

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

REGULAR MEETING - - JUNE 5, 2013

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Gerald W. Tamburro with a Salute to the Flag led by Connor Santiago and Lindsay Harrington.

UPON ROLL CALL by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilwoman Leslie Koppel, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

ALSO PRESENT for Council was Mayor Richard Pucci, Township Attorney Joel L. Shain and Jeffrey Rauch, sitting in for Township Engineer Ernest W. Feist.

ABSENT: Councilman Michael Leibowitz and Township Engineer Ernest W. Feist.

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

Council President Tamburro requested the 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 of this meeting has been provided by the following:

1. Posted on January 4, 2013 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 4, 2012;
3. Posted on January 4, 2013 on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

Council President Tamburro opened the Annual Human Relations Commission Ceremony honoring and presenting Awards to those students who have been selected by their teachers as exemplifying the 6 pillars of character: caring, responsibility, respect, fairness, citizenship and trustworthiness. Council President Tamburro then turned the program over to Sergeant Lisa Robinson, Chair of the Human Relations Commission. Sergeant Robinson thanked everyone for coming out tonight, parents, relatives and friends who have come out to support these outstanding students who have shown and exemplified the six pillars of character. She also thanked the Mayor and Council for being given the opportunity to have this Program with the Human Relations Commission members. She thanked the Commission for the hard work that they put forth in helping to bring this Program about.

Mayor Pucci commented on what an honor it is for these students to receive this Award. He congratulated the Award winners on this accomplishment and advised them this is a moment that they will remember for a lifetime.

Sergeant Robinson, Councilwoman Leslie Koppel and Alexis, Student representative, presented the awards to the following:

BARCLAY BROOK SCHOOL HONOREES

John Zimmermann (Kindergarten)

Zaara Irfan (1st)

Marco Martinez-McIntire (1st)

OAK TREE SCHOOL HONOREES

Ruhi Kulkarni (1st)

Sophie Lebow (2nd)

Billy Peters (3rd)

MILL LAKE SCHOOL HONOREES

Jayme Beninda (Kindergarten)

Kali Esandrio (1st)

Lindsay Harrington (2nd)

BROOKSIDE SCHOOL HONOREES

Christian Mancuso (3rd)

Chris Beagan (4th)

Shriya Kuruba (5th)

WOODLAND SCHOOL HONOREES

Stephen Varughese (3rd)

Graciella Esandrio (4th)

John Bachenski (5th)

APPLEGARTH SCHOOL HONOREES

Peter Angelo (4th)

Kaitlyn Harrigan (5th)

MONROE TOWNSHIP MIDDLE SCHOOL HONOREES

Julia Corbisiero (6th)

Miranda Little (7th)

Zachary Jones (8th)

MONROE HIGH SCHOOL HONOREES

Connor Santiago (9th)

Kristen Pasewaldt (10th)

Michael Foye (11th)

Michelle Cho (12th)

Council Members offered their comments and congratulations.

A 15 minute Recess was taken at which time Councilwoman Koppel left for another meeting.

The Regular Meeting was recalled to Order at 7:40pm

UPON MOTION made by Council Vice-President Miller and seconded by Councilman Dalina, the **CLAIMS** per run date of **5/22/2013** were approved for payment as presented.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Council Vice-President Miller and seconded Councilman Dalina, the **Minutes** of the **April 29, 2013** Agenda Meeting were approved as written and presented.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Miller, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE ACCEPTING A DRAINAGE, SIDEWALK AND SHADE TREE EASEMENT FROM KRZYSZTOF AND ELZBIETA KOLUDA ON PORTIONS OF LOTS 21.01 & 36.01 IN BLOCK 147.09.**

ORDINANCE as follows: (O-6-2012-009)

WHEREAS, Krzysztof and Elzbieta Koluda (the "Koludas") received preliminary and final minor subdivision approval of application PB-1099-11 on June 23, 2011, memorialized on July 28, 2011, and the Township Engineer has determined that the Township requires a Drainage and Sidewalk Easement and a Shade Tree Easement on a portion of Lot 21.01 in Block 147.09 and a Sidewalk Easement on a portion of Lot 36.01 in Block 147.09 (collectively "Easements"); and

WHEREAS, the Koludas have agreed to convey the Easements to the Township of Monroe; and

WHEREAS, the Township Engineer has reviewed the attached metes and bounds descriptions of said Easements and has found same to be in conformity with the Planning Board approval and hereby recommends acceptance of the Deeds of Dedication; and

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the dedication of the Easements from the Koludas; and

WHEREAS, the Koludas' Attorney has already recorded said Easements, copies of which are attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, *nunc pro tunc* to March 25, 2013, as follows:

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the dedication by the Koludas of the Easements.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

SO ORDAINED as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion.

There was no Council or Public discussion of this Ordinance.

As Councilman Leibowitz and Council Vice-President Miller regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE ACCEPTING A DRAINAGE, SIDEWALK AND SHADE TREE EASEMENT FROM KRZYSZTOF AND ELZBIETA KOLUDA ON PORTIONS OF LOTS 21.01 & 36.01 IN BLOCK 147.09.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2013-009

UPON MOTION made by Council Vice-President Miller and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE ACCEPTING A DEED OF DEDICATION FROM LORI GARDENS ASSOCIATES, II, LLC FOR LOT 3.05 IN BLOCK 16.**

ORDINANCE as follows: (O-6-2012-010)

WHEREAS, Lori Garden Associates, II, LLC (“Lori Garden”) received preliminary and final major subdivision and site plan approval of application PB-906-04 on July 22, 2004, and memorialized on August 26, 2004; and

WHEREAS, a condition of that approval required Lori Garden to dedicate a portion of Lot 3.05 in Block 16 to the Township to permit the widening of public rights-of-way serving the property and constructing and maintaining improvements thereon; and

WHEREAS, Lori Garden has agreed to dedicate the necessary property to the Township of Monroe; and

WHEREAS, the Township Engineer has reviewed the attached metes and bounds description in the Deed of Dedication and has found same to be in conformity with the Planning Board approval and hereby recommends acceptance of the Deed of Dedication; and

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the Deed of Dedication from Lori Garden; and

WHEREAS, Lori Garden’s attorney has already recorded said Deed of Dedication, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, Township Counsel has reviewed the Deed of Dedication and found same to be legally sufficient;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, *nunc pro tunc* to March 14, 2013, as follows:

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the Deed of Dedication from Lori Garden.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

SO ORDAINED as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion.

There was no Council or Public discussion of this Ordinance.

As Council Vice-President Miller and Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE ACCEPTING A DEED OF DEDICATION FROM LORI GARDENS ASSOCIATES, II, LLC FOR LOT 3.05 IN BLOCK 16.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2013-010

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **BOND ORDINANCE PROVIDING FOR VARIOUS 2013 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,880,200 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the following entitled **RESOLUTIONS** were moved for adoption under the **CONSENT AGENDA**, as hereinbelow set forth:

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

R-6-2013-139 RESOLUTION AUTHORIZING ASSIGNMENT OF TOWNSHIP TAX LIEN NO. 94-21 (BLOCK 23.4, LOT 18) TO LUCILLE DiPASQUALE.

R-6-2013-140 RESOLUTION AUTHORIZING THE PURCHASE OF ULTRA LOW SULFUR DIESEL FUEL UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS AND UTILITY DEPARTMENT.

R-6-2013-141 RESOLUTION AUTHORIZING THE PURCHASE OF GASOLINE UNDER THE SOMERSET COUNTY COOPERATIVE PURCHASING FOR THE TOWNSHIP AND UTILITY DEPARTMENT.

R-6-2013-142 RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR PRINTING OF VARIOUS TAX AND UTILITY BILLS.

R-6-2013-143 RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF CONTRACT FOR 2013 MONROE TOWNSHIP PRINTING (GROUP A & B).

R-6-2013-144 RESOLUTION AUTHORIZING PARTICIPATION IN AND PURCHASE OF VARIOUS GOODS AND/OR SERVICES THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION (“MRESC”) COOPERATIVE PURCHASING SYSTEM.

R-6-20130145 RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 WITH A FINAL CLOSE-OUT OF CONTRACT NO. 399 SUBMITTED BY CLYDE N. LATTIMER & SON CONSTRUCTION CO., INC. FOR “WELL NUMBER 19 TREATMENT PLANT IMPROVEMENT” FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

R-6-2013-146 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO HATCH MOTT MACDONALD FOR 2013 WATER SYSTEM MASTER PERMIT UPDATE FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

R-6-2013-147 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.

R-6-2013-148 RESOLUTION REFUNDING TAX OVERPAYMENTS.

R-6-2013-149 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) “Click It or Ticket” Grant - \$4,000.00

R-6-2013-150 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) “Clean Communities Program” Grant - \$80,522.83

R-6-2013-151 RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2013 – 2014 LICENSE TERM.

- R-6-2013-152** RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE FOR THE 2013-2014 LICENSE TERM.
- R-6-2013-153** RESOLUTION AUTHORIZING THE PURCHASE OF FURNITURE FOR THE MONROE TOWNSHIP SENIOR CENTER MULTI-PURPOSE ROOM UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-6-2013-154** RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT WITH JAFFE COMMUNICATIONS, INC. FOR THE MONROE TOWNSHIP PUBLICATION.
- R-6-2013-155** RESOLUTION AUTHORIZING A CONTRACT WITH ATLANTIC RESPONSE, INC. UNDER STATE CONTRACT NO. A-73836 TO PROVIDE EMERGENCY REMEDIATION OF SOIL AT THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS.
- R-6-2013-156** RESOLUTION AUTHORIZING AWARD OF BID FOR THE PURCHASE TWO (2) NEW AMBULANCES.
- R-6-2013-157** RESOLUTION AUTHORIZING THE AWARD OF BID FOR ROUTE 33 ROAD IMPROVEMENTS @ RENAISSANCE DEVELOPMENT.
- R-6-2013-158** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE TOWNSHIP OF SOUTH BRUNSWICK FOR THE LEASE OF POLICE MOBILE DATA COMPUTER EQUIPMENT.
- R-6-2013-159** RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE REQUEST FOR QUALIFICATIONS ("RFQ's") FOR ENERGY RELATED CONSULTING AND PROFESSIONAL SERVICES.

Council President Tamburro announced that Nominations are in order for the appointment of two (2) Regular Members to the South Central Middlesex County Flood Control Commission to serve for terms of five (5) years.

Councilman Leibowitz nominated Ernest Feist, seconded by Councilman Dalina.

Councilman Leibowitz nominated John Riggs, seconded by Councilman Dalina.

Council President Tamburro announced that Nominations are now in order for the appointment of an Alternate 1 Representative to the South Central Middlesex County Flood Control Commission to serve for a term of one (1) year.

Councilman Dalina nominated Wayne Horbatt, seconded by Councilman Leibowitz.

Council President Tamburro asked if there were any further Nominations. There being none, he requested a Motion to close the Nominations for the two (2) Regular Members and an Alternate 1 Member to the South Central Middlesex County Flood Control Commission.

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, Nominations for the positions of two (2) regular members and (1) Alternate 1 Member to the South Central Middlesex County Flood Control Commission were closed.

ROLL CALL:

Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Absent
Councilman Michael Leibowitz	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Council President Tamburro requested a **ROLL CALL** vote on the Nominations of Ernest Feist and John Riggs as Regular Members, serving a term of 5 years and Wayne Horbatt as Alternate 1 Member, serving for a term of 1 year, to the South Central Middlesex County Flood Control Commission.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, a Resolution of which the following is the title was moved for adoption: **RESOLUTION OF THE MONROE TOWNSHIP COUNCIL APPOINTING MEMBERS AND AN ALTERNATE REPRESENTATIVE TO THE SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Resolution Duly Filed.

R-6-2013-160 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL APPOINTING MEMBERS AND AN ALTERNATE REPRESENTATIVE TO THE SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION.

Reports:

Mayor – No Report.

Administrator Hamilton – Mentioned the Award of Bid for (2) Ambulances. He also stated that the Township does all they can to extend the life of these vehicles. These two ambulances will be replacing a 1999 and a 2001 vehicle with over 300,000 miles on them.

Engineer Feist – No Report.

Council Reports:

Councilman Leibowitz – No Report.

Councilman Dalina – Spoke about his, Mayor Pucci & Councilman Tamburro's attendance at the Senior Athletic Awards.

He also mentioned the Recreation Scholarship Awards and thanked Joe Costa for running that program.

He advised there will be a Statue dedication honoring Joe Valenti, who has passed away. He was a member on the Library Board of Trustees. There is also a walking path dedication for Rhoda Shore who passed away and who was a valued member of the Friends of the Library.

He wished everyone a Happy Father's Day.

Council Vice-President Miller commented on the evenings Awards.

Council President Tamburro spoke about his granddaughter who received a similar Award and how, in that particular town, the Award is a Certificate given to the student in a classroom.

Public:

Charles Petretti, 4A Wingate Court – asked if the communication upgrade with JCP&L has been completed to which Administrator Hamilton responded, giving a status report.

Next he touched on the municipal budget of 2012 vs. 2013. In 2012 we were up 2 employees, 2013 we are down 2. Administrator Hamilton explained that in many cases people have not been replaced or will be replaced at a later date. Mr. Petretti stated that the MTUD, for two years in a row, has increased their staff by 1 person. Council President Tamburro and Administrator Hamilton explained the particulars involved.

He then asked if there is a limit on accrued days within the Departments and Administrator Hamilton explained the guidelines for accrued vacation, personal & sick days.

Mr. Petretti questioned Items 11.d.,e. & p. – Bids for printed materials, asking if it is possible to get all these prepared by a single printer and Administrator Hamilton explained that some of these printing needs are specialized in nature.

Virginia McGinnis, 326A Nantucket Lane – spoke regarding the flooding status in Rossmoor, presenting two (2) pictures. The first picture faces Applegarth Rd from her side door and the second is south looking towards the creek.

Council President Tamburro spoke regarding a meeting he attended this past week with the Manager of Rossmoor, two Board members, the General Property Manager, the Engineer for Rossmoor, Engineer Feist, Councilman Miller and Mr. Hamilton. A Tri-Party Agreement was decided on in which the Rossmoor Engineer will be responsible for doing the design work for Rossmoor and the County will deal with the issues on Applegarth Rd. We are waiting for the Agreements to be returned. Once the Tri-Party Agreement is returned and executed, work will be started.

She then referred to Chapter 44 – Flood Control Prevention in the Code Book-Volume 2. She questioned “g” ensure that potential buyers are notified that property is in an area of special flood hazard. Letter “h” ensure that those that occupy the area, assume responsibility for their actions. She asked what the procedure is to enforce this and Administrator Hamilton responded that he believes it obligates the property owner to disclose that information.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz the meeting was Adjourned at 8:04pm.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Absent
	Councilman Michael Leibowitz	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____