00**; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with *The LandTek Group*; and

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *The LandTek Group* in accordance with the contract entered into between the parties; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that *Quality 1<sup>st</sup> Contracting, 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-8-2017-215                    RESOLUTION REFUNDING A ZONING PERMIT FEE.  
(Refund Amount - \$400.)**

**WHEREAS; EZ Signs LLC., 2177 Bennett Road, Philadelphia, PA 19116, filed for a sign**

permit in the Zoning Department for the installation of two signs for Tractor Supply Co. located at 3 Gateway Boulevard, Monroe Twp., NJ 08831; and

**WHEREAS**, it was determined that the initial approval had already encompassed the necessary zoning approval for the installation of the signs and was unnecessary to be paid again; and

**WHEREAS**; the company has requested a refund in the amount of \$400.00, the amount paid for two signs to be installed; and

**WHEREAS**, the Zoning Official, by copy of letter dated July 28, 2017, has recommended the Council approve a refund in the amount of \$400.00; and

**WHEREAS**, Council has reviewed the recommendation of the Zoning Official and finds the request for a refund 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 a refund be made to **EZ Signs LLC., 2177 Bennett Road, Philadelphia, PA 19116 in the amount of Four Hundred Dollars (\$400.00).**

**SO RESOLVED**, as aforesaid.

**R-8-2017-216                    RESOLUTION AUTHORIZING THE DONATION OF A 2006 DODGE DURANGO FROM THE TOWNSHIP OF MONROE TO THE MONROE TOWNSHIP BOARD OF EDUCATION.**

**WHEREAS**, the Monroe Township Department of Public Works has a 2006 Dodge Durango, VIN #1D4HB38N16F134782, it wishes to donate to the Monroe Township Board of Education; and

**WHEREAS**, this vehicle has an automatic transmission with approximately 58,000 miles on it and is in good running condition; and

**WHEREAS**, the Monroe Township Department of Public Works is willing to transfer ownership and title of this vehicle to the Monroe Township Board of Education for **\$1.00** since the vehicle is no longer being used by their department; and

**WHEREAS**, N.J.S.A. 40A:11-36(2) provides that such personal property may be sold to another governmental unit or quasi-governmental unit in the United States by private sale;

**NOW, THEREFORE BE IT RESOLVED**, the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, authorizes the Department of Public Works to donate the 2006 Dodge Durango, VIN #1D4HB38N16F134782, to the Monroe Township Board of Education.

**SO RESOLVED**, as aforesaid.

**R-8-2017-217                    AUTHORIZING THE EXECUTION OF SHARED RADIO NETWORK AGREEMENT WITH THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.**

**WHEREAS**, the County of Middlesex in the State of New Jersey (“the County”) has constructed a NEW p25 Phase II, 700/800 megahertz, radio network with microwave redundancy (“the Middlesex County Radio Network”) for the purpose of improving public safety and public service communications and interoperability; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. and N.J.S.A. 40A:11-5(2) authorizes the County and the Township to enter into shared services Agreements; and

**WHEREAS**, the County has agreed to allow the Township to use the Middlesex County Radio Network, subject to a written agreement in a form substantially similar to Exhibit A attached hereto; and

**WHEREAS**, the Township Council for the Township of Monroe has determined that it is in the best interest of the Township and its citizens to have the ability to use the Middlesex County Radio Network; and

**WHEREAS**, the access and use of the Middlesex County Radio Network would be at no cost to the Township;

**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 be and are hereby authorized to execute an Agreement with the County of Middlesex in the State of New Jersey, subject to the review and approval of the Township Attorney, in a form substantially similar to the agreement attached hereto as Exhibit A, that will provide the Township with access and use of the Middlesex County Radio Network.

**SO RESOLVED**, as aforesaid.

**R-8-2017-218                    RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. RELATED TO OPEN SPACE AS EXTRAORDINARY LITIGATION. (Additional \$5,000.)**

**WHEREAS**, the Township of Monroe, has the need for legal representation in connection with matters Open Space Legal; and

**WHEREAS**, Shain Schaffer, P.C., previously known as, Shain, Schaffer & Rafanello, P.C., possesses the expertise necessary to represent the Township in these matters; and

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer, P.C. defend the interests of the Township and these matters be treated as extraordinary litigation; and

**WHEREAS**, acknowledgement of the status of “extraordinary litigation” requires the advice and consent of the Township Council; and

**WHEREAS**, the Township Council, by Resolution No. R-1-2015-030, R-6-2015-145 and R-11-2015-287, acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain Schaffer, P.C. 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 for the following:

Open Space Legal – additional **\$5,000.00**; and

**WHEREAS**, the Council has reviewed the request and believes that an additional authorization in the amount of **\$5,000.00** for the above referenced litigation and is reasonable at this time; and

**WHEREAS**, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No, C-150006, a copy of which is annexed hereto as Exhibit “A”;

**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 authorizes Shain Schaffer, P.C. be paid for legal services rendered in connection with matters of Open Space Legal in the amount of **\$5,000.00**.

**SO RESOLVED**, as aforesaid.

**R-8-2017-219                    RESOLUTION REQUESTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO PERFORM A TRAFFIC SIGNAL TIMING ANALYSIS AT THE INTERSECTION OF NEW JERSEY STATE HIGHWAY 33 (ROUTE 33) AND APPLGARH ROAD/BUTCHER ROAD (MIDDLESEX COUNTY ROAD 619).**

**WHEREAS**, the Township of Monroe is desirous of the NJDOT to perform a traffic signal timing analysis at the intersection of New Jersey State Highway 33 (Route 33) and Applegarth Road/Butcher Road (Middlesex County Road 619); and

**WHEREAS**, the Township of Monroe is requesting at a minimum that a protected lead left turn be provided at both approaches to Route 33; and

**WHEREAS**, the reason for this request is tremendous delays and traffic backups in this area on a daily basis, especially during the morning and evening commuting hours; and

**WHEREAS**, the Township of Monroe understands that in accordance with the NJDOT Policy 346, there is a cost-sharing measure for this study and the municipality shall be responsible for 25% of the cost; and

**WHEREAS**, the Township of Monroe commits to the cost-sharing measure and request that the NJDOT move forward with the request and advise the municipality of its findings.

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

1. That the Township of Monroe request the NJDOT to perform a traffic signal timing analysis at the intersection of New Jersey State Highway 33 (Route 33) and Applegarth Road/Butcher Road (Middlesex County Road 619).
2. That the Township of Monroe commits to 25% cost-sharing responsibility as outlined under NJDOT Policy 346.
3. That a certified copy of this Resolution shall be forwarded to the NJDOT.

**SO RESOLVED**, as aforesaid.

**R-8-2017-220                      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 sixteen thousand six hundred dollars and no cents (\$16,600.00),

**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-8-2017-221                      RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR A PARCEL OF LAND ON FORSGATE DRIVE, BLOCK 57, LOT 3.12 FOR AN UNDERGROUND SEWER EASEMENT.**

**WHEREAS**, the Township of Monroe has a need to acquire professional services in the field of market value appraisals, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:A-20.5; and

**WHEREAS**, **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC.** possesses the technical expertise required for such a service; and

**WHEREAS**, **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC.** has completed and submitted a certification pursuant to N.J.S.A. 19:44A-20.8; and

**WHEREAS**, the Township Business Administrator has recommended the appraisal of Block 57, Lot 3.12, located on Forsgate Drive, currently being utilized as a utility basin by the Township of Monroe, to **TIMOTHY HOFFMAN REAL ESTATE APPRAISALS, INC.** in the amount **\$2000.00**; and

**WHEREAS**, the M.T.U.D.'s Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. M-170024, a copy of which is attached hereto as Exhibit "A"; and

**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 to enter into a contract with **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC., 1 Elm Street, Suite 1, Westfield, NJ 07090**, in accordance with the proposal attached hereto as Exhibit "B".

(2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC.**, in accordance with the attached proposal;

(3) This 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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

(4) This contract is awarded with the stipulation that the **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC.** contract shall include mandatory Affirmative Action language, and **TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC.** shall submit to the Township of Monroe any appropriate Affirmative Action documents 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-8-2017-222                      RESOLUTION AUTHORIZING THE EXECUTION OF A  
SETTLEMENT AGREEMENT WITH THE NEW JERSEY TURNPIKE  
AUTHORITY.**

**WHEREAS**, The New Jersey Turnpike Authority (the "Turnpike Authority") is the owner of eight (8) separately assessed and contiguous real properties, totaling approximately 412 Acres, located on Mills Road in the Township of Monroe ("Township"), commonly known as the "Brookland Wetlands Mitigation Site" and identified on the Township's tax maps as Block 6; Lots 6, 7, 8, 9, 10 & 11.01 and Block 7; Lots 1 & 2; and

**WHEREAS**, the Turnpike Authority has filed various tax appeals challenging the Township's assessments of the Brookland Wetlands Mitigation Site; and

**WHEREAS**, the Tax Court has held that the Turnpike Authority is obligated to pay farmland rollback taxes and taxes for the 2012 tax year; and

**WHEREAS**, the Turnpike Authority has appealed the Tax Court's ruling regarding the assessment of farmland rollback taxes; and

**WHEREAS**, the Turnpike Authority owes the Township taxes, interest and penalties, for tax year 2012, in an amount in excess of \$153,000.00; and

**WHEREAS**, the Turnpike Authority has agreed to resolve its remaining challenges to the Township's tax assessments of the Brookland Wetlands Mitigation Site; and

**WHEREAS**, the Turnpike Authority has offered to transfer the Brookland Wetlands Mitigation Site in lieu of paying the outstanding 2012 taxes, penalties and interest as part of the settlement of its challenge to the Township's Assessments of the Brookland Wetlands Mitigation Site; and

**WHEREAS**, preserving the Brookland Wetlands Mitigation Site as open space is in the best interest of the Township; and

**WHEREAS**, the Township Assessor and the Township Attorney have recommended settling the pending tax appeals;

**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 be and are hereby authorized to execute a Settlement Agreement with the New Jersey Turnpike Authority, in a form subject to the review and approval of the Township Attorney, that would effectuate the transfer of the Brookland Wetlands Mitigation to the Township of Monroe.

**SO RESOLVED**, as aforesaid.

ROLL CALL: Councilman Leonard Baskin	Aye
Councilwoman Miriam Cohen	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 –**

- Commented that it was important to have our veteran groups honored tonight and it was a lesson to the children in the audience that we have the freedom we have because of the price the brave have paid.
- Currently in talks with the County to purchase more Open Space. We are getting 412 acres along Perrineville Road for their project from exit 6-9. That brings us close to 8,000 acres preserved of which 55 acres of this is buildable.
- Very successful with the Energy Aggregation Program; South Jersey Energy will save our residents 19%, compared to JCP&L's current rate, which becomes effective November 1<sup>st</sup>. The average household should save approximately \$400 and the communities that are all electric should be saving substantially more. He added that there will be talking point meetings at the Senior Center, Recreation Center, Rossmoor and Concordia regarding the program and reminded everyone that the only honest notice regarding the energy savings will be from South Jersey Energy and to be aware of gimmicks.

### **Administrator's Report –**

- Reported that we were able to secure a BAN at 1.08% which is a great rate with a AA+ rating due to our rating.
- Thanked Engineer Rasimowicz for his leadership with the Soccer Complex, which will be a great project. Also thanked the Mayor and Council.
- Commented on the Energy Aggregation Program and thanked the Mayor and Council for participating as we have saved \$9,000,000 to date. This is the best rate we have had so far with a flat rate and no gimmicks.
- Gave a shout out to the Recreation Department, Department of Public Works and all of the staff that works outdoors in the heat during the summer months.
- The 412 acres as part of the Turnpike Agreement brings us closer to our goal of being 50% Open Space.
- Tax bills will not be due until August 18<sup>th</sup>.

### **Engineer's Report –**

- Explained that R-8-2017-219 is for Council approval for the NJDOT to get the signal at the intersection of Applegarth Road and Route 33 adjusted. An analysis for a lead left turn is being done as well.

## **COUNCIL REPORTS:**

**Councilman Leibowitz** – Commented that the new traffic lights are appreciated when traveling from Route 33 to here.

The Energy Aggregation Program has saved him money as his bill for July was down to under \$125.00.

On August 19<sup>th</sup>, Fire District #1 will be having an Open House and an annual recruiting drive. All of the firemen are volunteers.

**Council Vice-President Schneider** – Reported that the concerts in the park are coming to a close, this Thursday's concert is a tribute to the Beatles.

The Senior Center will be holding a Wellness Series which you must register for in order to attend. The series will focus on having a healthy mind, body and spirit.

Thanked everyone involved in the Energy Aggregation Program. For those that live in communities that are all electric, such as Rossmoor and Concordia, it will be very helpful.

**Councilwoman Cohen** – Commented that the Energy Aggregation Program is a very positive program.

Has had the pleasure of working with the Green Team and announced that the Green Fair will be held on October 28<sup>th</sup> at the high school where you can learn ways to lessen the carbon footprint on this earth.

We have been named a Tree City for 2016, having had this honor now for over a decade.

Met with the Chief of Police and Renee Hader in preparing the application to Sustainable NJ, in hopes to raise our status to silver. Commented that it is good to know how well prepared we are with our Emergency Readiness Plan.

**Councilman Baskin** – Attended a dedication ceremony at the Community Garden in which a kiosk that was built by Eagle Scout Joe Vitale and dedicated in memory of Joe Harvie.

On channel 28, a documentary of Dey Farm aired, which Joe had made, to honor him on the one-year anniversary of his passing.

On August 26<sup>th</sup> there will be a contest at the Community Garden for the biggest tomato. You can register by 11am on that day and prizes will be given to the top three heaviest tomatoes.

On August 12<sup>th</sup> the Applegarth Fire Company will be having an open house from 11am to 3pm to recruit new members. They will have a tour of the firehouse, refreshments and demonstrations.

Attended the Indian American Club heritage celebration for the 71<sup>st</sup> Indian Independence Day which was very interesting.

**Council President Dalina** – Reminded everyone that it has been one year since Joe Harvie passed away and to keep his family in their thoughts.

Attended the National Night Out event at Thompson Park which was well attended. It is very important that our residents and young families meet our emergency workers and have that rapport with one another.

August 15<sup>th</sup> at 9am our Annual Fishing Derby at Thompson Park will be held. If you are interested in attending you can reach out to the Recreation Center to register. Hooks and worms will be supplied and you must bring your own pole. Prizes will be given for the biggest fish.

#### **Public:**

**Mark Klein, 7 Crenshaw Ct.** – Mr. Klein asked what R-8-2017-206 and R-8-2017-207 were in regard to; Administrator Weinberg answered that this is part of our Affordable Housing Program which gives down payment assistance to those who apply and qualify. Mr. Klein commented that he feels that COAH is a farce and if we want affordable housing then the way schools are funded needs to be changed.

Commented that the State Aid money we are receiving is nothing compared to what we should be receiving as our population is growing by over 250 students each year and we get nothing additional for that. The School Board budget goes up over \$3,000,000 each year so the State Aid we are receiving does not do much. We received an additional \$478,000 which is a one-time deal and covers nothing. Mr. Klein commented that he will continue to speak about this topic until something is done about it.

**Prakash Parab, 33 Dayna Dr.** – Commented that he was very happy about the soccer field and the acquisition of land.

A lot of problems with opioid addiction in the country, adding that he is not in favor of legalizing

marijuana for recreational purposes but does support it for medicinal purposes and says that although taxes will benefit from it being legalized the long-term recreational use by residents is not good.

**Hy Grossman, 15 Doral Dr.** – Commented that his last two electric bills show that Tri-Eagle Energy was more expensive than JCP&L; Harold Klein addressed and said that he has had many complaints and explained that this was due to a summer decrease that JCP&L provides. The rate will change in October.

Concerned with the speed limit on County Road 613 between Mounts Mills Road and County Road 522; Mayor Tamburro responded that the problem is these are county roads. Engineer Rasimowicz responded that we have had conversations with the County regarding the speed limit and the traffic signal that will be going up on Mounts Mills Road and we are looking at a lot of the pieces of puzzle. We will continue to reach out to them and see if we can move ahead quicker.

Asked for clarification on R-8-2017-212; Administrator Weinberg answered that we have to hire a conflict Engineer due to a local developer Charlie Dipierro who has filed a complaint against our Engineer. The conflict Engineer will deal with any engineering issues with the town in dealing with this developer. We do not want to put our professionals in harm's way.

**Alan Kahn, 11 Crenshaw Ct.** – Mr. Kahn stated that today he received a duplicate tax bill in the mail and wanted to know if every resident received a duplicate bill with postage for .46 cents; Administrator Weinberg answered that it will be looked into as he does not think that is the case.

**Phil Levy, 92 Kingsmill** – Mr. Levy wanted to correct Councilwoman Cohen's report, he stated that we have been a tree city for 26 years not a decade. There are over 1,000 ash trees in the Township that have to be removed and hopes that the Council considers some help to the Shade Tree Committee with this effort.

Would like the Township to look into the tax credit program that Manalapan participates in as he had asked about this a few years ago and was told that we did not have enough commercial businesses in town. He commented that he feels the times have changed and we should look into this. Mayor Tamburro responded that with more retail in the Township we will look into this as it would be a great program.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio asked in regard to O-8-2017-021 if we are accepting this as only Open Space; Mayor Tamburro responded that it is 54 acres which will be dedicated as Open Space, trails, remediation and wetlands with no other plan to do anything on the property.

Asked the location in regard to R-8-2017-202; Mike Barnes responded that this is for pump station #3 which we own, operate and must maintain which is at the Molly Pitcher rest area.

Asked for clarification on R-8-2017-203 and asked if this was a new well; Mike Barnes answered this is a well that we have been working on for three years now. We met with the State Revolving Fund and they made a fantastic presentation to us and we were ready to use our bond anticipation notes of 1.08% and they came in said we have bonds of 0.71% because they would loan three quarters at 0% and the remaining quarter at market rate which equates to 0.71% so part of this change now has to go into state bidding forms and will save us a ton of money. Mrs. Arminio asked if this was near Spotswood-Englishtown Road and was the land for municipal use and not Open Space; Mike Barnes answered affirmatively.

**James Simmons, 50 Bentley Rd.** – Commented that he appreciates looking into the traffic light at the intersection of Applegarth Rd. and Route 33 and asked if the direction from Applegarth Rd. into the D R Horton projects can be looked into as he is concerned with the effect it will have on Bentley Rd. Engineer Rasimowicz answered that we met onsite with the developer and one project is paving and striping and one is still under construction. There will be a designated left turn onto Bentley Rd. and this will be corrected.



**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, the Regular Meeting was Adjourned at 8:55pm.

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

*Patricia Reid*  
\_\_\_\_\_  
PATRICIA REID, Township Clerk

*Stephen Dalina*  
\_\_\_\_\_  
STEPHEN DALINA, Council President

Minutes were adopted on: September 6, 2017.