

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

**AGENDA MEETING
OF THE MONROE TOWNSHIP COUNCIL**

AUGUST 27, 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. **ORDINANCE(S)** for **SECOND READING** at the Wednesday, September 5, 2018 Meeting:

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

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

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.**

6. **ORDINANCE(S)** for **INTRODUCTION** at the Wednesday, September 5, 2018 Meeting:

O-9-2018-029 **ORDINANCE AMENDING CHAPTER 108-15.1 AND REPEALING CHAPTER 108-17 "TREE REMOVAL" OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT"**

O-9-2018-030 **ORDINANCE REPEALING AND REPLACING CHAPTER 96, OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "SHADE TREES AND SHRUBBERY; LANDSCAPING".**

O-9-2018-031 **ORDINANCE REPEALING AND REPLACING CHAPTER 97, OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "TREE PRESERVATION".**

- O-9-2018-032** **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “FEES”**
(MTUD, Health Services Training and Towing application fee)
- O-9-2018-033** **ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED ‘TOWING & STORING OF VEHICLES’**
7. **RESOLUTION for CONSIDERATION** at the Wednesday, September 5, 2018 Meeting:
(Tabled at the August 6, 2018 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)
8. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA** at the Wednesday, September 5, 2018 Meeting: (R-9-2018-223 – R-9-2018-246)
- R-9-2018-223** **RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1160, THE ARBORS (SEWER ONLY) BLK. 9, LOTS 9, 13.08-13.10 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-9-2018-224** **RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1160, THE ARBORS (WATER ONLY) BLK. 9, LOTS 9, 13.08-13.10 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-9-2018-225** **RESOLUTION AUTHORIZING MODIFICATION OF A CONTRACT TO WESTON & SAMPSON ENGINEERS, PC FOR PROFESSIONAL ENGINEERING SERVICES IN RELATION TO PHASE 10A – PS#1 REDIRECT UPGRADES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (change in scope; no change in contract amount)
- R-9-2018-226** **RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR THE OCTOBERFEST CELEBRATION.**
- R-9-2018-227** **RESOLUTION AUTHORIZING THE RELEASE OF THE REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN ON 17 JURGELSKY ROAD.**
- R-9-2018-228** **RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER AND TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY. (\$80,000)**
- R-9-2018-229** **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$6,050.00)**
- R-9-2018-230** **RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BY AND BETWEEN THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE TOWNSHIP OF MONROE FOR THE PROVISION OF YARD WASTE RECYCLING AND MARKETING SERVICES.**
- R-9-2018-231** **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROPERTY SURVEY, RIGHT OF WAY SUBDIVISION AND PHASE 1 ENVIRONMENTAL ANALYSIS FOR BLOCK 52, LOT 5.04 – 433 SCHOOL HOUSE ROAD AND QFARM (\$8,500)**
- R-9-2018-232** **RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF KAREN ZURAWIECKI TO THE LIBRARY BOARD OF TRUSTEES.**

- R-9-2018-233** RESOLUTION AUTHORIZING THE AWARD OF A SERVICE CONTRACT TO GABEL ASSOCIATES, INC., AN ENERGY CONSULTANT, TO ADMINISTER THE PROCUREMENT OF POWER SUPPLY FOR MONROE TOWNSHIP MUNICIPAL ELECTRIC ACCOUNTS.
- R-9-2018-234** RESOLUTION TO JOIN NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING.
- R-9-2018-235** RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR ENGINEERING SERVICES RELATED TO THE SPOTSWOOD AVENUE AND ELLINGHAM AVENUE IMPROVEMENT PROJECT. (\$40,000)
- R-9-2018-236** RESOLUTION AUTHORIZING THE PURCHASE OF AN ANIMAL CONTROL VEHICLE FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$39,834.31 – complete with accessories and van conversion)
- R-9-2018-237** RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-9-2018-238** 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) (Middlesex County Office on Aging – Senior Outreach \$10,000)
- R-9-2018-239** RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE MONROE TOWNSHIP EMS DEPARTMENT UNDER THE STATE OF NEW JERSEY COOPERATIVE PROGRAM. (First Responder vehicle - \$30,570.58)
- R-9-2018-240** RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2017 ANNUAL AUDIT.
- R-9-2018-241** RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF ELY DRIVE FOR ROAD IMPROVEMENTS.
- R-9-2018-242** RESOLUTION AUTHORIZING AWARD OF BID TO BAYHEAD INVESTMENTS INC. D/B/A VCI FOR MONROE TOWNSHIP AMBULANCE PURCHASE. (\$266,880.00)
- R-9-2018-243** RESOLUTION AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR SPECIALIZED TREE REMOVAL AND AUTHORIZING RE-ADVERTISING FOR RECEIPT OF BIDS.
- R-9-2018-244** RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF MOUNTS MILLS ROAD BETWEEN SPOTSWOOD-ENGLISHTOWN ROAD AND OLD BRIDGE-ENGLISHTOWN ROAD FOR THE INSTALLATION OF A SANITARY SEWER FORCE MAIN. (with conditions)
- R-9-2018-245** RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO TIMOTHY HOFFMAN, LLC FOR AN OPEN SPACE APPRAISAL ON BLOCK 52, LOT 5.04 – 433 SCHOOL HOUSE ROAD AND QFARM.
- R-9-2018-246** RESOLUTION REFUNDING TAX OVERPAYMENTS TAX OVERPAYMENTS.
- TITLE ONLY** RESOLUTION AUTHORIZING AWARD OF BID FOR ROADWAY IMPROVEMENTS (MILLING AND PAVING) – TOWNSHIP WIDE.
(Bid Opening 8/30/18)
- TITLE ONLY** RESOLUTION AUTHORIZING TO TAKE ACTION AGAINST DUMOR CONTRACTING INC. MAINTENANCE BOND IN CONNECTION WITH VETERANS PARK PHASE 2.

- 9. Mayor's Report.
- 10. Administrator's Report.
- 11. Engineer's Report.
- 12. Council's Reports.
- 13. Public. (5 Minutes per Speaker)
- 14. Adjournment. Time: _____

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

NEXT COUNCIL MEETING – WEDNESDAY, SEPTEMBER 5, 2018 – REGULAR MEETING

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
AGENDA MEETING – AUGUST 27, 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 eleven (11) members of the Public present in the audience.

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

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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 the following entitled **ORDINANCES** for **SECOND READING** at the **WEDNESDAY, SEPTEMBER 5, 2018** Regular Council Meeting:

- | | |
|---------------------|---|
| O-8-2018-026 | ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “FEES” (Animal Pick-up Fee) |
| O-8-2018-027 | ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “VEHICLES AND TRAFFIC” |
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Council President Dalina read the following entitled **ORDINANCES** for **INTRODUCTION** at the **WEDNESDAY, SEPTEMBER 5, 2018** Regular Council Meeting:

- | | |
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| O-9-2018-029 | ORDINANCE AMENDING CHAPTER 108-15.1 AND REPEALING CHAPTER 108-17 “TREE REMOVAL” OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “LAND DEVELOPMENT” |
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Council President Dalina requested the following entitled **RESOLUTION** for **CONSIDERATION** at the **WEDNESDAY, SEPTEMBER 5, 2018** Regular Council meeting be reviewed and any questions will be addressed (tabled at the August 6, 2018 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)

Council President Dalina requested the following entitled **RESOLUTIONS** for **CONSIDERATION UNDER THE CONSENT AGENDA** at the **WEDNESDAY, SEPTEMBER 5, 2018** Regular Council meeting be reviewed and any questions will be addressed: (R-9-2018-223 – R-9-2018-246)

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(Bid Opening 8/30/18)

TITLE ONLY **RESOLUTION AUTHORIZING TO TAKE ACTION
AGAINST DUMOR CONTRACTING INC. MAINTENANCE
BOND IN CONNECTION WITH VETERANS PARK PHASE 2.**

Councilman Dipierro requested that R-9-2018-229, R-9-2018-231 and R-9-2018-245 be removed from the Consent Agenda to be considered separately at the Regular Meeting.

Councilman Baskin commented that he believed that R-8-2018-221 was removed from consideration and asked for clarification; Council President Dalina stated that this was not an action meeting as this meeting sets up everything to be acted on at the Regular Meeting and being that this resolution was tabled at our last meeting it will be addressed at the Regular Meeting on Wednesday.

Mayor's Report – No Report; wished everyone a Happy Labor Day weekend.

Administrator's Report – No Report, will have full report at the Regular Meeting.

Engineer's Report – No Report, will have full report at the Regular Meeting.

Council's Reports:

Council Vice-President Schneider – No Report.

Councilman Baskin –

- The Green Team is doing a fantastic job getting ready for the Green Fair on September 29, 2018 at the High School.

Councilman Dipierro – No Report.

Councilwoman Cohen – No Report.

Council President Dalina – No Report.

PUBLIC:

Prakash Parab, 33 Dayna Dr. – Mr. Parab commented that in some of the senior communities, such as, Rossmoor, Concordia and Clearbrook, installation of solar panels is prohibited. In asking the Homeowner's Association's for the reason why, no clear answer is given other than being referred to reading the bylaws. The Governor is encouraging homeowners to put solar panels on their roofs but the residents of these communities cannot participate because their Association's do not allow it. Council Vice-President Schneider explained that as a former Board Member for Rossmoor, the maintenance fee includes the roof for any repairs needing to be done but the roof is actually owned by the Association. Councilman Baskin added that he spoke with Roslyn Brodsky who explained that in order to have solar panels installed in Concordia, all of the roofs would need to be replaced. Mr. Parab explained further that the advantages of using solar should be made available to our senior residents in these communities as the Governor is extending great incentives to those who participate. Council Vice-President Schneider added that she has not seen any stats that prove that solar is providing a true cost savings. Mr. Parab asked that the Mayor and Council communicate with the Association's to work together on changing the laws that in place in those communities. Councilwoman Cohen stated that in her community they have fee simple homes where this is allowed. She added that the Homeowner Associations are not only governed by the Board but by the residents as well. If the residents have this need and want solar they should lobby the Board. Lastly, she stated that there is a real fiscal cost to some of those communities if they absorb the cost of the solar panels on the roofs. Adding that there would have to be some really good data that shows how this would benefit the communities without causing them to go broke in undertaking this option.

Govinda Rajan, 13A Sussex Way – Mr. Rajan read a portion of a resolution adopted by the Board of Governors of Rossmoor Inc. that amends Article IX of the bylaws to allow homeowners who disagree with any of the stated bylaws to appeal to a third party who can then address the issues with the Association to work out an agreement which is why some of the residents have requested Mr. Parab appeal to the Administration on our behalf. He stated that the homeowners would just like an answer from the Board as to whether solar is a feasible option and if it is not then why.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked for clarification on R-9-2018-233 and what the costs would be; Administrator Weinberg answered that this is different from our Community Energy

Aggregation Program, which provides energy at a low-cost rate for residents, as this is for the Township itself to get the most cost-effective rates as well. We have general services energy, street lighting energy and GP energy for our utility department. The Township looks every two years on how to acquire this energy with one of the ways being the New Jersey Sustainable Energy Joint Meeting which is a group of over 100 municipalities who purchase power together making the rates fairly effective. The other would be Gabel & Associates, which is also part of NJSEM, but they can also help us where we cannot take advantage of NJSEM in terms of bidding out the amount of energy we would need. Mr. Gunkelman stated that if we could not aggregate the Township's purchasing with the homeowner's purchasing we might get a better rate for homeowners. I could see joining other big users but why would we give up our one big user and negotiate as a smaller entity when we can combine them and maybe get closer to that large rate unit. We gave up leverage by not including the Township when we negotiated for the rest of us; Mayor Tamburro interjected and stated that the aggregation is only for the homeowners and not for businesses. The Township is entering this to save money for our taxpayers. Administrator Weinberg added that the State law does not allow them to be combined.

Mr. Gunkelman asked about R-9-2018-229 in regards to tree fund expenditures and asked what it is for; Administrator Weinberg answered that this was for removing dead street trees that were in the right-of-way's.

Mr. Gunkelman asked for clarification on R-9-2018-231 as it appears to overlap with R-9-2018-245; Council President Dalina explained that there is some property that we would like to purchase and one is the appraisal which is R-9-2018-245 and R-9-2018-231 is for the engineering survey. Mr. Gunkelman asked if this is something that went through the Farmland Preservation/Open Space process; Administrator Weinberg answered that this is something that we just learned about this opportunity and time is of the essence and it has not gone through that process.

Mr. Gunkelman asked in regards to R-9-2018-236 why it was necessary to purchase a new Animal Control vehicle as the one on the road looks good and fairly new. Administrator Weinberg answered that the Chief requested this and believes that it is not functioning properly. He added that we have two Animal Control officers and not just one.

Gary Busman, 7 Monarch Rd. – Mr. Busman asked in regards to R-9-2018-227 where Jurgelsky Road was located; Council President Dalina answered that it is located in the south eastern part of the Township going towards James Monroe Park. Mr. Busman stated that affordable housing to him is a defined as someone who cannot afford a market rate home. He added that these homes are million-dollar homes with over three acres. Council President Dalina asked Engineer Rasimowicz what the specifics of the home are; Engineer Rasimowicz answered the he did not know the specifics but he does not believe this is a new home it was one of the existing ones. Administrator Weinberg added that this was a home that participated in the Affordable Housing Rehabilitation Program which fixes homes that qualify which are not in good repair.

Ruhi Lulla, 329A Nantucket Ln. – Mrs. Lulla commented in regards to the solar panel issue stating that she moved to Rossmoor because her husband has cancer and the location was ideal for the proximity of doctors and affordable living. She shared that the electric bills range anywhere from \$500 to \$700 monthly and it is unfair for most people living there. The request for solar panels was turned down with no explanation as to why and the Association does not seem to want to compromise or give an explanation as to why it is not feasible. She added that being a reasonable person she would understand. She implored the Council to look into this issue further.

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the Agenda Meeting of August 27, 2018 Adjourned at 7:30 PM.

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| 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 |

Patricia Reid

PATRICIA REID, Township Clerk

Stephen Dalina

STEPHEN DALINA, Council President