

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**

SEPTEMBER 5, 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. **PROCLAMATIONS and PRESENTATIONS –**

Proclamation - Ovarian Cancer Awareness Month

Proclamation - Childhood Cancer Awareness Month – honoring Avery Moskowitz

Certificate of Recognition - “Middlesex County Farmer of Year” presented to Shawn Hluchy

6. **Swearing in of Lieutenant Griffin Banos and Sergeant Ronald Breuer**

7. **MOTION** to approve the payment of **CLAIMS** per run date 8/23/2018.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

8. **APPROVAL OF MINUTES:**

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

- **July 30, 2018** **Agenda Meeting**
- **August 6, 2018** **Regular Meeting**
- **August 27, 2018** **Agenda Meeting**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

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

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

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: _____

PUBLIC HEARING/DISCUSSION

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: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

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

O-9-2018-029 **ORDINANCE AMENDING CHAPTER 108-12.6, 108-15.1 AND REPEALING CHAPTER 108-17 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT".**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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)**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

O-9-2018-033 **ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "TOWING & STORING OF VEHICLES"**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

11. **RESOLUTION for CONSIDERATION:** (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)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

12. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**
(R-9-2018-223 – R-9-2018-248)

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-9-2018-230 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-9-2018-232 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-9-2018-246** **RESOLUTION REFUNDING TAX OVERPAYMENTS TAX OVERPAYMENTS.**
- R-9-2018-247** **RESOLUTION AUTHORIZING AWARD OF BID TO Z BROTHERS FOR ROADWAY IMPROVEMENTS (MILLING AND PAVING) – TOWNSHIP WIDE. (\$1,080,353.50)**

R-9-2018-248 RESOLUTION AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE MAINTENANCE BOND POSTED BY DUMOR CONTRACTING INC. FOR VETERANS PARK PHASE 2.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

13. **RESOLUTIONS** removed from consent agenda for **CONSIDERATION:**

R-9-2018-229 RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$6,050.00)

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-9-2018-245 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.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

14. Mayor's Report.

15. Administrator's Report.

16. Engineer's Report.

17. Council's Reports.

18. Public. (5 Minutes per Speaker)

19. Adjournment. Time: _____

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
REGULAR MEETING – SEPTEMBER 5, 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, which was led by Lt. Banos and Sgt. Breuer's children.

UPON ROLL CALL by the Township Clerk, Patricia Reid, the following members of Council were present: Councilman Leonard Baskin, 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.

ABSENT: Councilwoman Miriam Cohen

There was approximately one-hundred (100) 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.

Mayor Tamburro read aloud a proclamation for Childhood Cancer Awareness Month. He introduced Avery Moskowitz and her family and read aloud some of her accolades as she is an 8-year-old Monroe Township resident who battled Stage 4 Neuro Blastoma and is now cancer free. She fundraised for organizations which helped her and her family get through this terrible disease. She started Avery's American Girl Hair & Beauty Salon; Avery stated that she raised \$1,334.00 for "A Moment in Magic" where they do the American Girl dolls hair and nails. Mayor Tamburro presented Avery with the original proclamation and a gift card for the American Girl doll store that the employees of Monroe raised to honor her bravery.

Council President Dalina introduced Shawn Hluchy who was named the Middlesex County Farmer of the Year by the Middlesex County Board of Agriculture. He was raised on a farm in Middlesex County and spent his weekend bailing and selling hay with his brothers and father. He graduated from Cook College with a degree in Environmental Planning and Design. Council President Dalina presented Mr. Hluchy with a Certificate of Accomplishment.

Council President Dalina introduced Chief Lloyd for the swearing in of two police officers.

Chief Lloyd gave an overview of Lieutenant Griffin Banos accomplishments stating that he began working for the Township back in 2004 and spent time working in the patrol division and detective bureau. In 2010 he was promoted to the rank of Sergeant and in 2013 began working back in the detective bureau. During the last twelve years he has been actively involved in the SWAT team. Holding the bible for him is his wife Lauren and three children; Township Clerk, Patricia Reid, swore in Lieutenant Griffin Banos.

Chief Lloyd gave an overview of Sergeant Ronald Breuer's accomplishments noting that he began working for the Township in 2011 and was previously employed with Colts Neck for the last four years in the detective bureau working with the DARE program. He is well versed in all juvenile laws. His wife Christine and two children will be holding the bible for him. Township Clerk, Patricia Reid, swore in Sergeant Ronald Breuer.

Chief Lloyd thanked all of the men and women in blue for coming out to support our newly promoted officers.

Mayor Tamburro commented to the Chief that each time he sees a new officer sworn in he feels like he is getting older as they all look so young. He added that our fine officers are due to the fine leadership of the department noting that we have one of the safest towns due to the professionalism of our fine police force.

Council President Dalina congratulated the officers and thanked them for their service.

A five-minute recess was taken with the Regular Meeting reconvening at 7:25pm.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **8/23/2018** were approved for payment as presented.

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

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the **MINUTES** of the **July 30, 2018 Agenda Meeting, August 6, 2018 Regular Meeting & August 27, 2018 Agenda Meeting** were approved as written and presented.

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

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was moved on second reading for final passage:
O-8-2018-026 ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES" (Animal Pick-up Fee)

ORDINANCE as follows: (O-8-2018-026)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 39 of the Code of the Township of Monroe is hereby amended as follows: (new text is in **red and underlined**, text to be deleted is ~~struck~~)

Chapter 39 FEES

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 39 of the Code of the Township of Monroe is hereby amended as follows:

SECTION 1.

- § 39-1. Title.**
- § 39-2. Purpose.**
- § 39-3. Fees enumerated.**
- § 39.4. Board of Education exemption.**

39-1. Title

This chapter shall be known as the "Codification of Fees and Costs of the Township of Monroe"

39-2. Purpose

This chapter is adopted in order to advise the citizens of the township, and any and all persons doing business with the township, of the various fees charged for services rendered by the departments of township government and to provide ready access to any and all such information.

39-3. Fees Enumerated

The following fees shall be charged by the township for services rendered or licenses or permits issued. All license fees shall be annual unless otherwise noted.

A. General Fees.

B. Licenses and permits from Township Clerk's office. [Amended 7-1-02 by Ord. No. 0-7-2002-032; added 4-4-16 by Ord. No. O-2-2016-003; amended 7-2-18 by Ord. No. O-6-2018-019]

(3) Chapter 33, Dogs and Other Animals.

[3] Fee for picking up animals.

[a] Any person whose animal shall be picked up by the Animal Control Officer or a police officer shall pay an administration fee of ~~twenty-five dollars (\$25.)~~ **one hundred dollars (\$100.)** for each time that an animal has been picked up and impounded and the full maintenance charge to the holding facility for each full or partial day held, not exceeding four dollars (\$4.) per day or the limit set forth in N.J.S.A. 4:19-15.16.

SECTION 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

No Public Comment.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:
O-8-2018-026 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	Absent
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 Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was moved on second reading for final passage:
O-8-2018-027 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "VEHICLES AND TRAFFIC"

ORDINANCE as follows: (O-8-2018-027)

BE IT ORDAINED by the Township Council of the Township of Monroe, in the County of Middlesex, New Jersey as follows:

In accordance with the provisions of § 122-06, "Parking prohibited at all times".

SECTION 1. Section 122-30, Schedule I entitled "**No Parking**" in accordance with the provisions of § 122-06, the following are hereby amended as follows:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Jessica Drive	Both Sides	The entire length
Jessica Drive North	Both Sides	The entire length
Jessica Drive South	Both Sides	The entire length
Eddington Lane	Both Sides	Within the intersection of Jessica Drive

In accordance with the provisions of § 122-11, “Trucks over four tons excluded”.

SECTION 2. Section 122-35, Schedule VI entitled “**Trucks Over Four Tons Excluded**” in accordance with the provisions of § 122-11, the following are hereby amended as follows:

<u>Name of Street</u>	<u>Location</u>
Ely Drive	Entire Length
Halsey Reed Road	Entire Length

In accordance with the provisions of § 122-14, “stop intersections designated”.

SECTION 3. Section 122-38, Schedule IX entitled “**Stop Intersections**” in accordance with the provisions of § 122-14, the following are hereby amended as Stop Intersections:

<u>Stop Sign on</u>	<u>at the Intersection of</u>
Jessica Drive North	Eddington Lane
Jessica Drive South	Eddington Lane
Avenue I	10 th Street
10 TH Street	Avenue I
	<u>REMOVING EXISTING STOP SIGN</u>

In accordance with the provisions of § 122-20, “Turns at Intersections”.

SECTION 4. Section 122-44, Schedule XV entitled “**Prohibited Turns at Intersections**” in accordance with the provisions of § 122-20, the following are hereby amended as follows:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Prohibited Turn</u>	<u>At Intersection of</u>
Mounts Mills Road	Both Directions	Right on Red	Spotswood-Englishtown Road
Spotswood-Englishtown Road	Both Directions	Right on Red	Mounts Mills Road

SECTION 5. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 7. This Ordinance shall take effect twenty days after final passage, adoption and publication according to law.

No Public Comment.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:
O-8-2018-027 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	Absent
Councilman Charles Dipierro	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Stephen Dalina	Aye

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was moved on second reading for final passage:
O-8-2018-028 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.

ORDINANCE as follows: (O-8-2018-028)

WHEREAS, the Township of Monroe adopted Chapter 24, Article II, Sections 24-7 through 24-12 of the Township Code concerning public contracting; and

WHEREAS, the State of New Jersey adopted comprehensive legislation codified at N.J.S.A. 19:44A-1 et seq., which differs from Chapter 24, Article II, Sections 24-7 through 24-12, of the Code of the Township of Monroe, Middlesex County; and

WHEREAS, the Township Council of the Township of Monroe, Middlesex County has determined that the disparities between N.J.S.A. 19:44A-1 et. seq. and Article II of Chapter 24, Sections 24-7 through 24-12, of the Code of the Township of Monroe, Middlesex County have caused confusion among those seeking or performing business within the Township of Monroe, Middlesex County; and

WHEREAS, the Ordinance is inconsistent with the policies of the Monroe Township School Board and Monroe Township Fire Districts, which have all adopted the State standards; and

WHEREAS, the Township Council of the Township of Monroe, Middlesex County has determined that N.J.S.A. 19:44A-1 et. seq., effectively protects the taxpayers and residents of the Township of Monroe, Middlesex County; and

WHEREAS, many municipalities and counties have now moved to adopt the State law regarding public contracting; and

WHEREAS, has the Township Council has determined that it would be in the best interest of the Township to rely of the protections set forth in N.J.S.A. 19:44A-1 et. seq.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Monroe, Middlesex County, that Article II of Chapter 24, Sections 24-7 through 24-12 of the Code of the Township of Monroe are hereby repealed.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

SO ORDAINED as aforesaid.

No Public Comment.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:
O-8-2018-028 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	Absent
	Councilman Charles Dipierro	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Stephen Dalina	Aye

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

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

O-9-2018-029 ORDINANCE AMENDING CHAPTER 108-12.6, 108-15.1 AND REPEALING CHAPTER 108-17 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT".

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

Copy of Ordinance Duly Filed.
O-9-2018-029

Councilman Dipierro requested that Ordinance **O-9-2018-030** be tabled until the October 1, 2018 Meeting.

UPON MOTION made by Councilman Dipierro and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was **tabled**. This Ordinance will be considered at the October 1, 2018 regular meeting:

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

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

Copy of Ordinance Duly Filed.
O-9-2018-030

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

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

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

Copy of Ordinance Duly Filed.
O-9-2018-031

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-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)

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

Copy of Ordinance Duly Filed.
O-9-2018-032

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-9-2018-033 ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "TOWING & STORING OF VEHICLES"

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

Copy of Ordinance Duly Filed.
O-9-2018-033

Township Attorney Greg Pasquale requested that Resolution R-8-2018-221, which was tabled at the August 6, 2018 Regular Meeting be withdrawn from consideration as Monroe Manor is trying to work it out with the objector.

UPON MOTION made by Councilman Dipierro and seconded by Council Vice-President Schneider, a Resolution of which the following is the title was **withdrawn** from consideration:

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)

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

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the following Resolutions were moved for Adoption under the **CONSENT AGENDA (Resolutions R-9-2018-223 and R-9-2018-248)**:

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.").

WHEREAS, K Hovnanian has posted a Performance Guarantee for W&S 1160 – The Arbors, Blk. 9, lots 9, 13.08 – 13.10; and

WHEREAS, K Hovnanian has requested a 70% reduction in the Performance Guarantee posted sewer for the project; and

WHEREAS, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated August 16, 2018, a copy of which is attached hereto as Exhibit "A":

Performance Bond #1134478 for sewer in the amount of \$387,180.00 to be reduced to \$116,154.00.

Cash Performance Guarantee in the amount of \$43,020.00 to be reduced to \$12,906.00.

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantees posted for W&S 1160 (sewer) be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-9-2018-224 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.").

WHEREAS, K Hovnanian has posted a Performance Guarantee for W&S 1160 – The Arbors, Blk. 9, lots 9, 13.08 – 13.10 (WATER ONLY); and

WHEREAS, K Hovnanian has requested a 65% reduction in the Performance Guarantee posted water for the project; and

WHEREAS, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 65% reduction in the bond, as detailed in a letter dated August 16, 2018, a copy of which is attached hereto as Exhibit "A":

Performance Bond #1134477 for water in the amount of \$488,160.00 to be reduced to \$170,856.00.

Cash Performance Guarantee in the amount of \$54,240.00 for water to be reduced to \$18,984.00.

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantees posted for W&S 1160 (water) be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 65% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-9-2018-225 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)

WHEREAS, on January 8, 2018 Weston & Sampson Engineers, PC was awarded a professional engineering service contract for “Phase 10A – PS#1 Redirect” whose tasks totaled an amount not to exceed \$299,000.00; and

WHEREAS, the original agreement included “Task A4: Soil Borings” which included a contingency amount of \$50,000.00 which were not required; and

WHEREAS, the Monroe Township Utility Department (M.T.U.D.) requires additional Professional Engineering Services for additional surveying of an easement along the Forsgate Hills Subdivision and the locating and measuring the inverts for sewer along Possum Hollow Road and the North side of Costco (19 manholes) to explore this alternative more economical route for piping; and

WHEREAS, there is also an expectation that further additional professional engineering may be required related directly related to Phase 10A listed in the original agreement; and

WHEREAS, Weston & Sampson Engineers, PC has submitted a proposal titled Amendment #1 dated August 20, 2018 restructuring the original agreement to reallocate the \$50,000.00 from Task A4 “Soil Borings” to Task A5 “Topographic Survey for additional surveying of an easement along the Forsgate Hills Subdivision at a cost of \$23,000.00 and locating and measuring the inverts for sewer along Possum Hollow Road and the North side of Costco (19 manholes) at a cost of \$3,600.00 totaling \$26,600.00 if determined to be required based on hydraulic modeling and construction estimates, and creating a new Task 8A “Hydraulic Modeling” in the amount of \$2,900.00, with the remaining balance of \$20,500.00 from Task A4 to newly created Task A9: “Allowance” for additional as needed services related to the overall project as shown directly below, a copy of said proposal is attached hereto as Exhibit A

<u>Reallocation Summary</u>			
<u>Phase/Task</u>	<u>Original Contract Value</u>	<u>Amendment No.1</u>	<u>New Contract Value</u>
<i>Phase A: Preliminary (30%) Design</i>			
Task A1: Preliminary Meetings	\$23,900.00	\$0.00	\$23,900.00
Task A2: Environmental Review	\$40,800.00	\$0.00	\$40,800.00
Task A3: Prelim. Haz. Materials Assessment	\$14,400.00	\$0.00	\$14,400.00
Task A4: Soil Borings	\$76,900.00	(\$50,000.00)	\$26,900.00
Task A5: Topographic Survey	\$69,000.00	\$26,600.00	\$95,600.00
Task A6: Basis of Design Report	\$36,600.00	\$0.00	\$36,600.00
Task A7: 30% Design Drawings	\$32,500.00	\$0.00	\$32,500.00
Task A8: Hydraulic Modeling	-----	\$2,900.00	\$2,900.00
Task A9: Allowance	-----	\$20,500.00	\$20,500.00
<i>Phase A Subtotal</i>	<i>\$294,100.00</i>	<i>\$0.00</i>	<i>\$294,100.00</i>
<i>Phase B: Funding</i>	<i>\$4,900.00</i>	<i>\$0.00</i>	<i>\$4,900.00</i>
Contract Total	\$299,000.00	\$0.00	\$299,000.00

; and

WHEREAS, the proposed Amendment #1 to the contract redistributes the total contract amount of \$299,000.00 between tasks resulting in a net contract change of zero dollars; and

WHEREAS, after consultation with the M.T.U.D. Director and General Manager, the M.T.U.D. Purchasing agent, by copy of a letter dated August 21, 2018 recommends the Council approve and award this contract modification to Weston & Sampson Engineers, PC, a copy of which is attached hereto as Exhibit "B"; and

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

(1) The Mayor and Township Clerk are hereby authorizes to Modification #1 the Phase 10A – PS#1 Redirect contract with Weston & Sampson Engineers, PC, for as described, in accordance with their proposal;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for services rendered by Weston & Sampson Engineers, PC in accordance with the attached proposal;

(3) The contract modification is awarded without competitive bidding through a fair and open RFQ process as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

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

SO RESOLVED, as aforesaid.

**R-9-2018-226 RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A
PORTION OF MONMOUTH ROAD FOR THE OCTOBERFEST
CELEBRATION.**

WHEREAS, the Assistant Superintendent of the Department of Recreation, in a letter dated August 7, 2018, a copy of which is attached hereto as Exhibit "A", has requested approval to close a portion of Monmouth Road from Cornell Avenue to Sheffield Avenue on *Sunday, October 21, 2018 from 10:00 a.m. to 6:00 p.m.* for the purpose of the *Octoberfest Celebration*; and

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

WHEREAS, by copy of attached letter dated August 8, 2018, the Chief of the Monroe Township Police Department has reviewed and approved said closing.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that a portion of Monmouth Road shall be temporarily closed on Sunday, October 21, 2018 from 10:00 a.m. to 6:00 p.m. for the Octoberfest Celebration and traffic will exit Monmouth Road at 10th Avenue.

SO RESOLVED, as aforesaid.

**R-9-2018-227 RESOLUTION AUTHORIZING THE RELEASE OF THE
REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN
ON 17 JURGELSKY ROAD.**

WHEREAS, on November 25, 2002, Joseph Malanaphy & Catherine E. Malanaphy (“Malanaphy”) entered into a Rehabilitated Affordable Housing Agreement with the Township of Monroe restricting Malanaphy from selling or conveying title to the property for a period of six years pursuant to Monroe Ordinance 131-8 and N.J.S.A. 52:27D-301 et seq, said Agreement having been recorded with the Middlesex County Clerk on October 21, 2005, in Mortgage Book 11035 on Page 0156 (the “First Affordable Housing Lien”); and

WHEREAS, the Affordable Housing Lien state that “the terms, restrictions and covenants of this Agreement shall automatically expire six (6) years from the date that the housing rehabilitation work was completed”; and

WHEREAS, the Monroe Township Affordable Housing Board advises of the successful completion of the Affordable Housing Lien on June 7, 2010 and has consented to the termination of the Affordable Housing Lien annexed hereto as Exhibit “A”; and

NOW, THEREFORE, BE IT RESOLVED that the Affordable Housing Lien held by Joseph Malanaphy & Catherine E. Malanaphy are hereby satisfied and the Mayor and Township Clerk are hereby authorized and directed to execute the Release of Rehabilitated Affordable Housing Agreement, annexed hereto as Exhibit “B”.

SO RESOLVED, as aforesaid.

R-9-2018-228 RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER AND TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY. (\$80,000)

WHEREAS, the Township of Monroe has a need to acquire books and materials from Baker & Taylor, Inc., P.O. Box 7777, Philadelphia, Pa. 19175, for the Monroe Township Library; and

WHEREAS, Baker & Taylor, Inc. possesses the ability to provide said goods and services; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(q) any contract the amount which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be approved by Resolution of the Township Council; and

WHEREAS, the total purchase amount is \$80,000.00; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1800048, a copy of which is attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe hereby authorizes the purchase of books and materials for the Monroe Township Library in the amount of \$80,000.00;

SO RESOLVED, as aforesaid.

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.

WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1, et seq., each county within the State of New Jersey is deemed a solid waste management district; and

WHEREAS, each solid waste management district is responsible for developing a solid waste management plan that sets forth the strategy for disposing and/or recycling of solid waste generated within the geographic boundaries of the respective county; and

WHEREAS, the Board of Chosen Freeholders (the "Board") of the County of Middlesex (the "County") has adopted the Middlesex County Solid Waste Management Plan, as the same has been amended from time to time (the "County Plan"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey, is desirous of contracting with the Middlesex County Improvement Authority, as more fully set forth in the attached "Agreement for the Provision of Yard Waste Recycling and Marketing Services";

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 above referenced and attached Agreement with the Middlesex County Improvement Authority be executed by the Mayor and Township Clerk, nunc pro tunc as of September 1, 2018 and shall continue until August 31, 2019, unless earlier terminated or extended as provided within attached Agreement.

SO RESOLVED, as aforesaid.

R-9-2018-232 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF KAREN ZURAWIECKI TO THE LIBRARY BOARD OF TRUSTEES.

WHEREAS, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, by copy of letter attached as Exhibit A, has appointed **KAREN ZURAWIECKI** to serve as a member on the **LIBRARY BOARD OF TRUSTEES** to fill the unexpired five (5) year term of Sylvie Feist, commencing immediately and expiring December 31, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Township Council hereby provides its Advice and Consent and confirms the appointment of **KAREN ZURAWIECKI** to serve as a member on the **LIBRARY BOARD OF TRUSTEES** for the unexpired five (5) year term commencing immediately and expiring December 31, 2018

SO RESOLVED, as aforesaid.

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.

WHEREAS, the Township of Monroe is seeking to procure power supply for municipal electric accounts for its facilities in Jersey Central Power and Light (“JCP&L”) service territory, falling under JCP&L’s General Service (“GS”), General Service Primary (“GP”) and street lighting (“SL”) service tariff designations, in order to achieve the lowest possible price for electricity for Township facilities for the benefit of Township taxpayers; and

WHEREAS, through separate resolution, the Township of Monroe is seeking to join the New Jersey Sustainable Energy Joint Meeting (“NJSEM”), an aggregation of well over 100 New Jersey municipal government entities that implements joint purchasing in order to create purchasing power for the purpose of competitively procuring power supply for municipal electric accounts that has enhanced renewable energy content and that also provides savings as compared to the JCP&L tariff prices for power supply; and

WHEREAS, the Township may, depending upon current market conditions, add its GS and/or SL tariff electric accounts to the current NJSEM supply contracts effective in November 2018 concurrent with the expiration of the Township’s current supply contracts or otherwise seek to conduct a separate bid for a new supply contract for its GS, SL and GP tariff electric accounts that would be effective from November 2018 until June 2020, at which time the Township would include its electric accounts in the next NJSEM competitive bid; and

WHEREAS, the “Local Unit Electronic Technology Pilot Program and Study Act” (“Pilot Program”), P.L. 2011, c.30, permits a municipality to apply to the Director of the Division of Local Government Services (“DLGS”) in the New Jersey Department of Community Affairs for authorization to purchase electric generation services from third- party suppliers through means of electronic technology (i.e., electronic bids or online auction) rather than the utilization of traditional sealed bids; and

WHEREAS, to participate in said Pilot Program a municipality must submit to the Director of the DLGS for approval a written plan setting forth, inter alia, the commodities and services it plans to purchase, the identity of the on-line purchasing agent and a description of the process to be used in the electronic bid or on-line auction; and

WHEREAS, the Pilot Program requires that the Mayor and Township Council adopt a resolution authorizing the Township to apply to the Director of the DLGS to participate in said Pilot Program; and

WHEREAS, the firm of Gabel Associates, Inc. (“Gabel”) has been approved by the DLGS as an online bidding vendor under the Pilot Program, and has substantial experience in competitive online bids for municipal electric accounts in New Jersey; and

WHEREAS, the Township seeks to hire Gabel to render the necessary energy consulting services for procurement of power supply for the Township’s GS, SL and/or GP tariff electric accounts to cover the period for some or all of these accounts from November 2018 until the start of the next NJSEM contract, anticipated to begin in June 2020; and

WHEREAS, Gabel Associates, Inc. (“Gabel”) would not assess any consulting services fees on the Township; rather, the successful third -party supplier shall be responsible for the payment of all Gabel’s fees and the Township shall not be obligated to make payments to Gabel; and

WHEREAS, the Township is obtaining these services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law” and in connection therewith, Gabel Associates, Inc. has completed and filed with the Township the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19: 44A-20.8 and Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44-20.26; and

WHEREAS, P.L. 2001, c.30 authorizes the Township to award a contract hiring the services of an online purchasing agent without competitive bidding; and

WHEREAS, A certificate of availability of funds from the Chief Financial Officer is not necessary because the Township will not be making payments to Gabel Associates, Inc. for its services.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Gabel Associates, Inc. ('Gabel') hiring Gabel to provide energy consulting services necessary, for a term extending through June 2020, to manage the procurement of electricity supply for the Township's municipal electric accounts and obtain the necessary approvals in connection therewith, including but not limited to:
 - a. Assisting the Township in drafting and compiling the requisite information for approval of the Township's application for participation in the "Local Unit Electronic Technology Pilot Program and Study Act" ("Pilot Program") P.L.2001, c.30; and
 - b. Conducting the approved electronic bid or online auction on the Township's behalf; and
2. The agreement is awarded without competitive bidding pursuant to P.L.2001,c.30; and
3. The Agreement may be extended beyond the initial term for up to two additional years, as permitted by law, subject to the written agreement of both parties.

SO RESOLVED, as aforesaid.

R-9-2018-234 RESOLUTION TO JOIN NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING.

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the governing body of the Township of Monroe has determined that membership in the Joint Meeting is in the best interest of the Township.

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

1. That the Township of Monroe does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives; and
2. That the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Township of Monroe Business Administrator is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and
3. The Mayor is authorized and directed to execute such other documents signifying the Township's membership in the NJSEM; and
4. That the Township is authorized effective November 2018 to include some or all of its electric accounts under the current NJSEM supply contracts that that have a term that runs until June 2020, or to include its electric accounts in the next NJSEM competitive bid for a contract starting in June 2020, as determined to be in the best interest of the Township, and otherwise consistent with applicable law.

SO RESOLVED, as aforesaid.

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)

WHEREAS, pursuant to Resolution No. R-9-2016-317, adopted by the Monroe Township Council at its meeting held on September 7, 2016, authorizing a Professional Service Contract with Center State Engineering for Professional Engineering Services related to the Spotswood and Ellingham Avenues Improvement Project; and

WHEREAS, the Professional Engineering Services contract in connection with the Spotswood and Ellingham Avenues Improvement Project was in the original amount of \$145,000.00; and

WHEREAS, due to the scope of the project changing prompting redesign, Center State Engineering has requested approval of a modification to the original contract in the amount of \$40,000.00 to provide for the necessary supervision, inspection and contract administration services for this project as indicated in a letter dated August 20, 2018 as attached hereto and made a part of; 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 the availability of funds in Certificate No. **C-160048**, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey authorization is hereby given to modify said contract in the amount of Forty Thousand Dollars (\$40,000.00);

SO RESOLVED, as aforesaid.

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)

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase one (1) Animal Control Vehicle under the NJ State Contract #A88213 Line 5, from **Mall Chevrolet 75 Haddonfield Road Cherry Hill, N.J. 08002**, an authorized vendor under the NJ State Contract; 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, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
1	2019 Chevrolet Express RWD Cargo Van	
	Base Price	\$20,560.00
	Options	<u>1,154.85</u>
	TOTAL COST	\$21,714.85; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1800054** a copy of which is attached hereto as Exhibit "A".

And;

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase and install *accessories* to outfit one (1) new vehicle under NJ State Contract #81336 and NJ State Contract #81338 from **East Coast Emergency Lighting 200 Meco Drive Millstone Twp. 08535**, an authorized vendor under the NJ State Contract, as follows:

1	Equipment for 2019 Chevrolet Express RWD Cargo Van Installation	\$2,294.46
		<u>600.00</u>
	TOTAL COST:	\$2,894.46; and

WHEREAS, the detailed accessories for this vehicle are attached hereto; and

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1800055** a copy of which is attached hereto as Exhibit "B".

And;

WHEREAS, there is a need to have the 2019 Chevrolet Express RWD Cargo van converted to an Animal Transport vehicle; and

WHEREAS, the van conversion will be performed by **Mavron, Inc. 152 S. Zimmer Road Warsaw, IN 46580-2369**; and

WHEREAS, the cost of the animal transport van conversion will be **\$15,225.00**; and

WHEREAS, the detailed conversion description for this vehicle is attached hereto; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1800056** a copy of which is attached hereto as Exhibit "C"; and

WHEREAS, the total combined cost of this vehicle including accessories, installation and conversion shall not exceed \$ **39,834.31**.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with *Mall Chevrolet*, for the purchase of *one (1) 2019 Chevrolet Express RWD Cargo Van* at a total contract price in the amount of **\$21,714.85**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* is hereby awarded a contract for the installation and purchase of accessories to outfit one (1) new animal control vehicle at a total contract price of **\$2,894.46**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *Mavron, Inc. 152 S. Zimmer Road Warsaw, IN 46580-2369* is hereby awarded a contract for the animal transport van conversion at a total contract price of **\$15,225.00**.

SO RESOLVED, as aforesaid.

R-9-2018-237 RESOLUTION AUTHORIZING REFUND OF 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 Two thousand Four Hundred dollars and no cents (\$2,400.00),

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-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)

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2018 in the sum of \$10,000.00, which is now available as a revenue from the Middlesex County Office on Aging – Senior Outreach;

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 is hereby appropriated under the caption:

“MIDDLESEX COUNTY OFFICE ON AGING – SENIOR OUTREACH”

SO RESOLVED, as aforesaid.

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)

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase one (1) Vehicle from *Beyer Ford* under the **State of New Jersey Cooperative term contract no. T-62-00-265-000-002** for the Monroe Township EMS Department as hereinbelow set forth:

(1) 2018 Ford Explorer (K8B) Base 4WD
equipped as per attached quote **Total Cost** **\$30,570.58;** and

WHEREAS, *Beyer Ford* is an authorized vendor under the Educational Services Commission of NJ Cooperative Program #65MCESCCPS-ESCNJ 17/18-21; and

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

WHEREAS, *Beyer Ford, 170 Ridgedale Road, Moorestown, NJ 07962* has been awarded New Jersey State Contract, No. **T-62-00-265-000-002** in connection with the above referenced vehicle; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1800053**, 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 *Beyer Ford, 170 Ridgedale Road, Moorestown, NJ 07962* is hereby awarded a contract for the purchase of one (1) 2018 Ford Explorer (K8B) Base 4WD for a total contract price of **\$30,570.58;**

SO RESOLVED, as aforesaid.

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.**

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

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

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

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

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

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

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

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

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

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

SO RESOLVED, as aforesaid.

R-9-2018-241 RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF ELY DRIVE FOR ROAD IMPROVEMENTS.

WHEREAS, Daniel Wander on behalf of Stratford Developers, by copy of correspondence dated August 17, 2018, seeks the temporary closure of Ely Drive for necessary road improvements; and

WHEREAS, the temporary closure of Ely Drive necessitates the detour of traffic, as shown on the Detour Plan prepared by Ameritech Engineering Inc., a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Township Engineer, by copy of letter dated August 22, 2018, recommends Council approval of the temporary road closure and detour route; and

WHEREAS, the Detour Plan, as presented by Ameritech Engineering Inc., has been reviewed by the Chief of the Monroe Township Police Department and by copy of letter dated August 21, 2018, has approved the Detour Plan as submitted;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that Ely Drive shall be temporarily closed and traffic shall be detoured as per the attached Detour Plan.

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)

WHEREAS, on August 22, 2018 one (1) sealed bid was received by Monroe Township in regard to the 2018 Ambulance Purchase; and

WHEREAS, the Monroe Township Business Administrator, by letter dated August 22, 2018, a copy of which is attached hereto, recommended that the contract be awarded to **Bay Head Investments, Inc. (d/b/a VCI), 43 Jefferson Avenue, Berlin, N.J. 08009** on their bid submitted in the amount of **\$264,881.00**; and

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

2019 Ford F450 4x4 – Horton 457	\$ 264,881.00
Opticon Lighting	\$ 1,999.00
	\$ 266,880.00

; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1800051, 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, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the **2018 Ambulance Purchase** at a total contract price of **\$266,880.00**; and

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

BE IT FURTHER RESOLVED that the Township Finance Department is hereby authorized and directed to pay **Bay Head Investments, Inc.**, in accordance with the contract entered between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Bay Head Investments, Inc** shall provide proof of renewal of vendor's Motor Vehicle Dealer license which expires at the end of the month and shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

**R-9-2018-243 RESOLUTION AUTHORIZING THE REJECTION OF BIDS
RECEIVED FOR SPECIALIZED TREE REMOVAL AND
AUTHORIZING RE-ADVERTISING FOR RECEIPT OF BIDS.**

WHEREAS, on August 22, 2018 one (1) sealed bid was received in connection with Monroe Township's Ash Tree Removal; and

WHEREAS, by copy of letter dated August 22, 2018, the Township Business Administrator advised that the bid be rejected at this time, pursuant to Local Public Contract Law 40A:11-13.2a, as the amount was more than anticipated;

WHEREAS, the Township Business Administrator further recommends that the governing body reject the bid and further authorize receipt of bids be re-advertised; and

WHEREAS, the Township Council has reviewed and consents to the recommendation made by the Township Business Administrator;

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 bid received in connection with the Ash Tree Removal be and is hereby rejected; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to re-advertise for receipt of bids in connection with the Ash Tree Removal.

SO RESOLVED, as aforesaid.

**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)**

WHEREAS, the Weingarten Law Firm, LLC on behalf of JSM at Monroe, LLC, by copy of letter received August 14, 2018, seeks the temporary closure of Mounts Mills Road between Spotswood-Englishtown Road and Old Bridge-Englishtown Road for the installation of a sanitary main; and

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

WHEREAS, Monroe Township would like the approval for the road closure of Mounts Mills Road dependent on the following conditions:

- 1) Spotswood-Englishtown Road must be open to all traffic prior to the closure of Mounts Mills Road.
- 2) The road closure shall take place on consecutive days.
- 3) The applicant shall obtain approval from the Township of Old Bridge as a large portion of the detour is in their jurisdiction.

WHEREAS, the Township Engineer, by copy of letter dated August 22, 2018, recommends Council approval of the temporary road closure and detour route conditional upon JSM at Monroe LLC. providing resident and school bus notification and access, as well as, Emergency vehicle access; and

WHEREAS, the Detour Plan, as presented by EP Design Services, has been reviewed by the Monroe Township Police Department and by copy of letter dated August 21, 2018, have approved the Detour Plan as submitted;

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

SO RESOLVED, as aforesaid.

**R-9-2018-246 RESOLUTION REFUNDING TAX OVERPAYMENTS 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 One hundred seventy- seven thousand three hundred twenty-three dollars and ninety-five cents (\$177,323.95) for the amounts described on Schedule A and attached hereto;

WHEREAS, good cause has been shown; 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 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-9-2018-247 RESOLUTION AUTHORIZING AWARD OF BID TO Z BROTHERS FOR ROADWAY IMPROVEMENTS (MILLING AND PAVING) – TOWNSHIP WIDE. (\$1,080,353.50)

WHEREAS, on August 30, 2018, five (5) sealed bids were received by Monroe Township regarding **Roadway Improvements (Milling & Paving) – Township Wide**; and

WHEREAS, the Township Engineer, by copy of letter dated August 31, 2018, has recommended **Z Brothers Concrete Contractors, Inc. 304 Journey Mill Road Sayreville, N.J. 08872**, be awarded the base and alternate number 1 bid based upon their bid submission in the amount of **\$1,080,353.50**; and

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

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. 1800057, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, no contract that is subject to the requirements of the Affirmative Action Regulations pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. shall be awarded by the Township of Monroe, nor shall any monies be paid there under, to any contractor, subcontractor of business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the affirmative action plan approved under the terms established in the above cited regulations;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to **Z Brothers Concrete Contractors, Inc.** for the **Roadway Improvements (Milling & Paving) – Township Wide**, at a total contract price of **\$1,080,353.50**; and

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

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay **Z Brothers Concrete Contractors, Inc.** in accordance with the contract entered into between the parties; and

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

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

SO RESOLVED, as aforesaid.

R-9-2018-248 RESOLUTION AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE MAINTENANCE BOND POSTED BY DUMOR CONTRACTING INC. FOR VETERANS PARK PHASE 2.

WHEREAS, Dumor Contracting, Inc. ("Dumor") was awarded a contract pursuant to Resolution R-4-2015-100, for Phase 2 of the Township's construction of Veterans Park; and

WHEREAS, in May of 2017, upon completion of Dumor's work on Veterans Park Phase 2, Bondex Insurance Company (Bondex), as surety for Dumor, issued Maintenance Bond No. BARC0024MB ("Maintenance Bond"), in the amount of \$283,473.09; and

WHEREAS, the Township identified certain defects in Dumor’s work and demanded that it correct said defects; and

WHEREAS, in February of 2018 the Township Attorney notified Bondex of the defects in Dumor’s work and demanded that Bondex pay over the Maintenance Bond; and

WHEREAS, in March of 2018 Dumor agreed to correct its defective work (the “Corrective Work”), which Dumor estimated would take approximately three (3) weeks to complete, weather permitting; and

WHEREAS, Dumor has not diligently worked to complete the Corrective Work in a timely fashion; and

WHEREAS, the Township Attorney wrote Bondex on August 20, 2018, and demanded that Dumor either complete the Corrective Work by September 14, 2018, or that Bondex pay over the full value of the Maintenance Bond;

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 Township Attorney is hereby authorized to take all action necessary and proper to obtain payment of the Maintenance Bond amount from Bondex Insurance Company if Dumor Contracting, Inc. has not substantially completed the Corrective Work to the satisfaction of the Township Engineer by September 15, 2018, and that said funds shall be used to pay for the cost of correcting Dumor’s defective work and obtaining payment of the Maintenance Bond, including professional engineering and attorney fees incurred by the Township relating thereto.

SO RESOLVED, as aforesaid.

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

Copy of Resolutions Duly Filed.

RESOLUTIONS removed from consent agenda for CONSIDERATION:

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the following Resolutions were removed from the **CONSENT AGENDA** and considered separately (**Resolutions R-9-2018-229, R-9-2018-231 and R-9-2018-245**)

R-9-2018-229 RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$6,050.00)

WHEREAS, by Ordinance No. O-9-98-039, repealed and replaced by Ordinance No. O-6-2001-026 (the “Tree Removal Ordinance”), a Tree Escrow Fund has been created to hold and disburse fees paid in lieu of tree replanting by developers or property owners removing trees; and

WHEREAS, the Fund is to be used to maintain, preserve and protect the municipal tree cover; and

WHEREAS, the overall health and vitality of Monroe Township’s tree cover is at risk due to the Emerald Ash Borer infestation, which has spread to ash trees throughout the Township; and

WHEREAS, the Council believes that purposes of the Tree Escrow Fund are served by funding the removal of dead or diseased ash trees within the Township, which pose a danger to healthy trees and to the public; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds within the Tree Escrow Fund in Certificate No. C-1800049, a copy of which is attached hereto as Exhibit B; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe authorizes the expenditure from the Tree Escrow Fund of \$6,050.00 to pay for the ash tree removal services provided by Power Saws of America, Inc. t/a RKD Tree Service, by invoice dated July 31, 2018, a copy of which is annexed hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Finance Department is hereby authorized and directed to pay Power Saws of America, Inc. t/a RKD Tree Service from the Tree Escrow Fund, for the services provided.

SO RESOLVED, as aforesaid.

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)

WHEREAS, the Township of Monroe seeks professional engineering and surveying services in connection with the surveying, property descriptions and environmental review of the below listed property:

BLOCK	LOT	ADDRESS	SURVEYS and DESCRIPTIONS	Environmental
52	5.04	Schoolhouse Rd. (8 Acres)	\$4,500.00	\$4,000.00

for the purpose of acquisition by the Township of Monroe under the Local Open Space program; and

WHEREAS, Center State Engineering possesses the technical expertise required to perform professional engineering services and surveying services in connection with this property; and

WHEREAS, the fees for such services will not exceed Eight Thousand Five Hundred Dollars (**\$8,500.00**); and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in **Certificate No. C-1800050**, a copy of which is attached hereto as Exhibit “A”; and

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

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with ***Center State Engineering, 481 Spotswood-Englishtown Road, Monroe Township, NJ 08831***, in accordance with the Agreement annexed hereto;
- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by Center State Engineering in an amount not to exceed Eight Thousand Five Hundred Dollars (**\$8,500.00**);
- (3) The Contract is awarded with the stipulation that ***Center State Engineering*** shall include within the Contract mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;
- (4) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

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.

WHEREAS, the Township Council of the Township of Monroe has a need to acquire professional services in the field of market value appraisals for open space property, as a non-fair and open contract pursuant to provisions of N.J.S.A. 19:A-20.5 for Block 5, Lot 5.04 – 433 Schoolhouse Road; and

WHEREAS, Timothy Hoffman, LLC, possesses the technical expertise required for such a service; and

WHEREAS, Timothy Hoffman, LLC has completed and submitted a certification pursuant to N.J.S.A. 19:44A-20.8; and

WHEREAS, pursuant to *N.J.A.C. 5:30-5.4*, the Township’s Certified Municipal Finance Officer has certified the availability of funds in **Certificate No. C-1800052**, a copy of which is attached hereto as Exhibit “A”;

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

(1) The Mayor and Township Clerk be and are hereby authorized to enter into an contract with Timothy Hoffman, LLC, P.O. Box # 3030, Westfield, NJ 07091, in accordance with the proposal attached hereto as Exhibit "B";

(2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by Timothy Hoffman, LLC, in accordance with attached proposal, in an amount not to exceed \$2,250.00;

(3) This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

(4) This contract is awarded with the stipulation that the contract shall include mandatory Affirmative Action language, and Timothy Hoffman, LLC shall submit to the Township of Monroe any appropriate Affirmative Action documents within the time period prescribed by law.

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

SO RESOLVED, as aforesaid.

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

Copy of Resolutions Duly Filed.

REPORTS:

Mayor's Report – Mayor Tamburro reported that as a former banker one of the most important things are the words in the audit report. All of the years that he has been in Monroe Township we have always had a clean audit. Thanked CFO George Lang and the entire Finance Department for not only a clean audit but a well run department. As a result of the audit we have an AA bond rating which puts the Township in a great financial situation when we go out for bonding.

The town jewel is the library and they are now extending their hours starting on September 9th from 10:00am to 5:00pm.

On September 11th we will be commemorating those lives lost at 8:46am; we will also have a wreath laying at Veteran's Park.

Pleased and honored to be invited to the ribbon cutting for the new Chabad House located on Applegarth Road. Rabbi Spitzer has done a wonderful job putting that together.

The National Night Out event was a huge success despite of the weather.

Young Avery was so excited to see Officer Dale. Having the security in the school districts has benefitted the relationship between our youth and the officers.

Councilwoman Cohen is not here tonight because her husband is in failing health. Thanks to her for being on the Cultural Arts Commission as they have had another great season.

Visited the new firehouse on Spotswood-Englishtown Road. It is a remarkable facility and it was great day spent touring it.

Administrator's Report – Thanked the Finance Department for their efforts with the audit and excellent bond rating.

Noted that we have the second overall lowest tax rate.

Extended thanks to our Recreation Department, DPW, MTUD and Construction staff and all the employees who have worked outside in this heat.

Stated that O-8-2018-027 there are four different traffic improvements within and thanked the Engineer, Council, Mayor and residents for all of their hard work.

Also, there is a shared service agreement on the agenda with the County for yard waste recycling.

In addition, there are a few items on the agenda regarding the energy for the town. Our latest contract ends in November and by joining the energy programs it allows us to team up with others for the best rates for energy within the municipal building.

Reminded those that are interested to call our DPW to make an appointment for bulk pickups.

Our Police Department has put together a great presentation regarding scams which can be viewed on our website and Facebook page.

We are awarding a new ambulance on this agenda as it is important to have a quality fleet since we do a lot of calls.

Excited about the Spotswood-Ellingham Avenue project to begin. There will also be a robust paving plan done on our Township roads.

Engineer's Report – Engineer Rasimowicz reported that the Cedar Brook Pump Station is substantially completed. It is up and running and he has reached out to the County for their final inspection. This was a tri-party agreement between Monroe Twp., Middlesex County and Rossmoor.

New Jersey Natural Gas is installing a second gas main throughout the Township. It is about five miles of gas line that is going through their easements. One day road closures are anticipated on Old Forge Road, Garibaldi and Spring Street can expect one day closures. They are cul de sac streets and the residents will be able to get to their homes.

In regards to the Spotswood-Englishtown Road project, PSE&G will be resuming work and the road will be closed for five weeks and open in the evenings and on the weekends.

The Prospect Plains Road traffic improvement project will encompass traffic signal improvements and handicap ramp improvements. There will be no road closures until the paving part of the project, this will start next week.

The Ellingham Avenue project is moving along and anticipates to be a two-month long project.

The railroad crossing at South Middlesex Avenue and Applegarth Road is due to start on September 18th. The NJDOT and Conrail is taking on this project due to the Township pushing and pursuing this work to be done.

Federal Road is targeted as next years project.

Ely Drive curb repair has been started with the contractor this week with paving to begin approximately on October 1st.

The 2018 Township Wide Road Paving Project has been awarded to Z Brothers and we are looking to have this project begin before winter sets in.

COUNCIL REPORTS:

Council Vice-President Schneider –

- Attended the cricket event to raise money for Special Olympics. It is a worthwhile charity.
- Attended a Girl Scout recruiting event in Thompson Park.
- The Cable Advisory Committee welcomes residents to attend their meeting being held on September 26th at 7:00pm in the Council Chambers.
- A Grandparent's Day celebration will be held on September 27th with a complimentary movie, lunch and photos. There are so many grandparents that do not live in Monroe and are so impressed with the events of that day and what we offer here in Monroe.
- Received a \$10,000 grant for our Senior Outreach Program from the Middlesex County Office of Senior Services. Thanks to Karen Theer for her hard work in helping us receive this grant.
- Regarding the Homestead Rebate our residents will now get additional savings on their next tax bills. Thanks to the Mayor for all of his hard work in getting this back for our residents.
- Lastly, it was a pleasure seeing all of our officers in blue this evening.

Councilman Baskin –

- Attended the ribbon cutting at the Chabad House which was a very nice ceremony.
- Attended the Fire District #1 recruiting event; especially liked the Jaws of Life presentation.
- Attended the cricket tournament which raised money for the Special Olympics. The event was very well run.
- Caution to everyone who is not aware, neighbor lost \$7,000 in a scam.
- Thanked Councilman Dipierro for giving him a Fire District map.

- 9th annual Green Fair is scheduled for September 29th from 10:00am-2:00pm. This year's theme is healthy living and we should all advocate that.
- The old time baseball game is scheduled for September 29th at noon and will be held at the Dey Farm. The players will be wearing vintage uniforms and playing by the early rules of the game. Game time is from 1:00pm-4:00pm.
- The final Dey Farm seasonal tour will be held on Sunday, October 7th from 1:00pm-4:00pm.

Councilman Dipierro –

- Octoberfest will be held on October 21st, this year marks the 25th anniversary.
- Middlesex County Paper Shredding is scheduled for this Friday, September 7th at Thompson Park.
- JCP&L will be trimming trees between September and November. Tree trimming helps control the overgrowth near electric lines.
- Thanked the Mayor and Council who came out for the recruitment event at Fire District #1; seven new volunteers were signed up. Also mentioned that if there is ever a need by the community to utilize the firehouse, it is equipped with generators and is open to the public. By the end of the year we will have two new firetrucks in service to the community as well.
- Known Shawn Hluchy his entire life and to watch farmers here for many years they usually end up disappearing so it is nice to see the Township and the County honor him for all of his work farming. He is a very humble person and deserves to be honored.
- Thanked DPW for doing the bulk pickup, as always they do a great job and deserve hats off to them for their hard work.
- School started today and reminded everyone to drive safe and always be aware as some bus drivers are not familiar with the streets so it is important to remain vigilant.
- Asked if an update could be provided on the Spotswood-Englishtown Road sewer situation; MTUD Director Joe Stroin responded that there is one more day. Councilman Dipierro thanked MTUD for watching the situation.
- Thanked Engineer Rasimowicz and Center State for the Township Road Paving Project as it is very important to put the money back into the community.
- Read an article that the Perrineville Road bridge replacement is on schedule and should be done and reopened by December.

Councilman Dalina –

- The library has extended Fall hours to coincide with school as you see a lot of peer groups coming to the library to teach and help students, as well as, one on one teaching. Beginning September 9th the library will be open from 10:00am-5:00pm on Sundays.
- The Board on Affordable Housing will have an information session on October 3rd to discuss the impact of the settlement.
- On October 27th there will be a family mural themed contest and pumpkin painting event held at the Recreation Center.
- School is back in session; if stopping for a bus bothers you then please leave ten or fifteen minutes earlier.

PUBLIC:

Mark Klein, 7 Crenshaw Ct. – Mr. Klein stated that the proclamation was very touching for Avery Moskowitz. He shared that he went through proton treatment and radiation treatment in Somerset for radiation treatment. Seeing children come in for treatment broke his heart and he would always bring gold dollar coins to give to the children and tell them it was for good luck and good health.

Regarding R-9-2018-244, that road is pathetic, and it should be the responsibility of the developer to repaved. Also, the road should be widened on Mounts Mills Road.

For twelve years now, he has been fighting for more money for our school districts. He wrote letters to the State Supreme Court, in which he gave copies to the Council, and noted all of the people it was sent to. The only ones to get back to him were Senators Kean and the Minority President. No one from the Supreme Court got back to him.

Lastly, he stated that he served on the Zoning Board of Adjustment for 11 years. He added that if a developer comes in and wants to change the zone from light industrial to a PRC such as what happened regarding the Sarlo Act which gave approval to one developer to build homes and then that developer sold it to Toll Brothers, then the statute should read that if the applicant gets approval to change zones and then sells it to someone else it should then revert back to the original zone.

Prakash Parab, 33 Dayna Dr. – In regard to O-9-2018-031, Mr. Parab asked when will the public have an opportunity to speak on this Ordinance; Council President Dalina answered that there will be a public hearing on this Ordinance at the October meeting.

Mr. Parab commented that to the groups that lobbied for affordable housing, it is easy to draft a law but then the citizens are the ones who will pay for it which is not fair as we already pay Federal and State taxes. If they are going to draft a law then they should be responsible for paying for it.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked what the status of the golf range is and he had questions regarding R-9-2018-231 and R-9-2018-245; Council President Dalina and Township Attorney Greg Pasquale answered that the golf range is owned by the Township through the condemnation process. Within the next four months the Board of Commissioners decide if the funds deposited are sufficient and the property owner will then decide if he wants to accept or contest it.

In regards to R-9-2018-231, the Q Farm, Business Administrator Weinberg explained.

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the Regular Meeting was Adjourned at 8:25pm.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilwoman Miriam Cohen	Absent
	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

Minutes were adopted on: October 1, 2018.