

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING - SEPTEMBER 6, 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 Joel Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately seventy-five (75) members of the Public present in the audience.

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

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

1. Posted on the Bulletin Boards within the Municipal Building on December 30, 2016 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **STAR LEDGER** on January 6, 2017;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

In accordance with Chapter 3, Section 17 of the Monroe Township Code, Public comment shall be limited to five (5) minutes unless further time is granted by the Council President.

Mayor Tamburro read aloud a proclamation for “**Ovarian Cancer Month**” and reminded everyone of the importance of early detection.

Mayor Tamburro introduced Cancer Survivor, Jonathan Volpe, and his mother Carla Volpe to present a proclamation for “**Childhood Cancer Awareness Month**”. Jonathan shared that he was diagnosed in 2009 when he was only seven years old and went through two years of intense chemotherapy. He has been cancer free since 2011 at the age of eleven. Carla thanked the Mayor for bringing awareness of this terrible disease to the residents of Monroe Township. Mayor Tamburro read aloud the proclamation.

Council President Dalina added that the Volpe family is the epitome of what Monroe is about. They are a wonderful family who has volunteered for many years in Recreation and Jonathan is a wonderful chef as well.

Mayor Tamburro presented a “Certificate of Recognition” to Kayla Strych, who has painted a thin blue line from Municipal Plaza from the entrance of Greenbriar to Perrineville Road as her Girl Scout Gold Award Project which is the equivalent to the Boy Scout’s Eagle Scout Project. Mayor Tamburro introduced Kayla and asked her to explain her Thin Blue Line Project. Kayla explained that she chose this project to honor law enforcement officers, as she comes from a law enforcement family and recognizes the sacrifices that all police officers make each and every day. She further explained that it represents the line the officers serve between order and chaos. She is planning a dedication ceremony this fall to honor all of our officers and thanked all of the officers who came out tonight to support her project.

Mayor Tamburro announced that the Monroe Township Wolverines are celebrating 40 years this year. He introduced Recreation Superintendent Mary Lange, who has been a key contributor to the Wolverines. Mary thanked the Mayor for the recognition and introduced the members of the 2017-2018 Wolverine Executive Board: Vice President George Fotiadis, Football Director Kevin Daley, Kelly Lange (not present), Toni Ruckdeschel (not present), Treasurer Tatjana Policastro, Trustees Jen Updale, Melissa Semple, Matt and Jennifer Lonczak (not present), Carrie Fornal (not present). These are the members of the Executive Board and are all volunteers. Mayor Tamburro read aloud the proclamation commemorating their 40<sup>th</sup> Anniversary.

Mayor Tamburro introduced Andy Paluri, Punit Patel and Sanjay Shukul to explain what cricket is. They explained that cricket in India is very important like a religion and it is an interest shared amongst many cultures not only their own. They added that bringing the cricket pitch to Monroe Township will help fulfill their wish to introduce this wonderful sport to residents that has been such an important part of their childhood.

A brief recess was taken and the Regular Meeting was recalled to order at 7:22pm.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **08/31/2017** 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 Councilman Leibowitz and seconded by Council Vice-President Schneider, the **MINUTES** of the **August 2, 2017 Special and Agenda Meeting, August 7, 2017 Regular Meeting** and **August 28, 2017 Agenda 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 Councilwoman Cohen and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was **REMOVED** from the Table:

**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

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

**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)

**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.

**John Marullo, 7 Dominick Dr.** – Mr. Marullo commented that the school has been budgeted already for the tax year 2017, which means it is currently being collected from the taxpayers. He asked why the Township is bonding if we are already collecting the \$2.5 million, as that would give a total of \$4.8 million, when the Mayor said it would only cost \$2.5 million; Council President Dalina responded that the process started back in February and the Township decided that we were going to put money aside for this purpose and it discussed during our budget meetings held in March, as well as, over the last couple of months in which we have had meetings regarding this. He added that regarding the bonding, Township Administrator Weinberg, would be able to further clarify. Administrator Weinberg responded that he was not sure of Mr. Marullo’s question but did clarify that this bond ordinance is for \$2.5 million and is not sure where the reference to receiving over \$4 million has come from. Mr. Marullo interjected and stated that in previous council meetings the Mayor stated that it would cost \$2.5 million, and if we are already collecting that amount from the taxpayers then why are we bonding. Administrator Weinberg explained that we have two different budgets as part of the municipal process; we have an Operating Fund and a Capital Budget. This is part of the Capital Budget and we have moved ahead with the \$2.5 million now to go forward and purchase this property. He added that this is an opportunity to work closely with the Board of Education and help progress forward our Township. Lastly, he added that we have collected no money for this project as this project is associated with this bond.

Mr. Marullo asked if there is a current contract price for this property; Council President Dalina answered that it is still under negotiation. Mr. Marullo followed up that question by asking if there is a lease associated with this property and if so, who does it belong to; Administrator Weinberg responded that we negotiate exclusively with the property owner and not the tenants. Mr. Marullo asked if the person who has the lease on this property poses a conflict of interest with the Township and do they work for the Township; Administrator Weinberg responded that we passed a resolution at our last meeting for a conflict engineer because we identified what could be a potential conflict within the town, so a conflict engineer has been appointed should a situation arise.

**Mark Klein, 7 Crenshaw Ct.** – Mr. Klein commented that this is another example of how Monroe Township and the Administration comes forward to help the school district but unfortunately the State does not. He added that we received a one-shot deal of \$450,000. We are over capacity in our schools and still receive no help and based on our population we should be getting between \$30-\$40 million a year. A group, including himself, will be attending the school board meetings to ask why we are not suing the state for our fair share because the residents are angry and it is not the council’s fault. The Council and the School Board have tried but something else has to be done. He reiterated his recommendation of filing a lawsuit. Lastly, he thanked the Mayor for the presentations tonight and thanked everyone for their service.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that we need a new school and have been talking about it for several years and he fully supports this ordinance to move forward and build whatever schools we need for our children. He requests a political solution and we need to work together.

**Bobbi Lebbing, 20 Garvey Dr.** – Ms. Lebbing stated she was giving her five minutes to Mr. John Marullo; Council President Dalina denied her request explaining that this was her time to speak as Mr. Marullo had his turn earlier.

Ms. Lebbing asked if prior to the purchase of this property will an environmental study be performed as we do not need another mistake to be done by you and the Council known as “turtle gate”; Council President Dalina answered that it is his understanding that the Board of Education has conducted some preliminary work. Administrator Weinberg answered that the Board of Education has done an initial assessment which has made the property attractive to them and ultimately before finalizing an agreement we will make sure that all due diligence is done.

Ms. Lebbing asked how it is not considered bank fraud for selling the property to the Board of Education for \$1.00; Administrator Weinberg explained that N.J.S.A. 40:60 expressly allows municipalities to purchase land for new schools to allow for proper planning in communities and is encouraged. We do not have formal collateral, we have a AA+ rating which allows us to get the bonding rate and the cooperation has been strong.

Ms. Lebbing asked why we are so fixated on this particular property when there are other parcels that are less complicated within the Township to purchase for schools, is it because we are saving those for the schools, as everyone is very upset about all of the building in the Township. She added that she has lived in the Township since 1985 and is ashamed at what the Township has become with all of the building and overcrowding. She asked what happened with the Church Lane property that was being considered; Council President Dalina responded in reference to her question, that the Board of Education had set up a committee and reviewed eighteen sites that they looked through over the course of twelve months, Church Lane being one of them, and it was decided that because of the “turtle gate” issue it was not a feasible

location. There were also some issues with transportation and the Board of Education voted recently for this particular property after many months of deliberating which would be the best site, this site was voted as the best to build a new school. Administrator Weinberg added that his understanding is the Board of Education spent a lot of time on this, putting together an AD-HOC Committee, reviewing multiple sites and holding many meetings considering all aspects to find the right property.

**John Krulewski, 215 Morning Glory Dr.** – Mr. Krulewski commented that one of his concerns are the many warehouses that are coming into Cranbury as this adds more truck traffic into the area and would be of concern for the area. His second concern is if this parcel is considered wetlands; Administrator Weinberg answered that a preliminary environmental study was done and the northwest corner does have wetlands. He added that nothing would be built there and the school district is aware of that. Mr. Krulewski asked why we would take a risk on this property then; Council President Dalina responded that there is full confidence in the Committee that did the full research on this property and its location.

**Joseph Atanasio, 21 Wellington Pl.** – Mr. Atanasio stated that two years ago then Council President Tamburro came to Greenbriar and gave a State of the Township Address in which he briefly touched on the various developments which are in the process of being planned, approved and built and he reminded the audience that it would take ten or more years for some of the developments to come to fruition and advised everyone in attendance not to panic. Mr. Atanasio reiterated that this was only two years ago and asked how could the current Administration, as well as, the previous Administration underestimate the number of students coming to the schools; Council President Dalina answered that we are dealing with a bond ordinance for a piece of property.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio stated that she is a member of the Board of Education but is here as a resident and her opinion does not reflect those of the Board. She commented that we are pushed to a crisis situation due to over construction and have given the developers more control over the community then we do the residents. She added that unfortunately there is so little land left because the builders have controlled the growth. The Council, Planning Board and Zoning Board have not done their due diligence to avoid overcrowding and if possible, we should ask for land from the builders. She also stated that she agrees that we should vote yes to this parcel of land but urge the Township to look for more land as well, as more high-density developments are approved the more land we will need for additional schools. She asked that the Council be considerate adding that it is a good Township but we find ourselves in crisis mode often and the ones who suffer are the Township's residents and children; Administrator Weinberg pointed out the tangible action the Council made in changing the zoning from six to ten acres.

**Roger Manny, 22 Harrigan Ave.** – Mr. Manny commented that eighteen properties were looked at over the span of thirty days and asked if there was a report that could be looked at; Council President Dalina clarified that it was a span of twelve months. Administrator Weinberg responded that the Board of Education took the lead on that and by reaching out to them he is sure they will share the minutes from those meetings.

**Andy Paluri, 16 St. James St.** – Mr. Paluri asked what would happen if the Township did not bond the \$2.5 million for this site, where would the Board of Education get this money; Administrator Weinberg answered that they would have to take matters into their own hands then and he highlighted that we have been trying to cooperate with them. We are trying to use our bond rating as a partnership to help as this is for the benefit of the community.

Mr. Paluri added that the school system has taken measures to bring trailers in for additional schooling because we are currently 1,500 students over capacity, this did not happen yesterday this has happened over time and why haven't we taken precautionary measures earlier; Council President Dalina answered that there has been very good ongoing dialogue between the Administration and Board of Education which is why we are here tonight voting on this bond ordinance.

Mr. Paluri asked why did the zoning change on Route 33 to accommodate commercial; Engineer Rasimowicz answered that was done to accommodate the affordable housing on Route 33.

**Harold Kane, 480B Newport Way** – Mr. Kane commented that when Rossmoor was built no one envisioned the Industrial Park being built across the street which has caused a lot of flooding in Rossmoor, this is what happens when you build in flood plains and the Township is inviting problems with the schools in the end if this property is purchased. Anyone thinking they can buy thirty acres of land and not worry about run off nowadays is incorrect. He recommended to let this property go as in the end it will be doing them a favor.

**Linda Fekete, 54 Seventh St.** – Mrs. Fekete asked if there was any way to have the builders contribute towards the infrastructure with all over the over development going on in; Council President Dalina asked for her to hold that question until the public portion of the meeting as this portion was strictly for questions pertaining directly to the ordinance.

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

Copy of Ordinance Duly Filed.  
O-7-2017-020

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

**ORDINANCE** as follows: (O-8-2017-021)

**WHEREAS,** The New Jersey Turnpike Authority (the “Turnpike Authority”) is the owner of six separately assessed and contiguous real properties, totaling approximately 412 Acres, locate on Mills Road in the Township of Monroe (“Township”), commonly known as the “Brookland Wetlands Mitigation Site” and identified on the official Tax Maps of the Township of Monroe in the County of Middlesex and State of New Jersey as Block 6; Lots 6, 7, 10 & 11 and Block 7; Lots 1 & 2; and as Block 27.02, Lot 17.01; and

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

**WHEREAS,** Township Council has determined that preserving the Brookland Wetlands Mitigation Site as open space is in the best interest of the Township of Monroe

**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 acquire title to:

- (a) All portions of the parcels of land commonly known as the Brookland Wetlands Mitigation Site, identified as Block 6; Lots 6, 7, 10 & 11 and Block 7; Lots 1 & 2, on the official Tax Maps of the Township of Monroe, as more particularly described on Exhibit “A” attached hereto;
- (b) All improvements erected on, over and beneath aforesaid lands; and
- (c) All easements, rights-of-way or use, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands 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.

**Section 2.** The Township of Monroe Tax Collector is directed to forgive any and all taxes, penalties and interest owed by the New Jersey Turnpike Authority on real property identified as Block 6; Lots 6, 7, 10 & 11 and Block 7; Lots 1 & 2; and as Block 27.02, Lot 17.01, on the official Tax Maps of the Township of Monroe.

**Section 3.** The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the Property for 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.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman commented that it was his understanding that these were going to stay wetlands indefinitely. He asked why we would take something off our tax roll which then becomes a liability to the Township; Administrator Weinberg responded that a significant portion of this property is uplands that can be built on, approximately eighty-two acres are wetlands. The Turnpike Authority is precluded from paying taxes because it is a government entity. The worry is that the upland sites could be built for Turnpike maintenance areas, etc. that would benefit them. As part of our negotiation with them, they are going to build a pump station which will save the Township money. Acquiring these 412 acres is in the Township's interest because we then have control over it in terms of passive recreation. He further explained that the Turnpike Widening Project between Exit 6 and Exit 9 expanded the lanes from three to six and as part of that project they filled in wetlands to be able to do the expansion and as a part of that the DEP required off site mitigation. He added that we are the fortunate beneficiaries because now this will bring us close to 8,000 acres of Open Space. This is part of a global settlement which will save millions, in regard to the pump station.

Mr. Gunkelman asked what the future accessibility will be in regard to recreation on this property; Administrator Weinberg answered that it is an area between Perrineville Road and Applegarth Road and would be something that the Township could use for passive recreation, such as, walking trails. Mr. Gunkelman asked if some of this land could be available to the County for increased wetlands mitigation so we might someday widen Perrineville Road; Engineer Rasimowicz answered that we could work with the County since it is their road.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab stated he is very excited in getting this land and asked the Council to promise not to give any part of this land to any developers as it should be used for recreational purposes only.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio asked what the dollar amount of the payment of the outstanding 2012 taxes were; Administrator Weinberg answered that they were \$154,000.00. She stated that she understands that the Turnpike Authority acquired this land as mitigation required by DEP for the lane expansion construction project as mentioned, and usually the Turnpike Authority gets federal funding for the Turnpike, she asked if there were any federal funding restrictions conveying with this land; Administrator Weinberg answered that he was not aware of any federal funding associated with this. Mrs. Arminio stated she would like to know how this property is conveying, as if it is already a wetlands mitigation site then she does not see how we could use it again as another wetlands mitigation site as it would be double dipping. She added that if we are preserving this land as wetlands mitigation she does not see how it can be used for anything else. She stated that she was confused because the Mayor said at last month's meeting that there were only 55 acres of uplands, exactly how many acres are there; Administrator Weinberg answered there are between 50-60 acres of uplands, although we have not spent a lot of money to determine that, there are clearly areas outside of the wetlands boundaries and in meeting with the Township Planner he estimated it was between 50-60 acres of uplands. He added that it did not seem practical to spend the money to confirm the exact amount as we do not have any plans to build on those uplands but from using existing maps it is estimated to be between 50-60 acres. Mrs. Arminio commented that if the whole parcel is a site that the DEP required for wetland mitigation it should not matter that there are any uplands that can be built on, so to say we are saving it to build on would seem that the whole parcel is a mitigation site and the whole property could not arbitrarily be built on; Engineer Rasimowicz responded that the Turnpike Authority did not mitigate the entire 412 acres into wetlands. He further clarified that they did portions of the site and created wetlands on those portions, there are still 50-60 acres of uplands which can be converted into wetlands through mitigation, so there is available land to do as like the previous speaker recommended in regard to Perrineville Road. Mrs. Arminio asked why would they buy more land then needed to mitigate the expansion, as it seems that it would not be allowed;



Administrator Weinberg responded that he can only speculate that they bought six properties to gain the required 82 acres they needed. Mrs. Arminio asked how is it being conveyed; will it be for public use or Open Space; Administrator Weinberg answered that as of now we have no use for it, it is mostly wet aside from the 50-60 acres of uplands, and it would be added to our Open Space inventory and should the Mayor and Council feel they want to put passive recreation there it could be considered for that. Mrs. Arminio asked when the deed will be available; Administrator Weinberg answered that she could contact the Clerk tomorrow for that information.

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

**ORDINANCE** as follows: (O-8-2017-022)

**WHEREAS**, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"), wishes to undertake the acquisition of a road paver for the Department of Public Works from the County of Middlesex by, in and for the Township, and all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein (collectively, the "Capital Improvements"), by, in and for the Township; and

**WHEREAS**, the cost of said acquisition is estimated to be \$25,000; and

**WHEREAS**, the Township has \$25,000 available from the Capital Fund Balance to undertake the Capital Acquisition.

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY** (a majority of the full membership thereof affirming concurring), **AS FOLLOWS:**

**SECTION 1.** The capital acquisition or purpose described in Section 2 of this capital ordinance is hereby authorized as a general capital improvement to be undertaken by the Township. There is hereby appropriated the amount of \$25,000 which amount is available from the Capital Fund Balance for said improvement or purpose stated in Section 2 hereof.

**SECTION 2.** The capital acquisition or purpose hereby authorized is the acquisition of a road paver from the County of Middlesex by, in and for the Township, and all as shall be more particularly described in documents on file in the Office of the Clerk of the Township and by this reference incorporated herein.

**SECTION 3.** The expenditure for the acquisition or purpose set forth in Section 2 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement with the County of Middlesex or any other agreement necessary to undertake the acquisition of purpose set forth herein and to effectuate the transaction contemplated hereby.

**SECTION 4.** The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and 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 is on file in the office of the Clerk and is available for public inspection.

**SECTION 5.** Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preamble to this capital ordinance.

**SECTION 6.** This ordinance shall take effect in accordance with applicable law.

No Public Comment.

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

Copy of Ordinance Duly Filed.  
O-8-2017-022

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was introduced on first reading for Final Passage: **O-9-2017-023 ORDINANCE ACCEPTING A CONSERVATION EASEMENT DEED FROM PUSHTEL CONSTRUCTION, INC. ON LOTS 7.01, 7.02, 7.03 AND 7.04 IN BLOCK 169.** (River 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-9-2017-023

**UPON MOTION** made by Councilman Leibowitz and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for Final Passage: **O-9-2017-024 ORDINANCE ACCEPTING DEEDS OF DEDICATION FOR A RIGHT OF WAY EASEMENT FROM COSTCO ON BLOCK 71.01, LOT 8 IN THE BOROUGH OF JAMESBURG AND FEE SIMPLE OWNERSHIP OF PORTIONS OF BLOCK 79, LOT 20 IN MONROE TOWNSHIP.** (New Street)

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-9-2017-024

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for Final Passage:  
**O-9-2017-025            ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “LAND DEVELOPMENT”.** (Locational preferences for new towers)

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-9-2017-025

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

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

**R-9-2017-223                                    RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER REMEDIATION TECHNOLOGY FOR PROPRIETARY BID NO. 461 “WRT Z-88® FILTER MEDIA REPLACEMENT FOR WELL 17 & 19 BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**  
(Contract Amount: \$779,922.00)

**WHEREAS**, on August 3, 2017, one (1) sealed bid was received, and publicly opened and read, by the Monroe Township Utility Department for Contract 445, “WRT Z-88® Filter Media Replacement”, required by the M.T.U.D.; and

**WHEREAS**, the M.T.U.D. Purchasing Agent after consultation with the Director, by copy of a letter dated January 26, 2016, recommends a contract be awarded to the low bidder Water Remediation Technology of 5525 W. 56<sup>th</sup> Ave, Arvada, Colorado 80002 based on their bid in the amount of \$779,922.00; a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Municipal Finance Officer has certified availability of funds in Certificate No. M-170023 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Water Remediation Technology has submitted all the required documents with their bid; and

**WHEREAS**, 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 contract with the M.T.U.D. for “WRT Z-88® Filter Media Replacement” for Monroe Township Utility Department; and

**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 with Water Remediation Technology accordance with their bid;
- (2) The Township Chief Municipal Finance Officer is hereby authorized and directed to pay invoices for services supplied by Water Remediation Technology in accordance with their bid;
- (3) The contract is 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 Water Remediation Technology shall provide the required insurance certificate as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2017-224**

**RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE FOR W&S 1172, 374 SCHOOLHOUSE ROAD, MONROE TWP., N.J. POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, Ravinder Goomer has posted Performance Guarantees for 374 Schoolhouse Rd., Monroe Twp., NJ (W&S 1172); and

**WHEREAS**, Ravinder Goomer has requested a 70% reduction in the Performance Guarantee posted for the project; and

**WHEREAS**, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the cash guarantee as detailed in a letter dated July 27, 2017, a copy of which is attached hereto as Exhibit "A":

Cash Performance Bond in the amount of \$5,508.00 to be reduced to \$1,652.40.

Cash Performance Guarantee in the amount of \$612.00 to be returned in full to the developer.

**WHEREAS**, the Township Council has reviewed and hereby approves the MTUD Director's recommendations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantee posted for 374 Schoolhouse Road, Monroe Twp. N.J. be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

**BE IT FURTHER RESOLVED** that the Monroe Township Utility Department is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if applicant has been represented by counsel in this matter.

**SO RESOLVED**, as aforesaid.

**R-9-2017-225**

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 1157 – GARIBALDI AVENUE, PB#1175-15 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT, ("M.T.U.D.").**

**WHEREAS**, Lucille DiPasquale has posted a Performance Guarantee with the Monroe Township Utility Department ("M.T.U.D.") for W&S 1157, (2 new units); and

**WHEREAS**, Lucille DiPasquale has requested the release of the Performance Guarantee upon posting and acceptance of a Maintenance Guarantee for water and sewer; and

**WHEREAS**, as defined in N.J.S.A. 40:55Dd-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Township Council approve the release of the performance guarantee as detailed in a letter dated August 11, 2017, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Certificate of Deposit #4738862724 for water in the amount of \$39,600.00 to be released and replaced with a maintenance guarantee in the amount of \$5,346.00 (15% of original bond).

Certificate of Deposit #4738862708 for sewer in the amount of \$6,000.00 to be released and replaced with a maintenance guarantee in the amount of \$810.00 (15% of original bond).

**WHEREAS**, the Monroe Township Council has reviewed and hereby approves the recommendations of the M.T.U.D. Director;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantees posted for Block 109.02, lots 3-4-5 be released upon establishment of maintenance guarantees as reflected above and in the M.T.U.D. letter annexed hereto. Release of the Performance Guarantee and acceptance of

Maintenance Guarantee is conditioned upon the posting of a Maintenance Guarantee and the payment of any outstanding balances attached to the project escrow accounts; and

**BE IT FURTHER RESOLVED** that the Monroe Township Utility Department is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if applicant has been represented by counsel in this matter.

**SO RESOLVED**, as aforesaid.

**R-9-2017-226**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR SECTIONS A, B, C, D, F, I, J AND K OF CONTRACT 465 “WATER & SEWER SYSTEM APPURTENANCES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

**WHEREAS**, on August 17, 2017 at 11:00 AM, three (3) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 465, “Water & Sewer System Appurtenances”, required by the M.T.U.D.; and

**WHEREAS**, Water Works Supply Co., Inc. has submitted the lowest responsible and responsive bids for Sections A, B, C, D, F, I, J AND K; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated August 18, 2017, has recommended that, subject to a positive review from the township attorney, a contract be awarded to **Water Works Supply Co., Inc. of 660 Highway 23, Pompton Plains, NJ**, based on unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as Exhibit “B”; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of funds in Certificate No. **M-170026** a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Water Works Supply Co., Inc. has submitted all the required documents with their bid; and

**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 Water Works Supply Co., Inc. in accordance with their submitted bid;
- (2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Water Works Supply Co., Inc. 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 Water Works Supply Co., Inc. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2017-227**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RARITAN GROUP, INC. FOR SECTION H OF CONTRACT 465 “WATER & SEWER SYSTEM APPURTENANCES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

**WHEREAS**, on August 17, 2017 at 11:00 AM, three (3) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 465, “Water & Sewer System Appurtenances”, required by the M.T.U.D.; and

**WHEREAS**, Raritan Group, Inc. has submitted the lowest responsible and responsive bids for Section H; and

**WHEREAS**, Raritan Group, Inc.’s bid submissions for Sections E and I did not meet the specifications and are rejected. Those sections shall be awarded to Water Works Supply Co., Inc. and Kennedy Culvert, Inc., respectively; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated August 18, 2017, has recommended that, subject to a positive review from the township attorney, a contract be awarded to **Raritan Group, Inc. of 301 Meadow Rd., Edison, NJ**, based on unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as Exhibit "B"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of funds in Certificate No. **M-170028** a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Raritan Group, Inc. has submitted all the required documents with their bid; and

**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 Raritan Group, Inc. in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Raritan Group, Inc. 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 Raritan Group, Inc. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2017-228**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO KENNEDY CULVERT SUPPLY CO. FOR SECTIONS E, G AND L OF CONTRACT 465, "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, on August 17, 2017 at 11:00 AM, three (3) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 465, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS**, Kennedy Culvert Supply Co. has submitted the lowest responsible and responsive bids for Sections E, G AND L; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated August 18, 2017, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to **Kennedy Culvert Supply Co. of 8000 Midlantic Drive 200N, Mount Laurel, NJ 08054**, based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as Exhibit "B"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of funds in Certificate No. **M-170027** a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Kennedy Culvert Supply Co. has submitted all the required documents with their bid; and

**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 Kennedy Culvert Supply Co. in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Kennedy Culvert Supply Co. 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 Kennedy Culvert Supply Co. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2017-229**

**RESOLUTION AUTHORIZING THE EXECUTION OF A  
REVISED DEVELOPER'S AGREEMENT BY AND  
BETWEEN SUN PHARMACEUTICAL INDUSTRIES, INC.  
AND THE TOWNSHIP OF MONROE FOR  
IMPROVEMENTS TO THE MONROE TOWNSHIP  
UTILITY DEPARTMENT'S PUMP STATION NO. 2.**

**WHEREAS**, the Township Council for the Township of Monroe Authorized the execution of a Developer's Agreement with Sun Pharmaceutical Industries, Inc. ("Sun Pharmaceuticals") pursuant to Resolution No: R-3-2017-084 (the "March Developer's Agreement"); and

**WHEREAS**, Sun Pharmaceuticals' seeks to revise the March Developer's Agreement; and

**WHEREAS**, The Director of the M.T.U.D. has recommended that the Township enter into the Revised Sewer Agreement attached and made a part hereof as Exhibit "A" (the "Agreement"); and

**WHEREAS**, The Township Attorney has reviewed and approved the attached Revised Developer's Agreement; and

**WHEREAS**, Execution of the attached Revised Developer's 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 the Developer's Agreement, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-9-2017-230**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN  
AMENDED DEVELOPER'S AGREEMENT BY AND  
BETWEEN MONROE 33 DEVELOPERS, LLC. AND THE  
TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE  
MONROE TOWNSHIP UTILITY DEPARTMENT'S PUMP  
STATION NO. 2.**

**WHEREAS**, The Township Council of the Township of Monroe authorized the execution of a Developer's Agreement with Monroe 33 Developers, L.L.C. ("Monroe 33") pursuant to Resolution No. R-12-2016-421 (the "Developer's Agreement") for improvements to the Monroe Township Utility Department's ("MTUD") Pump Station No. 2; and

**WHEREAS**, the Developer's Agreement contemplated the possibility of other parties sharing the costs of the improvements to Pump Station No. 2; and

**WHEREAS**, Sun Pharmaceuticals, Inc. ("SPI") has entered into an agreement with Monroe 33 whereby to SPI will share the costs for the improvements pursuant to the Developer's Agreement; and

**WHEREAS**, Monroe 33 has requested that the Developer's Agreement be amended to reflect SPI's participation in making the improvements to Pump Station No. 2 pursuant to the Developer's agreement; and

**WHEREAS**, The Director of the MTUD has recommended that the Township enter into the Amended Developer's Agreement attached and made a part hereof as Exhibit "A" (the "Amended Agreement"); and

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

**WHEREAS**, Execution of the attached Amended 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 the Amended Developer's Agreement, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-9-2017-231**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SEWER REIMBURSEMENT AGREEMENT BY AND BETWEEN MONROE MANOR AND THE TOWNSHIP OF MONROE.**

**WHEREAS**, Monroe Manor, Inc. (hereinafter referred to as “Developer”) designed sewer facilities for its project Monroe Manor and at the request of the Monroe Township Municipal Utility Authority (“MTMUA”) designed and installed sewerage facilities which were sized to accommodate use by other unrelated parties thereby entitling the Developer for reimbursement of a portion of the costs associated with that portion of the sewer lines utilized by subsequent developers in accordance with the MTMUA’s rules and regulations in force at the time of the approvals; and

**WHEREAS**, Developer entered into an agreement with the MTMUA in 2003, which was memorialized on or about March 15, 2007 for reimbursement of Developer’s costs (“Developers Agreement”); and

**WHEREAS**, the Developers Agreement will expire on July 24, 2018; and

**WHEREAS**, it was anticipated that by the time the Developers Agreement expired Developer would receive complete reimbursement for the installation of the off-site improvements; and

**WHEREAS** due to the great recession the anticipated time frame within which the Developer was to be reimbursed has not been met; and

**WHEREAS** the State of New Jersey has recognized the effects of the great recession and has enacted the Permit Extension Act, including extension, codified as N.J.S.A. 40:55d-130 et seq.; and

**WHEREAS**, it was not intended that the Developer would incur the costs of sewer improvements that were to be utilized by subsequent developers; and

**WHEREAS**, Developer has requested that the Township execute a new reimbursement agreement in the form attached hereto as Exhibit “A”; and

**WHEREAS**, Developer would pay for more than its pro-rata share of the sewer site improvements if the Township does not enter into a new reimbursement agreement; and

**WHEREAS**, entering into a new reimbursement agreement with Monroe Manor, Inc. is in the public interest; and

**WHEREAS**, the Director of the MTUD and the Township Attorney have reviewed the proposed agreement and recommend execution of the new reimbursement agreement; and

**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 Director of the Monroe Township Utility Department, Mayor and Township Clerk be and are hereby authorized to execute a new sewer reimbursement agreement with Monroe Manor substantially in the form attached hereto as Exhibit “A” and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-9-2017-232**

**RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2016 ANNUAL AUDIT.**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for Year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk, pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and



**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by Resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS**, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the Group Affidavit Form of the governing body, attached hereto; and

**WHEREAS**, such Resolution of Certification shall be adopted by the Governing Body not later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the Affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required Affidavit to said Board to show evidence of said compliance.

**SO RESOLVED**, as aforesaid.

**R-9-2017-233**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH WILENTZ, GOLDMAN & SPITZER, P.A. FOR LEGAL SERVICES IN CONNECTION WITH OPEN PUBLIC RECORDS REQUESTS (OPRA) CONCERNING PERSONNEL MATTERS.**  
(not to exceed \$2,500.00)

**WHEREAS**, the Township of Monroe seeks professional legal services in connection with Open Public Records requests (OPRA) concerning personnel matters; and

**WHEREAS, Wilentz, Goldman & Spitzer, P.A.** possesses the professional expertise required for said legal services; and

**WHEREAS**, the fees for such services will not exceed Two Thousand Five Hundred Dollars (**\$2,500.00**); and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1700038 a copy of which is attached hereto as Exhibit “A”; and

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

**WHEREAS**, no agreement that is subject to the requirements of Article III of the Affirmative Action Regulations pursuant to P.L. 1975, Chapter 127 (N.J.S.A. 17:27-1 et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor or business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the Affirmative Action 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 as follows:

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with **Wilentz, Goldman & Spitzer**, 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, N.J. 07095.
- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by **Wilentz, Goldman & Spitzer** in an amount not to exceed **\$2,500.00**;
- (3) The Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for services performed by persons authorized by law to practice a recognized profession that is regulated by law.
- (4) The Contract is awarded with the stipulation that **Wilentz, Goldman & Spitzer** shall include within the Contract Mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;
- (5) A notice of this action shall be printed once in the Home News Tribune.

**SO RESOLVED**, as aforesaid.

**R-9-2017-234**

**RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OCTOBERFEST CELEBRATION TO BE HELD ON OCTOBER 22, 2017 FROM 10AM – 6PM.**

**WHEREAS**, the Director of the Department of Recreation, in a letter dated August 14, 2017, a copy of which is attached hereto as Exhibit "A", has requested approval to close a portion of Monmouth Road from Cornell Avenue to Sheffield Avenue on *Sunday, October 22, 2017 from 10:00 a.m. to 6:00 p.m.* for the purpose of an *Oktoberfest Celebration*; and

**WHEREAS**, the temporary closing of a portion of Monmouth Road necessitates the detour of traffic which will exit Monmouth Road at 10th Avenue; and

**WHEREAS**, by copy of attached letter dated August 15, 2017, the Monroe Township Police Department has reviewed and approved said closing. It has further been suggested that the Monroe Township Department of Recreation notify, in writing, the Monroe Township First Aid Squad and the Monroe Township Fire Departments of the road closure;

**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 portion of Monmouth Road shall be temporarily closed on Sunday, October 22, 2017 from 10:00 a.m. to 6:00 p.m. for the Oktoberfest Celebration and traffic will exit Monmouth Road at 10th Avenue.

**SO RESOLVED**, as aforesaid.

**R-9-2017-235**

**RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (Drive Sober or Get Pulled Over – Awarded \$5,500.00)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2017 in the sum of \$5,500.00, which is now available as a revenue from the Senior Outreach Grant;



**SO RESOLVED**, as aforesaid.

**R-9-2017-239**

**RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR SEAGIS-ENGLEHARD PB-939-05.**

**WHEREAS**, Triple Net Investments XXXVIII, LLC posted Performance Guarantees in the amount of \$1,211,457.02 for the Seagis-Englehard project (PB-939-05); and

**WHEREAS**, in correspondence a reduction in Performance Guarantees posted was requested; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantees, as detailed in his letter dated August 15, 2017, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$ 1,090,311.32	\$ 121,145.70
Reduce to	\$ 327,093.40	\$ 36,343.71

; and

**WHEREAS**, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for **Seagis-Englehard project (PB-939-05)** be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if the applicant has been represented by counsel in this matter.

**SO RESOLVED**, as aforesaid.

**R-9-2017-240**

**RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY MECO, INC. IN CONNECTION WITH THE SPOTSWOOD-GRAVEL HILL ROAD IMPROVEMENT PROJECT.**  
(Decrease of \$66,873.03)

**WHEREAS**, pursuant to Resolution No. R-6-2016-215, adopted by the Monroe Township Council at its meeting held on June 8, 2016, a contract was awarded to Meco, Inc. for the Spotswood-Gravel Hill Road Improvement Project; and

**WHEREAS**, said contract was in the original amount of \$370,405.25 for the improvements; and

**WHEREAS**, the Certified Municipal Finance Officer has certified in Certificate No. **C-160025**, a copy of which is attached hereto, that sufficient funds were available;

**WHEREAS**, the Township Engineer, in a letter dated July 31, 2017, requested approval of Change Order No. 1 and Final for the roadway improvement project reflecting a decrease in the amount of **\$66,873.03** which includes the additional work and reduction/deletion of work as referenced in Exhibit A (attached); and

**WHEREAS**, reflecting Change Order No. 1 and Final, the new decreased contract total is **\$303,532.22** for the Spotswood-Gravel Hill Road Improvement Project; and

**WHEREAS**, the Township Council has reviewed the request and has found same to be reasonable; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1 and Final, attached hereto and made a part hereof, in the decreased amount of Sixty-six thousand, eight hundred seventy-three dollars and three cents (\$66,873.03).

**SO RESOLVED**, as aforesaid.

**R-9-2017-241**

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED BY MECO, INC. IN CONNECTION WITH THE SPOTSWOOD-GRAVEL HILL ROAD IMPROVEMENT PROJECT UPON THE POSTING OF MAINTENANCE GUARANTEES.**

**WHEREAS, Meco, Inc.** has posted Performance Guarantees for the Spotswood-Gravel Hill Road Improvement Project; and

**WHEREAS, Meco, Inc.** has requested a release of the Performance Guarantees posted for this project; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer, by copy of letter dated July 31, 2017, has recommended, release of the Performance Guarantees; and

**WHEREAS**, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

**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 Performance Guarantees posted for the Spotswood-Gravel Hill Road Improvement Project, be released as reflected in the Township Engineer's letter dated July 31, 2017, attached hereto. This approval for release of the Performance Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$30,353.22** and a surface repair maintenance bond in the amount of **\$15,167.66**. Such maintenance guarantees shall run for a period of not less than two years from the date of memorialization of such action by the Council.

**SO RESOLVED**, as aforesaid.

**R-9-2017-242**

**RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ANNUAL MAINTENANCE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**

(Contract Amount: \$71,476.05)

**WHEREAS**, the Township of Monroe, County of Middlesex, has purchased various Communications Equipment for the Monroe Township Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP and the maintenance of this equipment is essential; and

**WHEREAS**, the Township of Monroe wishes to enter into an annual Maintenance Agreement with **Motorola Solutions, Inc.**, Contract No. **S00001027427** beginning September 1, 2017 through August 31, 2018; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, **N.J.S.A. 40A:11-12**; and

**WHEREAS, Motorola Solutions, Inc., P.O. Box 1335 Burlington, N.J. 08016** has been awarded New Jersey State Contract No. **83909**; and

**WHEREAS**, the actual cost of the Maintenance Agreement shall not exceed Seventy-One Thousand Four Hundred Seventy-Six Dollars and Five Cents (**\$71,476.05**); and

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1700039**, 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, that the Mayor and Township Clerk are hereby authorized to execute a Maintenance Agreement with Motorola Solutions, Inc. from September 1, 2017 through August 31, 2018 (*nunc pro tunc*), in an amount not to exceed Seventy-One Thousand Four Hundred Seventy-Six Dollars and Five Cents (**\$71,476.05**);

**SO RESOLVED**, as aforesaid.

**R-9-2017-243**

**RESOLUTION AUTHORIZING THE RESCINDING OF RESOLUTION NO. R-7-2017-208 "AUTHORIZING THE AWARD OF CONTRACT TO FIRST CHOICE VENDING FOR VENDING MACHINES WITHIN THE MONROE TOWNSHIP MUNICIPAL BUILDINGS" AND AUTHORIZING THE BUSINESS ADMINISTRATOR TO RE-ADVERTISE FOR COMPETITIVE CONTRACT PROPOSALS.**

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

**WHEREAS**, after further review of the proposals by the Township Attorney and Qualified Purchasing Agent (QPA), it was found that both proposals were non-conforming; and

**WHEREAS**, the QPA has recommended by memo dated August 24, 2017 that the awarding resolution be rescinded based on the above, a copy of which is hereto attached as Exhibit "A";

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, Resolution No. R-7-2017-208 is hereby rescinded based on the QPA's recommendation and the Business Administrator is hereby authorized to re-advertise for competitive contract proposals.

**SO RESOLVED**, as aforesaid.

**R-9-2017-244**

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO JAFFE COMMUNICATIONS FOR THE MONROE TOWNSHIP PUBLICATION.**

**WHEREAS**, on August 17, 2017 one (1) sealed proposal was received by Monroe Township for the Monroe Township Publication; and

**WHEREAS**, the Township Business Administrator recommends in a letter dated August 18, 2017, a copy of which is attached hereto as Exhibit "A", that a two (2) year contract be awarded to **Jaffe Communications, Inc.** for the Monroe Township Publication; and

**WHEREAS**, the fees for such services will not exceed **\$15,000.00 per issue**; and

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1700041**, a copy of which is attached hereto as Exhibit "B"; and

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

- (1) The Mayor and Township Clerk are hereby authorized and directed to execute a two (2) year contract with **Jaffe Communications, 312 North Avenue E Suite 5, Cranford, N.J. 07016** in accordance with the proposal, a copy of which is attached hereto, said contract effective for 2 years from execution of contract with an option to review for one additional year;
- (2) The Certified Municipal Finance Officer is hereby authorized and directed to pay Invoices for services rendered by **Jaffe Communications** not to exceed **\$15,000.00** per issue;
- (3) This contract is awarded in accordance with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.;
- (4) This contract is being awarded with the further stipulation that **Jaffe Communications** shall submit evidence of appropriate affirmative action compliance and either a letter of federal approval of the affirmative action program or a Certificate of Employee Information Report or a completed Form AA302 within seven (7) days of notification of award of contract or risk being declared non-responsive and forfeiting the award.

(5) A notice of this action shall be printed once in the Home News Tribune.

**SO RESOLVED**, as aforesaid.

**R-9-2017-245**

**RESOLUTION AUTHORIZING AWARD OF BID TO J.C. CONTRACTING INC. FOR LED LIGHTING & SITE IMPROVEMENTS – TOWNSHIP PUBLIC LIBRARY.**  
(Contract Amount: \$265,135.00)

**WHEREAS**, on August 22, 2017, four (4) sealed bids were received by Monroe Township regarding **LED Lighting & Site Improvements – Township Public Library**; and

**WHEREAS**, the Township Engineer, by copy of letter dated August 23, 2017, has recommended *J.C. Contracting, Inc. 681 Mill Street Rahway, N.J. 07065*, be awarded the bid based upon their bid submission in the amount of **\$265,135.00**; 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-1700040**, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, no contract that is subject to the requirements of the Affirmative Action Regulations pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 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 *J.C. Contracting, Inc.* for the **LED Lighting & Site Improvements – Township Public Library**, at a total contract price of **\$265,135.00**; and

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

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *J.C. 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 *J.C. Contracting, Inc* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

**BE IT FURTHER RESOLVED**, thereafter, a completed AA-202, monthly project workforce report, must be submitted once a month for the duration of the contract to the Department of Labor and to the Monroe Township Public Agency Compliance Officer.

**SO RESOLVED**, as aforesaid.

**R-9-2017-246**

**RESOLUTION AUTHORIZING AWARD OF BID TO Z BROTHERS CONCRETE CONTRACTORS FOR ROADWAY IMPROVEMENTS (MILLING & PAVING) TOWNSHIP WIDE.** (Contract Amount: \$712,856.05)

**WHEREAS**, on August 22, 2017, six (6) sealed bids were received by Monroe Township regarding **Roadway Improvements (Milling & Paving) – Township Wide**; and

**WHEREAS**, the Township Engineer, by copy of letter dated August 23, 2017, has recommended *Z Brothers Concrete Contractors, Inc. 304 Journey Mill Road Sayreville, N.J. 08872*, be awarded the bid based upon their bid submission in the amount of **\$712,856.05**; 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-1700042**, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, no contract that is subject to the requirements of the Affirmative Action Regulations pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 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 **Z Brothers Concrete Contractors, Inc.** for the **Roadway Improvements (Milling & Paving) – Township Wide**, at a total contract price of **\$712,856.05**; and

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

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay **Z Brothers Concrete Contractors, 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 **Z Brothers Concrete Contractors, Inc.** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

**BE IT FURTHER RESOLVED**, thereafter, a completed AA-202, monthly project workforce report, must be submitted once a month for the duration of the contract to the Department of Labor and to the Monroe Township Public Agency Compliance Officer.

**SO RESOLVED**, as aforesaid.

**R-9-2017-247**

**RESOLUTION AUTHORIZING A PARTICIPATION AGREEMENT & SCOPE OF WORK ATTACHMENT WITH TRI-STATE LIGHT & ENERGY, INC. UNDER THE 70/30 DIRECT INSTALL PROGRAM SPONSORED BY THE NEW JERSEY BOARD OF PUBLIC UTILITIES.**

(Total project cost is \$94,892.73 with the BPU providing \$66,424.91 and the Township providing \$28,467.82)

**WHEREAS**, pursuant to Resolution R-6-2017-171 dated June 7, 2017, the Township of Monroe entered into an agreement with **Tri-State Light & Energy Inc.(TSLE), 855 Sussex Boulevard, Broomall, Pa 19106**, for an energy assessment of the Municipal Building under the 70/30 Direct Install Program administered by the New Jersey Board of Public Utilities (BPU); and

**WHEREAS**, on August 3, 2017, TSLE submitted its recommendations for making lighting and heating systems in the Municipal Building more energy efficient in a report attached hereto; and

**WHEREAS**, the total project cost is \$94,892.73 with the BPU providing \$66,424.91 and the Township providing \$28,467.82; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certificate No. **C-1700043**, a copy of which is attached hereto as Exhibit A;

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Monroe that the Mayor and Township Clerk are authorized to execute the attached Direct Install Program Participation Agreement and Scope of Work Attachment with the BPU approved vendor, **Tri-State Light & Energy, Inc., 855 Sussex Boulevard, Broomall, Pennsylvania 19008** to install energy efficient improvements under the 70/30 Direct Install Program.

**SO RESOLVED**, as aforesaid.



**R-9-2017-248**

**RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR THE GABLES AT APPLGARTH VILLAGE – COMMERCIAL BA-5099-14.**

**WHEREAS**, The Gables at Applegarth Village, LLC. posted Performance Guarantees in the amount of \$3,675,522.24 for The Gables at Applegarth Village - Commercial project (BA-5099-14); and

**WHEREAS**, in correspondence The Gables at Applegarth Village LLC. has requested a second reduction in Performance Guarantees posted; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the second reduction of the Performance Guarantees, as detailed in his letter dated August 21, 2017, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$1,241,779.25	\$ 137,975.47
Reduce to	\$992,391.00	\$ 110,265.67

; and

**WHEREAS**, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for **The Gables at Applegarth Village – Commercial** be reduced, as reflected in the Township Engineer’s letter annexed hereto. This approval for second reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the developer, and to his attorney, if the applicant has been represented by counsel in this matter.

**SO RESOLVED**, as aforesaid.

**R-9-2017-249**

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE UPON THE ACCEPTANCE OF MAINTENANCE GUARANTEE FOR SOUTHFIELD ESTATES PB-910-04.**

**WHEREAS**, Southfield Estates, LLC has posted Performance Guarantees for the Southfield Estates Project (PB-910-04); and

**WHEREAS**, Southfield Estates, LLC has requested a release of the Performance Guarantees posted for this project; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer, by copy of letter dated August 21, 2017, has recommended, release of the Performance Guarantees; and

**WHEREAS**, the Township Council has reviewed and hereby approves the recommendations of the Township Engineer;

**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 Performance Guarantees posted for the Southfield Estates Project (PB-910-04), be released as reflected in the Township Engineer’s letter dated August 21, 2017, attached hereto. This approval for release of the Performance Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$588,986.66**. 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". In lieu of this, the Township Engineer's Office recommends the developer post five thousand dollars (\$5,000.00) at this time, into the existing engineering escrow account, which is more than reasonable. Performance guarantees should not be released until the escrow account is brought up to date, as noted.

**SO RESOLVED**, as aforesaid.

**R-9-2017-250**

**RESOLUTION AUTHORIZING AWARD OF BID TO  
LEWIS-GRAHAM FOR ADA SITE IMPROVEMENTS AT  
DEY FARMSTEAD. (Contract Amount: \$245,275.00)**

**WHEREAS**, on August 22, 2017, two (2) sealed bids were received by Monroe Township regarding **ADA Site Improvements for Dey Farmstead**; and

**WHEREAS**, the Township Engineer, by copy of letter dated August 23, 2017, has recommended **Lewis-Graham Inc. 15 Brentwood Road Clark, N.J. 07066**, be awarded the bid based upon their bid submission in the amount of **\$245,275.00**; 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-1700044**, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, no contract that is subject to the requirements of the Affirmative Action Regulations pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 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 **Lewis-Graham Inc.** for the **ADA Site Improvements for Dey Farmstead**, at a total contract price of **\$245,275.00**; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Lewis-Graham Inc.**; and

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay **Lewis-Graham 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 **Lewis-Graham Inc.** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

**BE IT FURTHER RESOLVED**, thereafter, a completed AA-202, monthly project workforce report, must be submitted once a month for the duration of the contract to the Department of Labor and to the Monroe Township Public Agency Compliance Officer.

**SO RESOLVED**, as aforesaid.

**RESOLUTION NO. R-9-2017-251**  
**TOWNSHIP OF MONROE**  
**CAPITAL BUDGET AMENDMENT**

**WHEREAS**, local capital budget for the Year 2017 was adopted on the 1st day of MAY, 2017; and

**WHEREAS**, it is desired to amend said adopted capital budget section;

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Monroe, County of Middlesex, that the following amendment(s) to the adopted capital budget section of the 2017 budget be made:

<b>RECORDED VOTE</b> (Insert last names)	AYES	{	BASKIN	NAYS	{	NONE	ABSTAIN	NONE
			COHEN					
			DALINA				ABSENT	NONE
			LEIBOWITZ					
			SCHNEIDER					

**FROM**  
**CAPITAL BUDGET (Current Year Action)**  
**2017**

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2017					6 TO BE FUNDED IN FUTURE YEARS
				5a 2017 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Subtotal General Capital		6,539,200	-	-	252,700	-	-	6,286,500	-
Subtotal Water-Sewer Capital Fund		6,405,000	-	300,000	-	-	-	6,105,000	-
<b>TOTAL - ALL PROJECTS</b>		<b>12,944,200</b>	<b>-</b>	<b>300,000</b>	<b>252,700</b>	<b>-</b>	<b>-</b>	<b>12,391,500</b>	<b>-</b>

**SIX YEAR CAPITAL PROGRAM - 2017 - 2022**  
**Anticipated Project Schedule and Funding Requirements**

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2017	5b 2018	5c 2019	5d 2020	5e 2021	5f 2022
Subtotal General Capital		10,289,200	-	6,539,200	750,000	750,000	750,000	750,000	750,000
Subtotal Water-Sewer Capital Fund		13,705,000	-	6,405,000	2,650,000	1,600,000	1,050,000	1,000,000	1,000,000
<b>TOTAL - ALL PROJECTS</b>		<b>23,994,200</b>	<b>-</b>	<b>12,944,200</b>	<b>3,400,000</b>	<b>2,350,000</b>	<b>1,800,000</b>	<b>1,750,000</b>	<b>1,750,000</b>

**SIX YEAR CAPITAL PROGRAM - 2017 - 2022**  
**SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1 PROJECT TITLE	2 Estimated Total Cost	3 BUDGET APPROPRIATIONS		4 Capital Improvement Fund	5 Capital Surplus	6 Grants-In-Aid and Other Funds	7 BONDS AND NOTES				
		3a Current Year 2017	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School	
Subtotal General Capital Fund	10,289,200	-	-	433,700	-	-	9,855,500				
Subtotal Water-Sewer Capital Fund	13,705,000	300,000	1,000,000	-	-	-	-	12,405,000			
<b>TOTAL - ALL PROJECTS</b>	<b>23,994,200</b>	<b>300,000</b>	<b>1,000,000</b>	<b>433,700</b>	<b>-</b>	<b>-</b>	<b>9,855,500</b>	<b>12,405,000</b>	<b>-</b>	<b>-</b>	<b>-</b>

**TO**  
**CAPITAL BUDGET (Current Year Action)**  
**2017**

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2017					6 TO BE FUNDED IN FUTURE YEARS
				5a 2017 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Acquisition Of Road Paver	21	25,000	-	-	-	25,000	-	-	-
Subtotal General Capital		6,564,200	-	-	252,700	25,000	-	6,286,500	-
Subtotal Water-Sewer Capital Fund		6,405,000	-	300,000	-	-	-	6,105,000	-
<b>TOTAL - ALL PROJECTS</b>		<b>12,969,200</b>	<b>-</b>	<b>300,000</b>	<b>252,700</b>	<b>25,000</b>	<b>-</b>	<b>12,391,500</b>	<b>-</b>

TO										
SIX YEAR CAPITAL PROGRAM - 2017 - 2022										
Anticipated Project Schedule and Funding Requirements										
1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR						
				5a 2017	5b 2018	5c 2019	5d 2020	5e 2021	5f 2022	
Acquisition Of Road Paver	21	25,000	2017	25,000	-	-	-	-	-	-
Subtotal General Capital Projects		10,314,200		6,564,200	750,000	750,000	750,000	750,000	750,000	750,000
		-		-	-	-	-	-	-	-
		-		-	-	-	-	-	-	-
Subtotal Water-Sewer Capital Fund		13,705,000		6,405,000	2,650,000	1,600,000	1,050,000	1,000,000	1,000,000	1,000,000
		-		-	-	-	-	-	-	-
<b>TOTAL - ALL PROJECTS</b>		<b>24,019,200</b>		<b>12,969,200</b>	<b>3,400,000</b>	<b>2,350,000</b>	<b>1,800,000</b>	<b>1,750,000</b>	<b>1,750,000</b>	<b>1,750,000</b>

  

SIX YEAR CAPITAL PROGRAM - 2017 - 2022										
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS										
1 PROJECT TITLE	2 Estimated Total Cost	3 BUDGET APPROPRIATIONS		4 Capital Improvement Fund	5 Capital Surplus	6 Grants-In-Aid and Other Funds	7 BONDS AND NOTES			
		3a Current Year 2017	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School
Acquisition Of Road Paver	25,000	-	-		25,000	-		-	-	-
Subtotal General Capital Fund	10,314,200			433,700	25,000	-	9,855,500	-		
	-						-	-		
Subtotal Water-Sewer Capital Fund	13,705,000	300,000	1,000,000		-	-	-	12,405,000	-	-
	-	-	-	-	-	-	-	-	-	-
<b>TOTAL - ALL PROJECTS</b>	<b>24,019,200</b>	<b>300,000</b>	<b>1,000,000</b>	<b>433,700</b>	<b>25,000</b>	<b>-</b>	<b>9,855,500</b>	<b>12,405,000</b>	<b>-</b>	<b>-</b>

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** – Mayor Tamburro addressed the acquisition of property and commended the Board of Education stating that the Township received a letter from the Board of Education President requesting that we purchase this piece of property. He explained that it was the same circumstance when the high school was built, in such, that they chose the land. He explained that there was an opposition to that piece of land as well because it was an Indian Reservation and we were required to preserve five acres which we did. He further explained that the Township gave land where Oak Tree School is to the Board of Education, as well as, to all fire districts. He stated that there have been questions as to why we do not do shared services; we do shared services within Monroe Township for the benefit of all of the taxpayers adding that when you have a good school system the value of your property goes up.

Touched on the Energy Aggregation Program, stating that Township residents will save 19% with South Jersey Energy. There will be a meeting on October 16<sup>th</sup> at the Senior Center and on October 18<sup>th</sup> at the Community Center regarding the program which is in effect on December 1<sup>st</sup>.

Quick Check has opened on Route 33 featuring a new design for the store. It is very clean and a unique layout for this location. It will also generate \$1 million in tax revenue and has brought many jobs to the area. In all there are 135 new jobs in the area with the opening of Quick Check, McDonald's and Tractor Supply. For the first month Quick Check will donate .25 for each sandwich sold to the Monroe Township Wolverines.

**Administrator's Report** – Administrator Weinberg reported that it was a busy month. The 412 acre acquisition is a major milestone as one of the main focuses of being able to expand Open Space; and with this acquisition it puts the Township at over 8,000 acres of Open Space which is a remarkable achievement.

One of the resolutions passed was a grant received from the BPU to do some energy efficient work in the municipal building. It is a 70/30 grant and Councilwoman Cohen who is a member of the Green Team helped to advocate for this.

One of the items on the agenda was the approval of our audit which was a clean audit with no findings; the Township is on sound financial ground in terms of our planning.

Once again in 2017 we have a flat municipal tax rate with no municipal tax rate increase in four years which is extraordinary considering the amazing services we provide to residents.

Congratulations to Engineer Mark Rasimowicz for receiving multiple bids on several of Our projects as it benefits the taxpayers when we have multiple contractors wanting to work in Our Township.

Clothing Drive for those effected by Hurricane Harvey will take place at the Recreation Center on Friday, September 8<sup>th</sup>, which will run for 24 hours from 8am to 8pm. Thanks to Shop Rite for donating the hot dogs for the event and to the Library and PBA for their helpful efforts as well.

The Energy Aggregation Program is very important as it will save most residents approximately \$420 over a two-year period.

Stated that the level of cooperation that is seen amongst the Mayor, Council, Board of Education, fire districts and other agencies within the Township is very strong and is very helpful in moving forward.

Lastly, the Ordinance regarding Chapter 108 which was introduced at tonight's meeting is to discourage cell towers within 500 feet of a school. This Ordinance will be referred to the Planning Board as something that we think is important.

**Engineer's Report** – Engineer Rasimowicz gave an update on the traffic signal projects within the Township; Federal Road and Perrineville Road is functioning great and is up and running. The County just completed the traffic signal at Union Valley Road and Perrineville Road which was a long overdue traffic signal which is now completed and operational. They will also be paving that stretch of road, as it is milled and just waiting to be paved, weather permitting. The plan for the traffic signal located on Spotswood-Englishtown Road and Mounts Mills Road are being finalized with construction to begin in the fall. The traffic signal to be located at the intersection of Matchaponix and Spotswood-Gravel Hill Road has been budgeted to be done by the Council last year and is currently being reviewed by the County and will be moving forward and constructed in 2018.

There are three projects that have been awarded tonight, one being the 2017 Municipal Paving Project which will repave ten streets throughout the Township and begin in approximately 30 days and be completed in 2 months. The next project awarded was for the Dey Farm ADA Site improvements which are ADA necessities which have been long overdue. The 3<sup>rd</sup> project is the LED Lighting Project for the Library which will begin fairly quickly. The handicap parking lot will also be improved and an electric car charging station will be added.

## **COUNCIL REPORTS:**

### **Council Vice-President Schneider –**

- Attended the Fishing Derby held at Thompson Park which was pure delight; in each category, they sized the fish they catch and a little boy won a fishing pole that was bigger than him.
- Attended the Concordia Art Show; the talent of these people in the communities is amazing.
- The Cultural Arts Commission did a fantastic job with this summer's concert series; all concerts were free.
- Attended an Eagle Scout Court of Honor, where Nishant put a garden planted at the 9-11 Memorial Park.
- Representatives from the Indian Culture Association of Monroe donated \$1,025.00 to the Library, who will use it for their Early Literacy Center. They also held their first 5k this summer at the Dey Farm.
- Asked for donations to those who are affected by Hurricane Harvey as the devastation is just horrible.
- The Vintage Baseball Game, sponsored by the Monroe Township Historic Preservation, will be held at the Dey Farm on September 23<sup>rd</sup>. Players wear the old-time uniforms and play by the original 19<sup>th</sup> century rules.
- Mayor's Cup is coming to an end and tomorrow they will be playing shuffleboard in Rossmoor, pickleball at the Community Center on September 12<sup>th</sup> and September 18<sup>th</sup> and bocce ball will be played at Thompson Park on September 14<sup>th</sup>.
- The new date for Octoberfest will be October 22<sup>nd</sup>.

### **Councilman Baskin –**

- Reported that the Community Garden had their largest tomato contest with the award going to the Lee family whose tomato weighed in at 1.82 pounds.
- Went to the Library for a demonstration on the 3D printer there; this printer has made prototypes and any resident can make an appointment to have a prototype made.
- August 21<sup>st</sup> was the Solar Eclipse; the Library provided special NASA sunglasses, which were paid for by a grant, making it a very successful viewing.

### **Councilman Leibowitz** –

- Reported that it was a real honor honoring the Strych family tonight with Kayla's Thin Blue Line Project.
- Reminded everyone when thinking about Texas to think about Monroe as well. The Township has received grants which provide emergency services and lodging if necessary. There are also three locations with generators within the Township. He also advised anyone who is not signed up to receive the emergency Nixle Alerts to please sign up; for those who want more information, they can see him after the meeting.

### **Councilwoman Cohen** –

- Reported that having all of the wonderful facilities in the Township and an excellent Emergency Services does not mitigate for the need for every household to be prepared in the event of an emergency disaster. It is important to have enough supplies, water, lanterns and a whistle to use to call for help. It is also important to keep your vehicle prepared as well.
- Visited two firehouses with Council Vice-President Schneider; meeting the volunteers and their families and seeing how hardworking they all are was wonderful.
- Attended the Art Fair which was beautiful.
- The Green Fair will be held on October 28<sup>th</sup> from 10am to 3pm at the high school; exhibitors looking to sign-up may do so on our website.
- Senior health and fitness walk will be held on Friday, September 15<sup>th</sup> at Roosevelt Park.
- In conjunction with the Mayor's presentation to Jonathan Volpe and his mother for Childhood Cancer Awareness Month, Councilwoman Cohen reminded everyone that research organizers such as the Ronald McDonald House are always looking for volunteers and urged those interested to donate their time if possible as those organizations will be grateful.
- There will be a paper shredding event at Thompson Park on September 8<sup>th</sup> from 9am to noon.

### **Council President Dalina** –

- Great to celebrate the Wolverines 40<sup>th</sup> Anniversary; true testament to volunteerism and the support of the community to last that long. There will be a Pep Rally on September 15<sup>th</sup> at the Danny Ryan Field.
- Invited all to attend the wreath laying and Day of Remembrance. Added that this is a time to reflect and in this day and age you can never forget what happened on that day. A beautiful memorial service will be held on September 11<sup>th</sup> starting at 8:30am at the Monroe Township Memorial Park. For the first time, there will also be a Sounding of Sirens as well.
- Reminded everyone of the importance of watching out for school buses since it is back to school time. It is important to stop for their lights and keep safe on the roads. If you cannot tolerate doing so, then it is recommended to leave earlier or take a different route to get to your destination.

**Public:**

**Mark Klein, 7 Crenshaw Ct.** – Mr. Klein commented that concerning the Wolverines 40<sup>th</sup> Anniversary, when he lived in East Brunswick he coached Pop Warner Football for eight years and had more fun coaching the kids that he would have paid them to coach.

In response to O-7-2017-020, he was surprised that the Board of Education President, who is in Attendance tonight, did not have the guts to stand up and answer any questions posed this evening; Mayor Tamburro responded that that was an unfair statement as this was not a public forum for the Board of Education.

Lastly, Mr. Klein added that a question was asked earlier as to why developers cannot contribute to schools, and this question was also brought up by himself at a Zoning Board meeting and explained to him that according to the legislature, you are not allowed to ask for a developer to donate to schools and you cannot use the impact of your school system to turn down an application either; Councilman Baskin added that the impact fees the developers are required to pay only include infrastructure because there was a lawsuit by a developer and the court ruled that schools were not specifically mentioned and ruled that the developer did not have to pay the fees. He added that the residents of Monroe should be advocating with the legislature to correct the deficiency. Mr. Klein agreed that the legislature can correct and added that a developer in Sayreville wanted to build a large development and they donated millions of dollars to go towards the schools, yet we have big developers who come here and do not want to donate to us.

**Linda Fekete, 54 Seventh St.** – Ms. Fekete asked that if we know about the impact, why is nothing be done about it; Councilman Baskin responded that we need to get a joint effort with other municipalities who are faced with the same issue and go forward from there. He added that a conversation should start with that. Administrator Weinberg answered that unfortunately it has been found illegal but it is up to the legislators to bring about a change. Ms. Fekete asked if this is something in the future we can act upon and bring forth a lawsuit about; Administrator Weinberg responded that every town does fight for this remedy and the League of Municipalities is a huge advocate of this and added that maybe once we have a new governor this will change. Ms. Fekete asked what the Township will do; Administrator Weinberg added that this is an important fight that not only the Township has and continues to fight for but so does other municipalities. She asked Mayor Tamburro if this was ever on his agenda to address; Mayor Tamburro responded that impact fees are a legislative thing and we have spoken with our legislators to fight for change but cannot get it passed. He added that we have pursued impact fees, meaning payment in lieu of taxes, with that the Township received 50% of the tax payment, the County would get 5% and the Board of Education would get nothing. Essentially that would mean the school would receive a cinder block building on land the developer wants and the Board of Education would be responsible then for improving it to make it useful, so the loser in that would be the Board of Education. It was pursued because of the impact Affordable Housing has but unfortunately, you need a rehabilitation authority to do it and would not qualify as we do not have any dilapidated buildings and property. It was promised to Mark Klein that we would never pursue impact fees but if it made sense then we would pursue it.

**Anthony Focarino, 133 Gravel Hill Spotswood Rd.** – Mr. Focarino commented that he has attended the meetings for awhile now and has never heard of a charter or private school being mentioned. He asked if that would help; Mayor Tamburro answered that that would be a question for the Board of Education. Mr. Focarino asked about privatizing the schools; Administrator Weinberg answered that that would be a question for the Board of Education.



**Sal Zappola, 10 Lori Lane** – Mr. Zappola commented that he moved here from Old Bridge with his wife over 14 years ago as his wife is a 1<sup>st</sup> grade teacher for Monroe Township. In that time, he has seen an almost 60% increase in his taxes just over a six-year period. In 2011, his property taxes were \$10,000 and now in 2017 they are \$16,000. He added that with the increase in building throughout the town adds more and more children to our schools and puts the burden on the taxpayers to pay. He commented that something must be done and we all need to work together for a remedy to this issue, as eventually everyone living here will get pushed out of their homes.

**Joseph Homoki, 61 Hoffman Rd.** – Mr. Homoki stated that by passing O-7-2017-020 it speeds up the process and he thinks it is a good idea for the council to do that. He has worked closely with former Mayor Richard Pucci, current Mayor Tamburro and the Board of Education in acquiring the high school, adding that with the high school we started this cooperation and feel it is at a higher level now which is commendable. He added that whenever you propose something new you will always find someone who will oppose it. People were against the high school because it would ruin Thompson Park and it is still as beautiful as ever. He thanked the Mayor and Council for their efforts.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that this is the time for people to write letters to the legislators in regard to the impact fees.

They are trying to cut Medicaid by \$400 million and this will impact the residents of Monroe and the State. He reiterated the importance to contact your legislators to voice your concern against this.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman asked the Council to begin thinking of some zoning changes, as there is a property known as the “Greek property” which now leases parts of their land to allow trailers to park there. Apparently, our ordinances are not enough to deter him from doing this so it should be looked into in how this can be changed and possibly be fined.

In regard to R-9-2017-224 and R-9-2017-225, it does not state to whom the Performance Bond is being released back to as it does in some of the others, and having that in there would be helpful. R-9-2017-226 and R-9-2017-227 do not state to whom the contracts are being awarded to; Administrator Weinberg responded that they do state the information as requested.

Mr. Gunkelman commented that the LED Lighting Award sounds high adding that we are utilizing the 70/30 match here in the municipal building and asked why that could not be used in the library parking lot.

He also commented that R-9-2017-223 seems very high as well and asked for an explanation and how old the existing filters are; Mike Barnes answered that in regard to R-9-2017-223, the original filters were put in 8 years ago; these wells service Rossmoor and with the significant cost it is still cheaper. Administrator Weinberg added that even though the wells are located in Rossmoor, they still service the whole town.

**Michael Olesky, 50 Mayberry Ave.** - Mr. Olesky explained that he is a 28-year resident of the Township and asked a few questions directed to Engineer Rasimowicz. He asked if there were any plans to update the Master Plan and if it could be posted on the website; Engineer Rasimowicz answered he is not aware of any plans with the Master Plan Sub-Committee and added that anytime there is an amendment the public can speak on them. He also added that the Master Plan is a public document and can be requested at any time. Council President Dalina added that the library used to have a copy of the Master Plan there and Engineer Rasimowicz added that it can be discussed with Planning & Zoning to have it posted on the website as well.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Leibowitz, the Regular Meeting was Adjourned at 9:30pm.

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: October 2, 2017.