

THE FOLLOWING IS A **PRELIMINARY AGENDA** AND THERE MAY BE CHANGES MADE TO THE AGENDA BEFORE OR AT THE MEETING, AS PROVIDED BY LAW.

**REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

AUGUST 6, 2018

AGENDA

1. Call to Order. (7:00 p.m.)

2. Salute to the Flag.

3. **ROLL CALL:**

Councilman Leonard Baskin
Councilwoman Miriam Cohen
Councilman Charles Dipierro
Council Vice-President Elizabeth Schneider
Council President Stephen Dalina

4. Council President Dalina to request the following **SUNSHINE LAW** be read into the record:

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

1. Posted on the Bulletin Boards within the Municipal Building on January 2, 2018 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 5, 2018;
3. Posted on the Monroe Township website; and
4. 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.

5. **PRESENTATIONS and PROCLAMATIONS –**

Rhea Alathur and Mason Kucharski – Recognition for their accomplishments in the Special Olympics.

6. **MOTION** to approve the payment of **CLAIMS** per run date 7/26/2018.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

7. **APPROVAL OF MINUTES:**

MOTION to approve the **MINUTES** of the following Meetings as written and presented:

- **June 25, 2018** **Agenda Meeting**
- **July 2, 2018** **Regular Meeting**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

8. **ORDINANCE(S) for SECOND READING:**

O-7-2018-025 **ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “DOGS, CATS AND OTHER ANIMALS” AND AMENDING CHAPTER 79 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “POLICE DEPARTMENT”.** (Humane Enforcement Officer)

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

9. **ORDINANCE(S) for INTRODUCTION:**

O-8-2018-026 **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “FEES”.**
(Animal Pick-up Fee)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

O-8-2018-027 **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “VEHICLES AND TRAFFIC”.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

O-8-2018-028 **ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF THE TOWNSHIP OF MONROE, ARTICLE II PUBLIC CONTRACTING, TO CONFORM WITH THE REQUIREMENTS SET FORTH IN N.J.S.A. 19:44A-1, et. seq.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

R-8-2018-198 **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 1033, MOUNTS MILLS ESTATES, BLOCK 52.05, LOTS 34-40, PB# 1068-09 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Carlton Drive)

R-8-2018-199 **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 897, MONARCH WOODS BLOCK 68, LOT 48.01, PB# 967-05 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Grace Hill Road)

- R-8-2018-200** **RESOLUTION AUTHORIZING THE RELEASE OF CASH PERFORMANCE GUARANTEE FOR W&S 1067, ROCLENE MANOR, BLOCK 60, LOT 15.01, BUCKELEW AVENUE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-8-2018-201** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO JAK CONSTRUCTION CORP, D.B.A. DIAMOND CONSTRUCTION FOR CONTRACT NO. 480-R, “PATCH PAVING AND CONCRETE REPAIR REBID” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (Unit Pricing)**
- R-8-2018-202** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR CONTRACT 482 “TRAILER MOUNTED VALVE MAINTENANCE APPARATUS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.) (\$78,316.14)**
- R-8-2018-203** **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF PROPERTY KNOWN AS BLOCK 3, LOT 1.05 ON THE MONROE TOWNSHIP OFFICIAL TAX MAP. (\$1.00)**
- R-8-2018-204** **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF POCKET LIQUOR LICENSE FOR JSM INVESTMENTS AT MONROE, LLC. FOR THE 2018-2019 LICENSE TERM.**
- R-8-2018-205** **RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR S & G PAVING, INC. (BA-5130-16). (Docks Corner Road)**
- R-8-2018-206** **RESOLUTION AUTHORIZING AN ELECTRONIC TAX SALE.**
- R-8-2018-207** **RESOLUTION AUTHORIZING FEES FOR ELECTRONIC TAX SALE NOTICES.**
- R-8-2018-208** **RESOLUTION AUTHORIZING JEROME CONVERY, ESQ. TO HANDLE THE MATTERS OF MARY JO GIANCOLA and ALFRED CAPUTO v. MONROE TOWNSHIP PLANNING BOARD, ET AL. AND PONDWATER PATH LLC. v. MONROE TOWNSHIP PLANNING BOARD, ET AL. AS EXTRAORDINARY LITIGATION. (\$10,000)**
- R-8-2018-209** **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. (Monroe Police Dept. \$75,721.42)**
- R-8-2018-210** **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY ROAD SAFETY SYSTEMS, LLC. IN CONNECTION WITH GUARDRAIL REPLACEMENT ON WYCKOFF MILLS ROAD. (Additional \$875.00)**
- R-8-2018-211** **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY J.C. CONTRACTING, INC. IN CONNECTION WITH MONROE TOWNSHIP PUBLIC LIBRARY LED LIGHTING AND SITE IMPROVEMENTS. (Additional \$822.09)**

- R-8-2018-212** **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY J.C. CONTRACTING INC. IN CONNECTION WITH THE MONROE TOWNSHIP PUBLIC LIBRARY LED LIGHTING AND SITE IMPROVEMENTS UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- R-8-2018-213** **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEE FOR FRANCIS E. PARKER MEMORIAL HOME, INC. (PB-1106-11) (Schoolhouse Rd.)**
- R-8-2018-214** **RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER, P.C. RELATED TO TAX APPEALS AS EXTRAORDINARY LITIGATION. (Additional \$50,000)**
- R-8-2018-215** **RESOLUTION AUTHORIZING SHAIN SCHAFFER, P.C. TO HANDLE THE MATTERS OF MARY JO GIANCOLA and ALFRED CAPUTO v. TOWNSHIP OF MONROE AND MONROE TOWNSHIP PLANNING BOARD, ET AL. AS EXTRAORDINARY LITIGATION. (\$5,600)**
- R-8-2018-216** **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- R-8-2018-217** **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-8-2018-218** **RESOLUTION AUTHORIZING EXTENSION OF A ONE TIME GRACE PERIOD FOR THE PAYMENT OF THIRD QUARTER TAXES, 2018. (Extended to August 21, 2018)**
- R-8-2018-219** **RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF HUMANE ENFORCEMENT OFFICER. (Officer Daniel Mosakowski)**
- R-8-2018-220** **RESOLUTION AUTHORIZING A MODIFICATION TO 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: \$76,818.88; Twp. Portion: \$24,412.07, BPU Portion: \$52,406.81)**
- R-8-2018-221** **RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A DEVELOPER'S REIMBURSEMENT AGREEMENT BY AND BETWEEN MONROE MANOR, INC. AND THE TOWNSHIP OF MONROE. (Sewer Agreement)**
- R-8-2018-222** **RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR DANIEL P. RYAN MEMORIAL FIELD CONCESSION STAND AND ADA RESTROOM IMPROVEMENTS AND RE-ADVERTISING FOR RECEIPT OF BIDS.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

11. Mayor's Report.

12. Administrator's Report.

13. Engineer's Report.

14. Council's Reports.

15. Public. (5 Minutes per Speaker)

16. Adjournment. Time: _____

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
REGULAR MEETING – AUGUST 6, 2018

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

The Agenda Meeting was Called to Order at 7:00 p.m. by Council President Stephen Dalina with a Salute to the Flag.

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

ALSO PRESENT: Mayor Gerald W. Tamburro, Business Administrator Alan M. Weinberg, Township Attorney Greg Pasquale, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately twenty-five (25) 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 January 2, 2018 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 5, 2018;
3. Posted on the Monroe Township website; and
4. Sent to those individuals who have requested personal notice.

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

Council President Dalina read aloud a proclamation to Mason Kucharski, who he has been a neighbor to and witnessed grow up through the years, for his accomplishments at this year's Summer Olympics held at TCNJ. Council President Dalina stated that Mason, who is 14 years old, has been swimming since 2017 and had the honor of carrying the torch that was used to light the flame at the opening ceremonies. Mason won four medals: a bronze for the 25-meter freestyle, a bronze medal for the 50-meter relay, a silver medal for the 25-meter backstroke and a gold medal for the 25-meter relay. Council President Dalina added that it was his honor to present Mason with the "I Love Monroe" medal for all of his accomplishments.

Mayor Tamburro presented Rhea Alathur who participated in the Summer Olympics held in Seattle, Washington with a proclamation for her accomplishments in winning four gold medals and one silver medal. Rhea's father thanked Rhea's coach, Coach Shannon, and presented her with flowers for her time in mentoring Rhea. Rhea thanked Coach Shannon and stated that she could not do it without her. He also thanked all of the students from the high school who made posters, which they brought to the venue when Rhea received her medals. The family presented the Mayor and Council with pins from the Summer Olympics.

Council President Dalina called for a five minute recess for pictures. The Regular Meeting reconvened at 7:20pm.

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **07/26/2018** were approved for payment as presented.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilwoman Miriam Cohen	Aye
	Councilman Charles Dipierro	Abstain
	Council Vice-President Elizabeth Schneider	Aye
	Council President Stephen Dalina	Aye

UPON MOTION made by Council Vice-President Schneider and seconded by Councilwoman Cohen, the **MINUTES of the June 25, 2018 Agenda Meeting & July 2, 2018 Regular Meeting** were approved as written and presented.

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

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-7-2018-025 ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “DOGS, CATS AND OTHER ANIMALS” AND AMENDING CHAPTER 79 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “POLICE DEPARTMENT”. (Humane Enforcement Officer)

ORDINANCE as follows: (O-7-2018-025)

WHEREAS, in the interests of safeguarding public health, safety and welfare of Monroe Township, pursuant to the direction of the New Jersey State Legislature pronounced in P.L. 2017, c. 331, in connection with the establishment and designation of a municipal humane law enforcement officer within the Township; and

WHEREAS, the Township has determined that an appropriate and important goal is to provide for animal welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, that Chapter 33 of the Monroe Township Dogs, Cats and other Animals Ordinance and Chapter 79 of the Monroe Township Police Department Ordinance be amended and supplemented as follows:

[New] § 33-2 (a) Designation of Humane Enforcement Officer.

The Mayor, with the consent of the Council, shall have the power to appoint a Humane Enforcement Officer who shall be responsible for animal welfare within the Township, and whose duty shall be to enforce the provisions of this Chapter. The Humane Enforcement Officer shall be authorized to investigate and sign complaints, arrest violators, and otherwise act as an officer for detection, apprehension, and arrest of offenders against the animal welfare and animal cruelty laws of the State and of the Township, pursuant to P.L. 2017, c.331.

An animal control officer or a police officer may serve concurrently as a municipal humane law enforcement officer, so long as the officer is able to effectively carry out the duties and responsibilities required of each position held.

The designated municipal humane law enforcement officer may be authorized to possess, carry, and use a firearm while enforcing the laws enacted for the protection of animals, if the officer:

- (a) has satisfactorily completed a firearms training course as defined in subsection j. of N.J.S.2C:39-6 and approved by the Police Training Commission; and
- (b) twice annually qualifies in the use of a revolver or similar weapon.

A municipal humane law enforcement officer authorized to possess, carry, and use a firearm pursuant to this subsection shall be subject to the supervision of the chief law enforcement officer of the municipality.

§79-80 Chief of Police.

The Chief of Police shall have and exercise the following authority:

- A. Be responsible for the prevention of criminality and the repression of criminal activity, the protection of life and property, the preservation of peace and public compliance with countless laws. He is supplied with men and equipment to assist in the attainment of these objectives. These he must organize, direct, coordinate and control in a manner that will assure the most effective and economical accomplishment of his purpose.
- B. Be responsible for the observation and enforcement of all laws of the state and ordinances within the jurisdiction of the Police Department, the enforcement of the rules and regulations of the Police Department and shall perform such duties as shall be prescribed by ordinance of the Township Council.
- C. See that all persons connected with the Department are properly instructed in their duties and give particular attention to the training and instruction of new members thereof.

- D. Shall have under his control all records and property of the Police Department and designate any member of the Department to prepare these reports and keep the records in such manner as he may prescribe, as well as to take charge of such property coming into the custody of the Department.
- E. Furnish to the Mayor complete monthly and yearly reports of Police Department matters.
- F. Shall, with approval of the Mayor, establish and may, from time to time, amend and repeal such rules and regulations as he may deem necessary for the government and efficient working of the entire Department. The rules and regulations when adopted, amended or repealed shall be posted by the Chief of Police, in facilities assigned to the Police Department for headquarters purposes and a copy delivered to each member of the Department within five (5) days after their adoption, amendment or repeal.

[New] G. Shall supervise the designated Humane Enforcement Officer under Chapter 33-2(a) of the Code authorized to carry a firearm.

SO ORDAINED, as aforesaid.

No Public Comment.

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-7-2018-025 ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “DOGS, CATS AND OTHER ANIMALS” AND AMENDING CHAPTER 79 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “POLICE DEPARTMENT”.

(Humane Enforcement Officer)

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

Copy of Ordinance Duly Filed.

O-7-2018-025

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, an Ordinance of which the following is the title was introduced on first reading for Final Passage:

O-8-2018-026 ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “FEES”. (Animal Pick-up Fee)

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

Copy of Ordinance Duly Filed.

O-8-2018-026

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-8-2018-027 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “VEHICLES AND TRAFFIC”.

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

Copy of Ordinance Duly Filed.

O-8-2018-027

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for Final Passage:

O-8-2018-028 ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF THE TOWNSHIP OF MONROE, ARTICLE II PUBLIC CONTRACTING, TO CONFORM WITH THE REQUIREMENTS SET FORTH IN N.J.S.A. 19:44A-1, et. seq.

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

Copy of Ordinance Duly Filed.
O-8-2018-028

RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA (Omitting Resolutions R-8-2018-205 and R-8-2018-221):

Councilman Dipierro requested that Resolution **R-8-2018-205** be removed from consideration under the Consent Agenda.

Council President Dalina requested that Resolution **R-8-2018-221** be tabled until the September 5, 2018 Meeting.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Baskin, a Resolution of which the following is the title was **tabled**. This Resolution will be considered at the September 5, 2018 regular meeting:

R-8-2018-221 RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A DEVELOPER'S REIMBURSEMENT AGREEMENT BY AND BETWEEN MONROE MANOR, INC. AND THE TOWNSHIP OF MONROE.
(Sewer Agreement)

WHEREAS, Monroe Manor, Inc. (hereinafter referred to as "Developer") entered into an agreement with the Monroe Township Municipal Utility Authority ("MTMUA") in 2003, the predecessor to the Monroe Township Utility Department (hereinafter referred to as the "MTUD"), memorialized on or about March 15, 2007 ("Developers Agreement"), which provided for the reimbursed for Developer's costs for making off track improvements to the Monroe Township sanitary sewer system; and

WHEREAS, the Township authorized the execution of a Second Sewer Reimbursement Agreement with Developer pursuant to Resolution R-9-2017-231 ("Reimbursement Agreement"); and

WHEREAS, Developer has requested an amendment to the Reimbursement Agreement, in the form attached hereto as Exhibit "A," thereby allowing it to be reimbursed for the litigation expenses incurred in successfully defending a lawsuit by D.R. Horton, Inc. - New Jersey, The Verde Group, LLC, Gables Plaza, LLC and the Gables at Applegarth Village, LLC, which challenged the Developer's right to reimbursement of its costs; and

WHEREAS, Developer's success benefits all parties who have previously paid their pro-rata share of the aforesaid improvements; and

WHEREAS, Developer has advised the Township that it has notified all parties who have previously paid their pro-rata share of the aforesaid improvements of its request for this amendment; and

WHEREAS, the reimbursement of Developer's litigation costs shall be at no cost to the Township; and

WHEREAS, The Township Attorney has reviewed and approved the attached Amendment.

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 Amendment, attached hereto and made a part hereof.

SO RESOLVED, as aforesaid.

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

Resolution R-8-2018-221 is hereby tabled.

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the following Resolutions were moved for Adoption under the **CONSENT AGENDA (Omitting Resolutions R-8-2018-205 and R-8-2018-221)**:

R-8-2018-198 **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 1033, MOUNTS MILLS ESTATES, BLOCK 52.05, LOTS 34-40, PB# 1068-09 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
(Carlton Drive)

WHEREAS, Jack Werbler has posted Performance Guarantees with the Monroe Township Utility Department (“M.T.U.D.”) for W&S 1033, Blk. 52.05, lots 34-40; and

WHEREAS, Jack Werbler has requested the release of the Performance Guarantees 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 July 2, 2018, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Performance Bond #FP 0020224 for sewer in the amount of \$52,380.00 to be released and replaced with a maintenance guarantee in the amount of \$7,857.00. (15% of original bond).

Cash Performance Guarantee in the amount of \$5,820.00 for sewer to be returned in full to the developer.

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 W&S 1033 – Mounts Mills Estates, 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-8-2018-199 **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 897, MONARCH WOODS BLOCK 68, LOT 48.01, PB# 967-05 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Grace Hill Road)

WHEREAS, Jack Werbler has posted Performance Guarantees with the Monroe Township Utility Department (“M.T.U.D.”) for W&S 897, Blk.68, Lot 48.01; and

WHEREAS, Jack Werbler has requested the release of the Performance Guarantees 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 July 2, 2018, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Performance Bond #5025620 for water in the amount of \$81,000.00 to be released and replaced with a maintenance guarantee in the amount of \$12,150.00 (15% of original bond).

Cash Performance Guarantee in the amount of \$9,000.00 for water to be returned in full to the developer.

Performance Bond #5025643 for sewer in the amount of \$165,240.00 to be released and replaced with a maintenance guarantee in the amount of \$24,786.00 (15% of original bond).

Cash Performance Guarantees in the amount of \$18,360.00 to be returned in full to the developer.

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 W&S 897 – Monarch Woods, 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-8-2018-200 RESOLUTION AUTHORIZING THE RELEASE OF CASH
PERFORMANCE GUARANTEE FOR W&S 1067, ROCLENE MANOR,
BLOCK 60, LOT 15.01, BUCKELEW AVENUE POSTED WITH THE
MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

WHEREAS, Rossano Cornejo has posted a cash guarantee with the Monroe Township Utility Department (“MTUD”) for W&S 1067; and

WHEREAS, as defined in N.J.S.A. 40:55D-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Monroe Township Council approve the request for release of the cash guarantee, as detailed in a letter dated June 29, 2018, a copy of which is attached hereto as Exhibit "A"; and

Cash Guarantee in the amount of \$180.50 be released in full to the developer.

WHEREAS, the Monroe Township Council has reviewed and hereby approves the recommendation of the MTUD 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 Maintenance Guarantee posted for W&S 1067 be released as reflected above and within the letter annexed hereto. This approval for release of cash guarantee is conditioned upon the resolution 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-8-2018-201 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO JAK
CONSTRUCTION CORP, D.B.A. DIAMOND CONSTRUCTION FOR
CONTRACT NO. 480-R, “PATCH PAVING AND CONCRETE REPAIR
REBID” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT
 (“M.T.U.D.”). (Unit Pricing)**

WHEREAS, on July 24, 2018 two (2) sealed bids were received, publicly opened, and read aloud by the Monroe Township Utility Department Purchasing Agent for Contract 480-R, “Patch Paving and Concrete Repair rebid”, required by the M.T.U.D.

WHEREAS, the M.T.U.D. Purchasing Agent, after review with the Director, has recommended in a letter dated July 24, 2018, that a contract be awarded to the low bidder **Diamond Construction** of Brick NJ, based upon the total of *unit pricing and estimated quantities* contained within their bid documents upon final review by Township Attorney, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, the Township Council has reviewed and hereby consents to the award of bid based upon the recommendations of the M.T.U.D. Purchasing Agent; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township’s Certified Municipal Finance Officer has certified availability of funds in Certificate No. M-180032, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(d)(1)(ii), multi-year contracts entered into for periods in excess of twelve (12) months shall be certified and charged to the respective budgets in accordance with the time(s) at which the respective work or services are performed or liability for payment is otherwise incurred. Accordingly, commitments and payments required in excess of the initial twelve (12) months are contingent upon necessary funds being appropriated in future budgets by a subsequent governing body; 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 a one (1) year contract with two optional one (1) year extension terms with acceptance by **Diamond Construction** for the Patch Paving and Concrete Repair 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 (1) one-year contract **Diamond Construction** in accordance with their submitted bid;

(2) The Township's Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for material delivered by **Diamond Construction** in accordance with their contract;

(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 Diamond Construction shall provide a properly executed certificate of insurance and performance bond, as required by the specifications.

R-8-2018-202 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR CONTRACT 482 "TRAILER MOUNTED VALVE MAINTENANCE APPARATUS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.) (\$78,316.14)

WHEREAS, the M.T.U.D., in order to comply with the Water Quality Accountability Act, has determined the need for valve maintenance equipment; and

WHEREAS, on July 27, 2018 one (1) sealed bid was received, and publicly opened and read aloud, by the Monroe Township Utility Department for Contract 482, "Trailer Mounted Valve Maintenance Apparatus", required by the M.T.U.D.; and

WHEREAS, the M.T.U.D. Purchasing Agent, after discussion with the Water Superintendent and Director has recommended, in a letter dated July 27, 2018, that a contract to supply said equipment be awarded to Water Works Supply Co., Inc. of Pompton Plains NJ based on their bid in the amount of \$78,316.14, 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-180033 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

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 a contract to Water Works Supply Co., Inc. for one Trailer Mounted Valve Maintenance Apparatus, for the 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 one (1) year contract Water Works Supply Co., Inc. in accordance with their submitted bid;

(2) The Township Chief Municipal 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;

SO RESOLVED, as aforesaid.

R-8-2018-203 RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF PROPERTY KNOWN AS BLOCK 3, LOT 1.05 ON THE MONROE TOWNSHIP OFFICIAL TAX MAP. (\$1.00)

WHEREAS, the Township of Monroe (“Township”) wishes to confirm its intent to enter into an Agreement of Sale with the New Jersey Department of Transportation (“NJDOT”) for the conveyance from NJDOT of Parcel VX83B of the Route 33, Section 4 Project, designated as Block 3, Lot 1.05 on the Monroe Township official Tax Map (“Property”), for the public purpose of future roadway and intersection improvements; and

WHEREAS, by adoption of this resolution and subsequent ordinance, the Township authorizes the Mayor, Township Clerk and Township Attorney to enter into and execute an Agreement of Sale with NJDOT for the Property and to acquire the Property; and

WHEREAS, the Township Engineer has confirmed the necessity of the Township acquiring the Property for future roadway and intersection improvements; and

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to enter into an agreement of sale with NJDOT; and

WHEREAS, the Township Engineer has reviewed the Parcel Description and General Property Parcel Map included as Exhibits A and B of the Agreement of Sale, annexed hereto as **Exhibit 1**, and confirmed the accuracy thereof; and

WHEREAS, the Agreement of Sale is subject to the specific public use for transportation purposes, and in the event that the Property is not used for that specified public use, ownership will revert back to NJDOT;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Monroe, in the County of Middlesex and State of New Jersey, that the Township enter into and execute an Agreement of Sale with the NJDOT for the conveyance of the Property for the specific public purpose of future roadway and intersection improvements subject to a reverter clause for the purchase price of One Dollar (\$1.00).

SO RESOLVED, as aforesaid.

R-8-2018-204 RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF POCKET LIQUOR LICENSE FOR JSM INVESTMENTS AT MONROE, LLC. FOR THE 2018-2019 LICENSE TERM.

WHEREAS, **JSM Investments at Monroe, LLC** has applied to the Monroe Township Council for the renewal of Plenary Retail Consumption License No. 1213-33-006-011; and

WHEREAS, License No. 1213-33-006-011 is a “pocket license” which is a type of inactive license which does not have a site or licensed premise; and

WHEREAS, pursuant to a Special Ruling of the Department of Law and Public Safety, Division of Alcoholic Beverage Control, Agency Docket No. 06-18-298, a copy of which is attached hereto, good cause has been shown in accordance with the statutory requirements to warrant an application for renewal of the aforesaid license for the 2018-2019 license term; and

WHEREAS, the Township Council finds the application for renewal has been made and all fees paid in connection with the renewal of said license for the 2018-2019 license term; and

WHEREAS, after investigation of this matter, this Council finds no cause to deny said renewal;

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 Plenary Retail Consumption License No. 1213-33-006-011 held by **JSM Investments at Monroe, LLC** be and is hereby renewed for the 2018-2019 license term pursuant to N.J.S.A. 33:1-12.39, a copy of which is attached hereto and made a part hereof.

SO RESOLVED, as aforesaid.

R-8-2018-206 RESOLUTION AUTHORIZING AN ELECTRONIC TAX SALE.

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to the rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Division of Local Government Services has promulgated rules and regulations for electronic tax sales; and

WHEREAS, the Director of the Division of Local Government Services has approved N.J. Tax Lien Investors/Real Auction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, and State of New Jersey that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government if necessary.

SO RESOLVED, as aforesaid.

R-8-2018-207 RESOLUTION AUTHORIZING FEES FOR ELECTRONIC TAX SALE NOTICES.

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to the rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater responsibility to delinquent taxpayers, the Township of Monroe wishes to charge \$20.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

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 a fee of \$20.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2018 electronic tax sale.

SO RESOLVED, as aforesaid.

R-8-2018-208 RESOLUTION AUTHORIZING JEROME CONVERY, ESQ. TO HANDLE THE MATTERS OF MARY JO GIANCOLA and ALFRED CAPUTO v. MONROE TOWNSHIP PLANNING BOARD, ET AL. AND PONDWATER PATH LLC. v. MONROE TOWNSHIP PLANNING BOARD, ET AL. AS EXTRAORDINARY LITIGATION. (\$10,000)

WHEREAS, the Mayor of the Township of Monroe has requested that Jerome Convery, Esq. defend the Township's interest in a claim filed in the Superior Court of New Jersey, Middlesex County, Docket No. MID-L-002584-18, entitled Mary Jo Giancola and Alfred Caputo v. Township of Monroe and the Planning Board of the Township of Monroe, et al., as extraordinary litigation; and

WHEREAS, Jerome Convery, Esq. possesses the expertise necessary to handle this litigation for the Township; and

WHEREAS, acknowledgment of the status of "extraordinary litigation" requires the advice and consent of the Township Council; and

WHEREAS, Jerome Convery, Esq. will render legal services at a cost not to exceed \$5,000.00 with respect to the above matter; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget in the amount of **\$5,000.00**, to handle this matter as extraordinary litigation as evidenced by the Treasurer's Certification No. **C-1800043**, a copy of which is annexed hereto as **Exhibit "A;"** and

WHEREAS, the Mayor of the Township of Monroe has requested that Jerome Convery, Esq. defend the Township's interest in a claim filed in the Superior Court of New Jersey, Middlesex County, Docket No. C-59-18, entitled Pondwater Path, LLC v. Pondview Plaza Associates, LLC, Waterside Villas, LLC., Clearbrook Partners, LP, WV Asbury, LLC, AP Condos MB, LLC., AP Condos SN, LLC., AP Condos MN, LLC., AP Condos EN, LLC., Waterside Group, LLC., The Ponds at Clearbrook, Castle at Clearbrook, Inc. and Monroe Township Planning Board, et al. as extraordinary litigation; and

WHEREAS, Jerome Convery, Esq. possesses the expertise necessary to handle this litigation for the Township; and

WHEREAS, acknowledgment of the status of "extraordinary litigation" requires the advice and consent of the Township Council; and

WHEREAS, Jerome Convery, Esq. will render legal services at a cost not to exceed \$5,000.00 with respect to the above matter; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget in the amount of **\$5,000.00**, to handle this matter as extraordinary litigation as evidenced by the Treasurer's Certification No. **C-1800046**, a copy of which is annexed hereto as **Exhibit "A;"** and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to Jerome Convery, Esq. handling the matters of Mary Jo Giancola and Alfred Caputo v. Township of Monroe and the Planning Board of the Township of Monroe, et al., and Pondwater Path, LLC v. Pondview Plaza Associates, LLC, Waterside Villas, LLC., Clearbrook Partners, LP, WV Asbury, LLC, AP Condos MB, AP Condos SN, AP Condos MN, AP Condos EN, Waterside Group, LLC., The Bonds at Clearbrook, Castle at Clearbrook, Inc. and Monroe Township Planning Board, et al. as extraordinary litigation, for which legal services may be provided in an amount not to exceed \$5,000.00 per litigation without further authorization by Council.

SO RESOLVED, as aforesaid.

R-8-2018-209 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.
(Monroe Police Dept. \$75,721.42)

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.**, Agreement No. **USC000006318** beginning September 1, 2018 through August 31, 2019; 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-Five Thousand Two Hundred Seventy-One Dollars and Forty-Two Cents (**\$75,271.42**); and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1800044**, 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, 2018 through August 31, 2019 in an amount not to exceed Seventy-Five Thousand Two Hundred Seventy-One Dollars and Forty-Two Cents (**\$75,271.42**).

SO RESOLVED, as aforesaid.

R-8-2018-210 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY ROAD SAFETY SYSTEMS, LLC. IN CONNECTION WITH GUARDRAIL REPLACEMENT ON WYCKOFF MILLS ROAD. (Additional \$875.00)

WHEREAS, pursuant to Resolution No. R-5-2018-154, adopted by the Monroe Township Council at its meeting held on May 7, 2018, a contract was awarded to Road Safety Systems LLC. in connection with guardrail replacement on Wyckoff Mills Road; and

WHEREAS, the original total contract amount was \$34,905.00; and

WHEREAS, the Township Engineer, in a letter dated July 17, 2018, requested approval of Change Order No. 1 and final for the guardrail replacement project on Wyckoff Mills Road reflecting an increase in the amount of **\$875.00**; this change order includes additional work as follows:

Add and/or Increase as directed and required:

1. Additional 20' Beam Guide Rail Needed \$875.00

Increase in contract price \$875.00

Current Contract Price Including This Change Order = \$35,780.00

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

WHEREAS, the Certified Municipal Finance Officer has certified in Certificate No. **C-1800034**, a copy of which is attached hereto, that sufficient funds are available;

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 amount of Eight Hundred Seventy-Five Dollars (\$875.00).

SO RESOLVED, as aforesaid.

R-8-2018-211 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY J.C. CONTRACTING, INC. IN CONNECTION WITH MONROE TOWNSHIP PUBLIC LIBRARY LED LIGHTING AND SITE IMPROVEMENTS. (Additional \$822.09)

WHEREAS, pursuant to Resolution No. R-9-2017-245, adopted by the Monroe Township Council at its meeting held on September 6, 2017, a contract was awarded to J.C. Contracting, Inc. in connection with the Monroe Township Public Library LED Lighting & Site Improvements project; and

WHEREAS, the original total contract amount was \$265,135.00; and

WHEREAS, the Township Engineer, in a letter dated July 17, 2018, requested approval of Change Order No. 1 and final for the LED Lighting and Site Improvements project, reflecting an increase in the original contract amount of **\$822.09** as reflected in the change order attached, marked as Exhibit A; and

WHEREAS, the current contract price including this change order is now \$265,957.09; and

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

WHEREAS, the Certified Municipal Finance Officer has certified in Certificate No. **C-1700040**, a copy of which is attached hereto, that sufficient funds are available;

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 amount of Eight Hundred Twenty-Two Dollars and Nine Cents (\$822.09).

SO RESOLVED, as aforesaid.

**R-8-2018-212 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE
GUARANTEES POSTED BY J.C. CONTRACTING INC. IN
CONNECTION WITH THE MONROE TOWNSHIP PUBLIC LIBRARY
LED LIGHTING AND SITE IMPROVEMENTS UPON THE POSTING OF
A MAINTENANCE GUARANTEE.**

WHEREAS, J.C. Contracting, Inc. has posted Performance Guarantees for the Monroe Township Public Library LED Lighting and Site Improvements project; and

WHEREAS, J.C. Contracting, 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 27, 2018, 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 Monroe Township Public Library LED Lighting and Site Improvements project, be released as reflected in the Township Engineer's letter dated July 27, 2018, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$26,597.39**. 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.

SO RESOLVED, as aforesaid.

**R-8-2018-213 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE
GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEE
FOR FRANCIS E. PARKER MEMORIAL HOME, INC. (PB-1106-11)
(Schoolhouse Rd.)**

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

WHEREAS, Francis E. Parker Memorial Home, Inc. has posted Performance Guarantees in the amount of \$3,320,772.62; and

WHEREAS, a request has been made to release the performance guarantees for **Francis E. Parker Memorial Home, Inc.**; and

WHEREAS, the Township Engineer's office, by copy of letter dated July 19, 2018, recommends release of the projects Performance Guarantees;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that release of the project performance guarantees shall be conditioned upon resolution of all outstanding escrow balances associated with the administration of this project by Township officials, as well as the posting of maintenance guarantees for 15% of the project total (\$2,767,310.52), or \$415,096.58. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the Council;

BE IT FURTHER RESOLVED, in accordance with the Monroe Township Code, the developer shall maintain funds in the engineering inspection escrow account in the amount of fifty percent (50%) of the original deposit" however in lieu of this, the Township Engineer's office recommends the developer post two thousand five hundred dollars (\$2,500.00) at this time, into the existing engineering inspection escrow account, which is more reasonable.

**R-8-2018-214 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES
TO SHAIN, SCHAFFER, P.C. RELATED TO TAX APPEALS AS
EXTRAORDINARY LITIGATION. (Additional \$50,000)**

WHEREAS, the Township of Monroe, has the need for legal representation in connection with matters of Tax Appeals; and

WHEREAS, Shain, Schaffer P.C. possesses the expertise necessary to represent the Township in these matters; and

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

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

WHEREAS, the Township Council, by Resolution No. R-01-2018-029 acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain, Schaffer P.C. pending further authorization of the Township Council; and

WHEREAS, Shain, Schaffer P.C. has incurred legal fees in excess of the budgeted amounts and has requested authorization for the following:

Tax Appeals – additional **\$50,000.00**
;and

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

WHEREAS, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No, **C-1800025**, a copy of which is annexed hereto as Exhibit “A”;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby authorizes Shain, Schaffer P.C. be paid for legal services rendered in connection with matters of Tax Appeals in the amount of **\$50,000.00**.

SO RESOLVED, as aforesaid.

R-8-2018-215 RESOLUTION AUTHORIZING SHAIN SCHAFFER, P.C. TO HANDLE THE MATTERS OF MARY JO GIANCOLA and ALFRED CAPUTO v. TOWNSHIP OF MONROE AND MONROE TOWNSHIP PLANNING BOARD, ET AL. AS EXTRAORDINARY LITIGATION. (\$5,600)

WHEREAS, the Mayor of the Township of Monroe has requested that Shain Schaffer, P.C. defend the Township’s interest in a claim filed in the Superior Court of New Jersey, Middlesex County, Docket No. MID-L-002584-18, entitled Mary Jo Giancola and Alfred Caputo v. Township of Monroe and the Planning Board of the Township of Monroe, et al., as extraordinary litigation; and

WHEREAS, Shain Schaffer, P.C. possesses the expertise necessary to handle this litigation for the Township; and

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

WHEREAS, Shain Schaffer, P.C. will render legal services at a cost not to exceed **\$5,600.00** with respect to the above matter; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget in the amount of **\$5,600.00**, to handle this matter as extraordinary litigation as evidenced by the Treasurer’s Certification No. **C-1800045**, a copy of which is annexed hereto as **Exhibit “A;”** and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to Shain Schaffer, P.C. handling the matters of Mary Jo Giancola and Alfred Caputo v. Township of Monroe and the Planning Board of the Township of Monroe, et al., as extraordinary litigation, for which legal services may be provided in an amount not to exceed **\$5,600.00** per litigation without further authorization by Council.

SO RESOLVED, as aforesaid.

R-8-2018-216 RESOLUTION REFUNDING TAX OVERPAYMENTS.

WHEREAS, the Tax Collector for the Township of Monroe has recommended this Council’s approval to make refunds for tax overpayments in the amount of Forty-six thousand six hundred ninety-nine dollars and thirty-seven cents (\$46,699.37) for the amounts described on Schedule A and attached hereto;

WHEREAS, good cause has been shown

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

SO RESOLVED, as aforesaid.

R-8-2018-217 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.

WHEREAS, Premiums have been paid for various properties for the purchase of Tax Lien Certificates for properties listed on the Tax Map of the Township of Monroe, in the amount of Seven thousand dollars and no cents (\$7,000.00),

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

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

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

SO RESOLVED, as aforesaid.

R-8-2018-218 RESOLUTION AUTHORIZING EXTENSION OF A ONE TIME GRACE PERIOD FOR THE PAYMENT OF THIRD QUARTER TAXES, 2018.
(Extended to August 21, 2018)

WHEREAS, due to circumstances beyond the control of the Township of Monroe, the property tax bills for the third quarter of 2018 may not be mailed to taxpayers within the statutory time constraints; and

WHEREAS, pursuant to N.J.S.A. 54:4-66, said taxes are due and payable by August 1, 2018 with a ten (10) day grace period; and

WHEREAS, the Tax Collector for the Township of Monroe has requested and recommends that this Council extend the grace period for the payment of third quarter taxes for a reasonable time after the tax bills are prepared and mailed to the taxpayers; and

WHEREAS, the Tax Collector recommends that the grace period be extended "one time" for twenty-five days from the date of mailing provided said mailing occurs after July 27, 2018 and provided, however, that payments received after the grace period shall accrue interest from the statutory due date of August 1, 2018 which grace period shall be in lieu of, and not, in addition to, any other applicable grace period; and

WHEREAS, the Township Council believes the extended grace period is warranted by the delay in the preparation and mailing of tax bills;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey, that the grace period for payment of third quarter taxes for 2018 be and is hereby extended this "one time" to **August 21, 2018** and provided, however, that payments received after the statutory due date of August 1, 2018, which grace period shall be in lieu of, and not, in addition to, another applicable grace period.

SO RESOLVED, as aforesaid.

R-8-2018-219 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF HUMANE ENFORCEMENT OFFICER.
(Officer Daniel Mosakowski)

WHEREAS, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, in the County of Middlesex, pursuant to N.J.S.A. 40:69A-43 and Chapter 3, Article VI of the Code of the Township of Monroe, has appointed Officer Daniel Mosakowski as Humane Enforcement Officer; and

WHEREAS, the appointment as Humane Enforcement Officer shall run concurrently with his current position as a police officer; and

WHEREAS, the appointment of Humane Enforcement Officer requires the advice and consent of the Township Council;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the appointment of Officer Daniel Mosakowski as Humane Enforcement Officer for the Township of Monroe.

SO RESOLVED, as aforesaid.

R-8-2018-220 RESOLUTION AUTHORIZING A MODIFICATION TO 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: \$76,818.88; Twp. Portion: \$24,412.07, BPU Portion: \$52,406.81)

WHEREAS, pursuant to Resolution R-6-2018-174 dated June 6, 2018, 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 Police Department under the 70/30 Direct Install Program administered by the New Jersey Board of Public Utilities (BPU); and

WHEREAS, on July 23, 2018, TSLE submitted a modification to its original recommendations for making lighting and heating systems in the Police Department more energy efficient in a report attached hereto; and

WHEREAS, the revised total project cost is \$76,818.88 with the BPU providing \$52,406.81 and the Township providing \$24,412.07; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certificate No. **C-1800047**, 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-8-2018-222 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR DANIEL P. RYAN MEMORIAL FIELD CONCESSION STAND AND ADA RESTROOM IMPROVEMENTS AND RE-ADVERTISING FOR RECEIPT OF BIDS.

WHEREAS, on August 1, 2018 nine (9) sealed bids were received in connection with Monroe Township's Daniel P. Ryan Memorial Field Concession Stand and ADA Restroom Improvements; and

WHEREAS, by copy of letter dated August 3, 2018, the Township Engineer advised that all bids be rejected at this time and in accordance with N.J.S.A.40A:11-13.2(d), the specifications be revised in an effort to maximize value; and

WHEREAS, the Township Engineer recommends that the governing body authorizes the rejection of all bids and further authorizes that the scope of work be revised and the project be re-advertised for receipt of bids; and

WHEREAS, the Township Council has reviewed and consents to the recommendations made by the Township Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that the bids received in connection with the Daniel P. Ryan Memorial Field Concession Stand and ADA Restroom Improvements be and are hereby rejected; and

BE IT FURTHER RESOLVED that the Township Engineer is hereby authorized and directed to revise the scope of the project and re-advertise for receipt of bids in connection with the Daniel P. Ryan Memorial Field Concession Stand and ADA Restroom Improvements.

SO RESOLVED, as aforesaid.

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

Copy of Resolutions Duly Filed.

RESOLUTION for **CONSIDERATION**(removed from consent as a request from Councilman Dipierro):

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the following Resolution was moved for Adoption under the **CONSENT AGENDA**:

R-8-2018-205 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR S & G PAVING, INC. (BA-5130-16). (Docks Corner Road)

WHEREAS, S & G Paving Inc. has posted Performance Guarantees in the amount of \$576,670.31 for project BA-5130-16; and

WHEREAS, a request for a reduction in Performance Guarantees has been received; 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 Guarantee, as detailed in his letter dated July 2, 2018, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$519,003.28	\$57,667.03
Reduce to	\$196,053.04	\$21,783.67

; 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 S & G Paving Inc. BA-5130-16 be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantee is conditioned upon 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.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilwoman Miriam Cohen	Aye
	Councilman Charles Dipierro	Abstain
	Council Vice-President Elizabeth Schneider	Aye
	Council President Stephen Dalina	Aye

Copy of Resolution Duly Filed.

Councilman Baskin asked Council President Dalina if it was appropriate to ask why Councilman Dipierro has abstained from this Resolution; Council President Dalina answered that it was not appropriate at this time to ask.

REPORTS:

Mayor's Report – Mayor Tamburro reported that there are new reserved parking signs(purple) in the parking lots of the Municipal Building, Library, Senior Center and Recreation Department for those who have been wounded in combat. This was brought to our attention from Wayne Horbatt and Randy Beverly. It is a small token of our gratitude that we can do for our heroes who fought for us.

We have been hard at work to restore the complete Homestead Rebate which has paid off. The amounts will be reflected in the November tax bills, 3rd quarter tax bills extended until August 21st.

Attended the Grand Opening of Meridian Hospital's urgent care facility which is a great addition to our Township located in the shopping center across from the Senior Center.

The Police Department have two parking spots noted as "The Safe Exchange Zone" for those doing transactions on websites.

As of August 18th those who have a "609" area code will have to dial the area code of any numbers they are calling.

There are a lot of senior scams going on, one of which is when a caller poses as the victim's grandson stating that they are in trouble and need money wired. Mayor Tamburro urged anyone receiving this call to not fall victim and please report it to the police department immediately.

Administrator's Report – Administrator Weinberg reported that there is an optional water and sewer protection plan that is being offered and information has been mailed out to residents. He reminded anyone considering this additional protection that the Township has negotiated a below market price and this additional service is optional. If interested you must opt-in to take advantage. Any further questions can be addressed by calling the Utility Department at 732-521-1700.

The Tax Collector's Office has mailed out tax bills last week; the grace period has been extended to August 21st.

In regards to school funding, we have received an additional \$2 million which is more than we have received in quite some time. The Governor has also signed the fair share funding bill. We hope to continue working together with our legislators and Board of Education to receive more funding in the future.

The application has been released for local state aid funding projects; hoping to be more aggressive and maximize obtaining more state funding for projects throughout the Township.

Engineer's Report – Engineer Rasimowicz reported that there will be a manhole repair tomorrow, August 7th by Monmouth Road from 9:30 to 3:30.

Spotswood-Englishtown Road the work continues on the gas main and the sanitary force main. The contractor is targeting for completion by the end of August.

The traffic signal improvements on Buckelew and Schoolhouse Road is expected to begin in approximately two weeks. A schedule once received from the County will be shared with the Mayor and Council.

Perrineville Road and Prospect Plains Road is undergoing intersection improvements. PSE&G will have repairs to do in the middle of the intersection. There will be no left turns while they do the work. There is no anticipated road closures but there may be alternating traffic with police presence.

Next week going out to bid for 2018 paving project and look forward to award in September.

The NJDOT grant project for Spotswood-Ellingham Avenue is expected to begin next week weather permitting.

The Cedar Brook Pond Pump Station project over on Applegarth Road is near completion with final testing and the startup of the pump scheduled for August 22nd.

COUNCIL REPORTS:

Councilman Dipierro –

- Congratulations to the gold medal winners; Monroe Township is #1 in his eyes and it is nice to see them coming home with the gold.
- Tree City recognized the Township for the 27th year in a row. It is an honor to be on the Shade Tree Commission and be recognized in that capacity.
- Paper shredding event at Cranbury School on August 11th from 9:00 to 2:00pm and at Thompson Park on September 7th from 9:00 to 2:00pm.
- Questioned Engineer Rasimowicz about the concerns from residents regarding Ely Road near Stratford; Engineer Rasimowicz stated that he met with the contractor and Ely Road is part of the punch list where extensive road reconstruction will be done.

Council Vice-President Schneider –

- Senior Center has a new director, Karen Theer, who comes from East Windsor with a wealth of knowledge and will be a great asset to the Senior Center.
- Tomorrow, August 7th, is National Night Out at Thompson Park. Invited everyone to come out and meet our Police and EMS.
- Attended the ribbon cutting for the Hackensack Meridian Health Urgent Care facility. They are certified which is impressive as not all urgent care facilities are certified.
- Attended at Rossmoor the New Jersey Coalition to End Domestic Violence presentation; anyone suffering through domestic violence is urged to reach out for help.
- Attended an Eagle Scout Court of Honor on Saturday.

Councilman Baskin –

- Attended the Meridian Hospital's ribbon cutting. It is a very impressive facility.
- The Green Fair – Eco friendly will be held on Saturday, September 29th; the Environmental Commission will be hosting the 9th annual fair at the high school.
- The old-time baseball game will also be held on September 29th at Dey Farm.
- Asked if the state grants for the Local Freight Impact Fund have been awarded; Administrator Weinberg answered that we have applied but have not heard back yet.

Councilwoman Cohen –

- The Concerts in the Park held at Thompson Park is being held Thursday's at 6:00pm, in the event of rain, the concerts will be held at the Senior Center.
- Anyone interested in participating in the Juried Arts Show can contact the Cultural Arts Commission. The event will be held from October 22nd through October 29th at the library.
- The Hackensack Meridian Health Urgent Care facility is a great addition in the shopping center. Businesses will benefit from this new addition.
- Comcast is up for renewal with the next two years; the Township has developed an ascertainment committee to gather whether or not Comcast has fulfilled their obligations during the time they have had the franchise. Unfortunately, we have no control over the rates. If interested in attending the Cable Committee's next meeting it will be held on September 26th in the Council Chambers.

Council President Dalina –

- The fishing derby will be held August 14th at 9:00am in Thompson Park.
- Thank you to the Recreation Department for another successful year of summer camp.
- The Middlesex County Fair begins tonight at the County Fairgrounds in East Brunswick, go out and visit and ask his Son Jason questions as he is working for Rutgers cooperative extension.

PUBLIC:

Gary Busman, 7 Monarch Rd. – Mr. Busman thanked the Mayor for his tenacity regarding the school funding.

Asked if he could have a question directed to a particular council person regarding their abstention on a particular item; Council President Dalina stated that he would not allow that back and forth. Mr. Busman noted that he would approach him after the meeting to discuss further.

Krishna Tekale, 11 Jake Pl. – Thanked the Council for everything they do for Monroe; commented that the trailers are very close to the road and is concerned for our children's safety. Asked if the Council can intervene; Council President Dalina answered that there is constant communication between the Board of Education and this will be a discussion.

Samyogita Patil, 1 Briggs Ave. – Concerned with the placement of the trailers and worried about the children's quality of learning this next school year. She added that she would like to see the Council bring it to light to the Board of Education.

Henry Kentsmith, Esq., Fox Rothschild LLP, Attorneys at Law – Mr. Kentsmith stated he was here on behalf of the Shared Properties and K Hovnanian entities in regards to R-8-2018-221, which was pulled from the agenda. He received correspondence last week from the developer of the Monroe Manor project, the Arbors, who is seeking reimbursement for legal fees. Mr. Kentsmith stated that he does not feel that this request is appropriate as Shared Properties and K Hovnanian have paid their obligations under that agreement in order to secure sewer service and Monroe Manor should not be seeking any sort of reimbursement. Mr. Kentsmith read a portion of the agreement that was signed between the Utility Department and Monroe Manor and pressed that the developers clearly understood what their obligation were and for Monroe Manor to now seek monies that his clients have paid already is wrong and not Appropriate. He asked Council to please not adopt this resolution when it comes back before them on at the next meeting being held on September 5th.

David Hutt, Esq., Hutt & Shimanowitz, P.C. – Mr. Hutt stated that he was the attorney representing Monroe Manor and was here to speak in favor of R-8-2018-221. His client planned to build a pump station just for their project but was encouraged by the Monroe Township Utility Authority now the Utility Department to build a super-sized pump station to allow for growth and was told that as other users

came on board they would be reimbursed for the cost of building this super-sized pump station. To date Monroe Manor has not received reimbursement and in matter of fairness his clients should be reimbursed and this amendment to the developer's agreement should be adopted.

George Gunkelman, 5 Kelly Ct. – The proposed project on Route 33 and Perrineville Road is intended to bring in a large amount of soil. This same developer is currently involved in a project on Mounts Mills Road where residents have complained there is asphalt in the dirt being brought in. Mr. Gunkelman suggests that the Township bring in a 3rd party engineer to test the soil at the developers expense.

Mr. Gunkelman also commented that some of these projects are part of our affordable housing obligation which expands the population in our schools, however we do not receive funding to increase our schools capacity.

Lastly, he has received two identical tax bills; if the township can afford to send me two tax bills they should send a postage paid envelope to return our payment in.

Rajminder Singh, 31 Harvestview Dr. – Mrs. Singh stated that she was outraged at the lack of concern for our children's safety. The trailers are right on the road where cars are traveling fast and the trailers should be in a safer place. She added that she pays \$25,000 in taxes and does not want to pay that money to have to worry about the safety of her children.

C Mukka (inaudible), 30 Eddington Ln. – Stated that the trailers are obviously not in a safe location and wonders why it has to take a protest to bring this issue to the forefront. There is so much construction going on but yet we do not have a safe place to school our children now. This needs to be addressed as quickly as possible.

Pradeep Melam, 4 Jake Pl. – Suggested moving the administration offices into the trailers and have the children taught in their offices. Council President Dalina commented that there has to be faith in the Board of Education in that they will make the best decision and do right for our children.

Phil Levy, 92 Kingsmill Rd. – Mr. Levy asked what a pocket liquor license is; Council President Dalina answered that it is a liquor license that is not currently in use. Mr. Levy asked why it is then awarded to an individual; Council President Dalina answered that it is a renewal and if they do not have an establishment to utilize the license in then they have the option to continue renewing their license each year to keep it active.

Regarding R-8-2018-208, Mr. Levy asked why are there monies being given to both Jerome Convery and Shain Schaffer for the same lawsuit; Administrator Weinberg answered that the entity is suing both the Planning Board and the Township. Jerome Convery represents the Planning Board and Shain Schaffer represents the Township.

In April of 2010 he received a letter regarding a traffic light that was to be installed by the Regency entrance on Buckelew Avenue and eight years later there is still no traffic light. He stated that it is impossible to make a left turn into the Regency as cars are going 50+ mph but there are people passing illegally going just as fast. Mr. Levy added that the Police and Engineer need to find a way to slow the traffic down so we are safe getting into and leaving our development.

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 8:18pm.

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

Patricia Reid
PATRICIA REID, Township Clerk

Stephen Dalina
STEPHEN DALINA, Council President