

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**

APRIL 1, 2019

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, 2019 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 4, 2019;
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. **PROCLAMATION AND PRESENTATIONS:**

Gabby Miller -NJSIAA Girls State Wrestling Champion

Boys Bowling – Central Jersey Group 4 Sectional State Championship

Unified High School Basketball Team – NJSIAA Group B Unified Basketball State Championship

High School Cheerleaders –Division and Group 4 State Champions

Presentation honoring our local heroes who assisted and responded to the fire at Robert Hode's Family home:

David Rodriquez

Deputy Chief Lonnie Pipiero and Members of the Monroe Township Fire Department

EMS: Lisa Hodi-Genovese, Olga Russel, Andrew Slain

Police Department: Sgt. Robert Bell, Ofc. Mark Salemi, Ofc. Douglas Perrone

6. **MOTION** to approve the payment of **CLAIMS** per run date 3/25/2019.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

7. **APPROVAL OF MINUTES:**

MOTION to approve the **MINUTES** of the following Meeting as written and presented:
(Councilman Baskin was absent)

- **February 25, 2019** **Agenda Meeting (Council President Dalina absent)**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

- **March 4, 2019** **Regular Meeting**
- **March 18, 2019** **Special Meeting for FD#1 Defeated Budget**
- **March 25, 2019** **Agenda Meeting**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

O-3-2019-010 **ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING CHAPTER 97 ENTITLED "TREE PRESERVATION"
OF THE CODE OF THE TOWNSHIP OF MONROE.**
(Amending to require tree removal permits)

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

O-3-2019-011 **ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE
TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION
PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24
AND N.J.A.C. 14:4-6.**

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

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

O-4-2019-012 **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED ON THE TAX MAP OF MONROE TOWNSHIP AS BLOCK 75, LOTS 11,13 AND 14.01; BLOCK 76, LOTS 8.03 AND 8.04; BLOCK 108, LOTS 5,6,7 AND 31; AND BLOCK 148, LOT 34.02 FOR INTERSECTION IMPROVEMENTS AND TRAFFIC SIGNALIZATION.**
(Matchaponix/Pergola/Spotswood-Gravel Hill Road)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

O-4-2019-013 **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

O-4-2019-014 **ORDINANCE ACCEPTING A DEED OF DEDICATION FROM K. HOVNANIAN AT MONROE NJ, LLC. FOR BLOCK 41, LOT 14.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

10. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**
(R-4-2019-085 – R-4-2019-110 with the exception of R-4-2019-097 which will be voted on separately)

R-4-2019-085 **RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE CULTURAL ARTS COMMISSION.**

R-4-2019-086 **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR OM SRI SAI BALAJI TEMPLE AND CULTURAL CENTER PB-1174-15. (Rhode Hall Rd.)**

R-4-2019-087 **RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF DOCKS CORNER ROAD FOR THE INSTALLATION OF A SANITARY SEWER FORCE MAIN WITHIN THE PUBLIC RIGHT OF WAY.**

R-4-2019-088 **RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF PERRINEVILLE ROAD AND PROSPECT PLAINS ROAD INTERSECTION FOR MILLING AND PAVING.**

R-4-2019-089 **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO AQUATIC TECHNOLOGIES, INC. FOR 2019 WET BASIN MAINTENANCE. (\$17,999)**

R-4-2019-090 **RESOLUTION AUTHORIZING THE CME ASSOCIATES TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR THE DANIEL ROAD AND 10TH STREET PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.**

R-4-2019-091 **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$15,000)**

- R-4-2019-092** RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS/REQUEST FOR PROPOSALS (“RFQ/RFP”) FOR AN AFFORDABLE HOUSING PROJECT FOR VETERANS AND THEIR FAMILIES.
- R-4-2019-093** RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE 2019 OPEN SPACE & RECREATION REPORT. (\$20,000)
- R-4-2019-094** RESOLUTION AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH THE COUNTY OF MIDDLESEX, 251 DOCKS CORNER LLC., THE TOWNSHIP OF SOUTH BRUNSWICK AND U.S. HOME CORPORATION D/B/A LENNAR FOR IMPROVEMENTS TO AND TRAFFIC SIGNALIZATION AT THE INTERSECTION OF CRANBURY-SOUTH RIVER ROAD (CR 535) AND DOCKS CORNER ROAD.
- R-4-2019-095** RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-4-2019-096** RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.
- R-4-2019-098** RESOLUTION AUTHORIZING SUBMISSION OF A PROGRAM GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE TOWNSHIP OF MONROE FOR CALENDAR YEAR 2019 FUNDING OF THE MONROE TOWNSHIP CULTURAL ARTS COMMISSION PROGRAMS, PROJECTS AND GENERAL OPERATING SUPPORT.
- R-4-2019-099** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY Z BROTHERS IN CONNECTION WITH THE FEDERAL ROAD AND PERRINEVILLE ROAD INTERSECTION IMPROVEMENTS. (Decrease \$80,275.85)
- R-4-2019-100** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED BY Z BROTHERS IN CONNECTION WITH THE FEDERAL ROAD AND PERRINEVILLE ROAD INTERSECTION IMPROVEMENTS UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-4-2019-101** RESOLUTION AUTHORIZING THE PLANNING BOARD ATTORNEY AND TOWNSHIP PLANNER TO REPRESENT THE TOWNSHIP WITH REGARD TO THE POTENTIAL DEVELOPMENT IN CRANBURY ADJACENT TO MONROE TOWNSHIP AS EXTRAORDINARY LITIGATION. (\$10,000)
- R-4-2019-102** RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT FOR TRAFFIC STUDIES & IMPROVEMENTS WITH XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC. AND RIVERSIDE CENTER PROPERTY OWNERS’ ASSOCIATION.
- R-4-2019-103** RESOLUTION AUTHORIZING A MODIFICATION TO A CONTRACT WITH JAMES H. LASKEY, ESQ. FOR LEGAL SERVICES RELATED TO THE CATV TELEVISION REFRANCHISE NEGOTIATIONS. (\$5,000)
- R-4-2019-104** RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER THE BANK OF PRINCETON v. JAMESBURG HOSPITALITY LLC. ET AL. AS EXTRAORDINARY LITIGATION. (\$3500)
- R-4-2019-105** RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS AND PARKS DEPARTMENT UNDER NEW JERSEY STATE CONTRACT. (2 Mason Dump Trucks totaling \$89,735)

- R-4-2019-106** RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO H2M & ASSOCIATES, INC. FOR GENERAL ENGINEERING SERVICES IN RELATION TO HYDRAULIC MODELING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)

- R-4-2019-107** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF MAINTENANCE GUARANTEES FOR THE ORCHARDS @ MONROE – W&S 866.1, 866.2 (WATER-SEWER-IRRIGATION) PB#1089-10 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

- R-4-2019-108** RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT BY AND BETWEEN GARY FLEISCHHAUER AND THE TOWNSHIP OF MONROE FOR WATER AND SEWER SERVICES FROM THE MONROE TOWNSHIP MUNICIPAL UTILITIES AUTHORITY(“M.T.U.D.”).

- R-4-2019-109** RESOLUTION AUTHORIZING EMERGENCY 2019 TEMPORARY BUDGET APPROPRIATIONS.

- R-4-2019-110** RESOLUTION INTRODUCING THE 2019 MUNICIPAL BUDGET.

Consent Agenda Resolutions: MOTION: _____
SECOND: _____
ROLL CALL: Ayes _____ Nays _____

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

- R-4-2019-097** RESOLUTION AUTHORIZING THE RELEASE OF THE REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN ON BLOCK 160.19, LOT 41.

MOTION: _____
SECOND: _____
ROLL CALL: Ayes _____ Nays _____

- 12. Mayor’s Report.

- 13. Administrator’s Report.

- 14. Engineer’s Report.

- 15. Council’s Reports.

- 16. Public. (5 Minutes per Speaker)

- 17. Adjournment. Time: _____

MOTION: _____
SECOND: _____
ROLL CALL: Ayes _____ Nays _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
REGULAR MEETING – APRIL 1, 2019

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

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

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

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

There were 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, 2019 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and the **CRANBURY PRESS** on January 4, 2019;
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 Vice-President.

Council President Dalina introduced Greg Beyer, Athletic Director for the high school. Mr. Beyer called upon a long list of champions to receive awards for their hard work. First to be called up was Gabby Miller who won the NJSIAA Girls State Wrestling Championship. Next, members of the Unified High School Basketball Team was called upon to receive their award for winning the NJSIAA Group B Unified Basketball State Championship. Mr. Beyer introduced Coach Dylan who acknowledged each of the team members and handed them out their awards. She mentioned that this was only a portion of the team as there are 39 members who participate and do a fabulous job. A group photo was taken to commemorate their achievements. Mr. Beyer introduced the Boys Bowling Team for winning the Central Jersey Group 4 Sectional State Championship; awards were handed out and a group photo was taken. Lastly, Mr. Beyer introduced the High School Cheerleaders who won the Division and Group 4 State Championship; awards were handed out and a group photo was taken. Mr. Beyer thanked the Council and Mayor Tamburro for inviting them to celebrate in all of their achievements.

A three-minute recess was taken with the Regular Meeting resuming with Mayor Tamburro who presented a special proclamation to the local heroes who assisted and responded to the fire at the home of Robert Hode and family. Next door neighbor and volunteer fireman, David Rodriguez, saw the fire and rushed to get Robert Hode out of his home and call 911. A certificate was presented to Mr. Rodriguez for his heroism. Mr. Rodriguez thanked the Mayor and Council for their acknowledgment and was happy he was there to help. Mayor Tamburro also presented Officer Mark Salemi, Officer Douglas Perrone and Sergeant Robert Bell with a certificate for their quick action in getting to the scene and performing life saving CPR to Robert Hode. Mayor Tamburro also acknowledged EMS members Olga Russel, Andrew Slain and Lisa Hodi-Genovese (not present) for stabilizing Robert Hode. Deputy Chief Lonnie Pipiero and the members of the Monroe Township Fire Department all received a certificate for their professionalism, heroism and quick action. Robert Hode came up and thanked his neighbors for their action and stated he would not be here if it wasn't for the quick action of all involved.

A five-minute recess was taken for photos with the Regular Meeting resuming at 7:30pm.

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the **CLAIMS** per run date of **3/25/2019** were approved for payment as presented.

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

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Baskin, the **MINUTES** of the **February 25, 2019 Agenda Meeting** were approved as written and presented.

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

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Baskin, the **MINUTES** of the **March 4, 2019 Regular Meeting, March 18, 2019 Special Meeting for FD#1 Defeated Budget and March 25, 2019 Agenda Meeting** were approved as written and presented.

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

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, an Ordinance of which the following is the title was moved on second reading for final passage:
O-3-2019-010 ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING CHAPTER 97 ENTITLED “TREE PRESERVATION” OF THE CODE OF THE TOWNSHIP OF MONROE.
(Amending to require tree removal permits)

ORDINANCE as follows: (O-3-2019-010)

BE IT ORDAINED, by the Mayor and Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that Chapter 97 “Tree Preservation” §5 entitled “Tree Removal Permits” of the Code of the Township of Monroe shall be amended and supplemented to read as follows: (new text is in **red and underlined**, text to be deleted is ~~struck~~)

Section 1. §97-5 (A). Tree Removal permits; **Permit Required.**

(3) Where a tree is proposed to be removed in conjunction with an application for development that required approval by the Planning Board or Zoning Board of Adjustment, ~~no~~ **a** tree removal permit under this section shall be required, ~~but~~ **in addition to** all other requirements of this Chapter, including the tree replacement requirements, **which** shall apply and be satisfied by the applicant as a condition of approval by the Planning or Zoning Board of Adjustment.

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 provisions 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.

No Public Comment.

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:
O-3-2019-010 ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING CHAPTER 97 ENTITLED “TREE PRESERVATION” OF THE CODE OF THE TOWNSHIP OF MONROE.
(Amending to require tree removal permits)

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

Copy of Ordinance Duly Filed.
O-3-2019-010

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

O-3-2019-011 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6.

ORDINANCE as follows: (O-3-2019-011)

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive marketplace through deregulation and restructuring of the electricity supply market;

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities ("BPU") has adopted regulations governing the Implementation of government energy aggregation programs codified at N.J.A.C. 14:4-6.1 et seq.; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., the Township of Monroe ("Township") seeks to establish a Government Energy Aggregation Program ("Program") for the provision of electricity within the Township, for the purpose of obtaining power supply cost savings for residential participants; and

WHEREAS, the Township Council intends to serve as the Lead Agency conducting a Government Energy Aggregation Program in the Township and, in that capacity and consistent with applicable rules, to solicit proposals and enter into a contract for the provision of electric generation services on behalf of residential and commercial customers within the boundaries of the Township, to the extent that such a contract will produce power supply cost savings to residents properties; and

WHEREAS, the Township Council will from time to time during the effective period as defined below solicit proposals from electric power suppliers for electric generation services through the Program in which the Township Council will act as Lead Agency of the Monroe Community Energy Aggregation ("MCEA"); and

WHEREAS, the Township Council will from time to time during the effective period as defined below issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the MCEA pursuant to the Local Public Contract Law Regulations, the Government Energy Aggregation Act, and the Electric Discount and Energy Competition Act; and

WHEREAS, the Township Council will only award contracts for electric generation services and energy aggregation services to electric power suppliers that are deemed qualified and who submit price bids lower than the prevailing price for utility-provided basic generation service; and

WHEREAS, residential customers will be permitted the opportunity to opt-out of the Program and commercial customers will be required to opt-in should they determine to participate; and

WHEREAS, pursuant to applicable BPU regulations, the Township will enter into an Electric Distribution Company Aggregation Agreement with the local electric distribution company, Jersey Central Power and Light Company ("JCP&L"); and

WHEREAS, N.J.S.A. 48:3-93.1 et seq. requires the Program to be established by ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Council as follows:

1. There is hereby established a Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.

2. The Mayor is authorized to execute and the Township Clerk to attest to the execution of an Electric Distribution Aggregation Agreement, in a form acceptable to the Township, with JCP&L.

3. The Township Council will act as Lead Agency of the MCEA and, in that capacity, and consistent with applicable rules, will solicit proposals for electric generation service and energy aggregation services on behalf of Township residents, and enter into a contract for such services provided that the lowest qualified bid price is below the prevailing price for utility-provided basic generation service.

4. As Lead Agency, the Mayor is authorized to execute and the Township Clerk is authorized to attest to the execution of a master performance agreement that obligates the participants in the MCEA to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by the Lead Agency on behalf of participating members of the MCEA, and provided that such contract shall be at prices reasonably estimated by the Township Council to provide savings to participants relative to the price charged for basic generation service by JCP&L.

5. The authorization provided to the lead agent shall be valid until May 31, 2021 (the "Effective Period"), at which time the MCEA will be subject to renewal for an additional 2-year period at the discretion of the Township Council.

6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

7. If any portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder shall survive in full force and effect.

8. This ordinance shall take effect upon adoption and twenty days after publication as required by law.

No Public Comment.

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

O-3-2019-011 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6.

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

Copy of Ordinance Duly Filed.
O-3-2019-011

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

O-4-2019-012 ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED ON THE TAX MAP OF MONROE TOWNSHIP AS BLOCK 75, LOTS 11,13 AND 14.01; BLOCK 76, LOTS 8.03 AND 8.04; BLOCK 108, LOTS 5,6,7 AND 31; AND BLOCK 148, LOT 34.02 FOR INTERSECTION IMPROVEMENTS AND TRAFFIC SIGNALIZATION. (Matchaponix/Pergola/Spotswood-Gravel Hill Road)

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

Copy of Ordinance Duly Filed.
O-4-2019-012

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

O-4-2019-013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.

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

Copy of Ordinance Duly Filed.
O-4-2019-013

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-4-2019-014 ORDINANCE ACCEPTING A DEED OF DEDICATION FROM K. HOVNANIAN AT MONROE NJ, LLC. FOR BLOCK 41, LOT 14.

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

Copy of Ordinance Duly Filed.
O-4-2019-014

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro the following Resolutions were moved for Adoption under the **CONSENT AGENDA:** (R-4-2019-085 – R-4-2019-110 with the exception of R-4-2019-097 which will be voted on separately)

R-4-2019-085 RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE CULTURAL ARTS COMMISSION.

WHEREAS, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, by copy of letter dated March 11, 2019 has appointed Marilyn Gonyo to the **CULTURAL ARTS COMMISSION** for a (3) year term, commencing immediately and expiring on December 31, 2021; and

WHEREAS, the Administrative Code of the Township of Monroe requires the Advice and Consent of the Council for the above appointment.

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 Consents to the appointment of Marilyn Gonyo to the **CULTURAL ARTS COMMISSION** for a (3) year term, commencing immediately and expiring on December 31, 2021.

SO RESOLVED, as aforesaid.

R-4-2019-086 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR OM SRI SAI BALAJI TEMPLE AND CULTURAL CENTER PB-1174-15. (Rhode Hall Rd.)

WHEREAS, Om Sri Sai Balaji Temple and Cultural Center Inc. has posted Performance Guarantees in the amount of \$2,222,222.22 for project PB-1174-15; and

WHEREAS, a request for a reduction in Performance Guarantees has been received; and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantee, as detailed in his letter dated February 25, 2019, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$2,000,000.00	\$222,222.22
Reduce to	\$1,410,596.18	\$156,732.91

; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted by Om Sri Sai Balaji Temple and Cultural Center Inc. for PB-1174-15 be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantee is conditioned upon the resolution of any outstanding balances attached to project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-4-2019-087

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF DOCKS CORNER ROAD FOR THE INSTALLATION OF A SANITARY SEWER FORCE MAIN WITHIN THE PUBLIC RIGHT OF WAY.

WHEREAS, Earle Construction Company, on behalf of Lennar Homes for the construction of the Venue @ Monroe development, seeks the temporary closure of Docks Corner Road for the installation of a 10” sanitary sewer force main within the public right of way; and

WHEREAS, the temporary closure of Docks Corner Road necessitates the detour of traffic, as shown on the Detour Plan prepared by Earle Construction Company, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Township Engineer, by copy of letter dated March 20, 2019, recommends Council approval of the temporary road closure and detour route conditional upon Earle Construction Company/Lennar Homes notifying Jamesburg Borough as well as South Brunswick Twp, since the detour route also runs through their towns, providing resident and school bus notification and access as well as Emergency vehicle access and proper signage and barricades; and

WHEREAS, the Detour Plan as presented, has been reviewed by the Monroe Township Police Department and by copy of letter dated March 7, 2019, 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 Docks Corner Road shall be temporarily closed and traffic shall be detoured as per the attached Detour Plan.

R-4-2019-088

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF PERRINEVILLE ROAD AND PROSPECT PLAINS ROAD INTERSECTION FOR MILLING AND PAVING.

WHEREAS, as part of the final stage of the intersection improvements at Perrineville Road and Prospect Plains Road, Lucas Construction Company, seeks the temporary closure of the intersection for milling and paving of the intersection; and

WHEREAS, the temporary closure of the intersection of Perrineville Road and Prospect Plains Road necessitates the detour of traffic, as shown on the Detour Plan prepared by Lucas Construction Company, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Township Engineer, by copy of letter dated March 18, 2019, recommends Council approval of the temporary road closure and detour route conditional upon the proper advanced notification to resident and school district notification and access, as well as emergency vehicle access as required; and

WHEREAS, the Detour Plan as presented, has been reviewed by the Monroe Township Police Department and by copy of letter dated March 7, 2019, 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 the intersection of Perrineville Road and Prospect Plains Road shall be temporarily closed and traffic shall be detoured as per the attached Detour Plan.

R-4-2019-089

RESOLUTION AUTHORIZING AWARD OF CONTRACT TO AQUATIC TECHNOLOGIES, INC. FOR 2019 WET BASIN MAINTENANCE. (\$17,999)

WHEREAS, on February 1, 2019, the Township of Monroe has solicited proposals for Wet Basin Maintenance for 2019; and

WHEREAS, the Department of Public Works solicited proposals from a total of three (3) pond maintenance companies and received two (2) responses as follows (includes permits and treatment):

Aquatic Technologies, Inc. Branchville, N.J. - \$17,999.00
Great Blue Inc. Newton, N.J. - \$32,800.00

WHEREAS, the Township Director of Public Works has reviewed the proposals received and, by copy of letter dated March 11, 2019, recommends the award of contract to **Aquatic Technologies, Inc., P.O. Box 769 Branchville, N.J. 07826**, in the amount of **\$17,999.00** and any additional services as needed; and

WHEREAS, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.A.C. 17:27-1, et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, 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, County of Middlesex that it has rendered its advice and hereby consents to the award of contract, to *Aquatic Technologies, Inc.*, for 2019 wet basin maintenance for a total contract price of **\$17,999.00**; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1900014, a copy of which is attached hereto; and

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

BE IT FURTHER RESOLVED that the Certified Municipal Finance Officer is hereby authorized and directed to pay *Aquatic Technologies, 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 *Aquatic Technologies, Inc* 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.

SO RESOLVED, as aforesaid.

R-4-2019-090

RESOLUTION AUTHORIZING THE CME ASSOCIATES TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR THE DANIEL ROAD AND 10TH STREET PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.

WHEREAS, in the Township of Monroe, County of Middlesex, the Township has a need for the Daniel Road and 10th Street Pedestrian and Roadway Improvement Project; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4, every contract or agreement for the performance of any work or the furnishing of any materials or supplies, the cost of the contract price wherefore is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefor;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that CME Associates is hereby authorized to enter into the bidding process for the aforementioned project and may take any action necessary and consistent therewith.

SO RESOLVED, as aforesaid.

R-4-2019-091

RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$15,000)

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 Monroe Township Shade Tree Commission met on February 5, 2019 and voted to remove ninety-two (92) diseased pine trees found on Ladzinski Court due to an infestation by the Southern Pine Beetle; 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-1900015, 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 \$15,000.00 to pay for the tree removal services provided by Tantum's Tree Removal, LLC., estimate dated January 31, 2019, 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 Tantum's Tree Removal, LLC. from the Tree Escrow Fund, per the attached estimate, for the removal of ninety two (92) pine trees on Ladzinski Court.

SO RESOLVED, as aforesaid.

R-4-2019-092

RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS/REQUEST FOR PROPOSALS ("RFQ/RFP") FOR AN AFFORDABLE HOUSING PROJECT FOR VETERANS AND THEIR FAMILIES.

WHEREAS, Southern Burlington County NAACP v. Twp. of Mount Laurel, 92 N.J. 158 (1983), and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., require New Jersey municipalities to create a realistic opportunity for the provision of low and moderate income housing; and

WHEREAS, the Township is aware of the need to provide affordable rental housing to veterans and their families within Monroe and the surrounding housing region; and

WHEREAS, in an effort to address this need, as well as to satisfy a portion of Monroe Township's affordable housing obligation, the Township is undertaking an initiative to partner with an affordable housing developer and operator to design, build, operate and maintain an affordable housing project (the "Affordable Housing Project for Veterans and Their Families") on municipally-owned land; and

WHEREAS, the initiative is to develop a municipally sponsored 100% affordable housing project consisting of thirty-seven (37) rental units reserved for veterans and their families, of which 15% will be for very low-income households; and

WHEREAS, this project is a component of Monroe Township's Compliance Plan set forth in its Housing Element and Fair Share Plan and Spending Plan, as one means of satisfying the Township's Third Round affordable housing obligation; and

WHEREAS, Section 311 of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., permits a municipality, in adopting its housing element, to utilize "any technique or combination of techniques which provide a realistic opportunity for the provision of the fair share," including techniques proposed by a municipality; and

WHEREAS, the Legislature has determined that the provision of affordable housing is a public purpose, Section 311 further permits the use of public funds and the dedication of municipally-owned land for the provision of housing for low and moderate income persons; and

WHEREAS, regulations of the now-defunct Council on Affordable Housing specifically endorsed municipally-sponsored 100% affordable housing projects; and

WHEREAS, on October 5, 2016, the Superior Court entered a Final Judgment of Compliance and Repose in favor of the Township, having found that the Township's Compliance Plan and Spending Plan satisfy the obligation to provide a realistic opportunity for the development of housing affordable to low and moderate income households; and

WHEREAS, the Mayor and Council believe it is in the best interests of the Township to advertise for RFQ / RFP's for the above-described Affordable Housing Project for Veterans and Their Families;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Monroe, County of Middlesex and State of New Jersey, that the Business Administrator is hereby authorized to prepare and advertise for RFQ / RFP's for construction and operation of the Affordable Housing Project for Veterans and Their Families, in substantially the form of **Exhibit A** attached hereto.

SO RESOLVED, as aforesaid.

R-4-2019-093

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE 2019 OPEN SPACE & RECREATION REPORT. (\$20,000)

WHEREAS, the Township of Monroe seeks professional engineering services in connection with the preparation of the 2019 Open Space & Recreation Report; and

WHEREAS, the 2019 Open Space & Recreation Report will be prepared to meet the requirements of the “Parks, Open Space and Recreation Element” of the Master Plan; and

WHEREAS, Center State Engineering possesses the technical expertise required to perform professional engineering services for this project; and

WHEREAS, the fees for such services will not exceed twenty thousand dollars (**\$20,000.00**); and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1900016, a copy of which is attached hereto as Exhibit “A”; and

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

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 for the 2019 Open Space & Recreation Report in an amount not to exceed Twenty thousand dollars (**\$20,000.00**);
- (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-4-2019-094

RESOLUTION AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH THE COUNTY OF MIDDLESEX, 251 DOCKS CORNER LLC., THE TOWNSHIP OF SOUTH BRUNSWICK AND U.S. HOME CORPORATION D/B/A LENNAR FOR IMPROVEMENTS TO AND TRAFFIC SIGNALIZATION AT THE INTERSECTION OF CRANBURY-SOUTH RIVER ROAD (CR 535) AND DOCKS CORNER ROAD.

WHEREAS, on December 4, 2017, the Township Council of the Township of Monroe, Middlesex County, New Jersey, passed a resolution authorizing the execution of an agreement with the County of Middlesex, the Township of South Brunswick, Matrix Realty, Inc. (“Matrix”) and U.S. Home Corporation d/b/a Lennar (“U.S. Home”) for improvements to and traffic signalization at the intersection of Cranbury-South River Road (CR 535) and Docks Corner Road necessitated by Matrix and U.S. Home’s development of surrounding property; and

WHEREAS, Matrix has since transferred its interests in its property to 251 Docks Corner LLC, and 251 Docks Corner LLC has been assigned and assumed all of Matrix’s obligations under the agreement; and

WHEREAS, the parties are desirous of entering into an Assignment and Assumption Agreement to substitute 251 Docks Corner LLC for Matrix as a party to the traffic signalization agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the Business Administrator is hereby authorized and directed to execute the Assignment and Assumption Agreement in the form annexed hereto as Exhibit “A.”

SO RESOLVED, as aforesaid.

R-4-2019-095

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 Six thousand four hundred dollars and no cents (\$6,400.00),

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-4-2019-096

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.

WHEREAS, the Tax Collector for the Township of Monroe has recommended this Council's approval to make refunds for tax overpayments in the amount of Forty one thousand five hundred twenty-six dollars and forty-five cents (\$41,526.45) for the amounts described on Schedule A and attached hereto;

WHEREAS, good cause has been shown

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

SO RESOLVED, as aforesaid.

R-4-2019-098

RESOLUTION AUTHORIZING SUBMISSION OF A PROGRAM GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE TOWNSHIP OF MONROE FOR CALENDAR YEAR 2019 FUNDING OF THE MONROE TOWNSHIP CULTURAL ARTS COMMISSION PROGRAMS, PROJECTS AND GENERAL OPERATING SUPPORT.

WHEREAS, the Middlesex County Cultural and Heritage Commission (the "Commission"), a department of the County government, administers the State/County Partnership Grant Program between the New Jersey State Council on the Arts/Department of State and the County; and

WHEREAS, proposals were received from Middlesex County based groups, subjected to review, and evaluated through a panel process, and further reviewed and approved by the Board of Commissioners of the Middlesex County Cultural and Heritage Commission; and

WHEREAS, the Commission has been awarded by the New Jersey State Council on the Arts, funding for the Calendar Year 2019, which in part is to be utilized toward the programs, projects, and general operating support and distributed to worthy projects and groups in Middlesex County;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Monroe that it hereby authorizes submission of an electronic Grant Application and further authorizes Maria Naumik, Cultural Arts Commission and the Township Clerk to execute a Grant Agreement on behalf of the Township of Monroe and upon the execution of said Agreement, the Township of Monroe does hereby accept the Terms and Conditions specified in the Agreement.

SO RESOLVED, as aforesaid.

R-4-2019-099

RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY Z BROTHERS IN CONNECTION WITH THE FEDERAL ROAD AND PERRINEVILLE ROAD INTERSECTION IMPROVEMENTS. (Decrease \$80,275.85)

WHEREAS, pursuant to Resolution No. R-10-2016-367, adopted by the Monroe Township Council at its meeting held on October 5, 2016, a contract was awarded to Z Brothers in connection with the Federal Road and Perrineville Road Intersection Improvements; and

WHEREAS, the original total contract amount was \$731,317.37; and

WHEREAS, the Township Engineer, in a letter dated March 20, 2019, requested approval of Change Order No. 1 and final for the Federal Road and Perrineville Road Intersection Improvements project, reflecting a decrease in the original contract amount of **\$80,275.85** as reflected in the change order attached, marked as Exhibit A; and

WHEREAS, the current contract price including this change order is now **\$651,041.52**; and

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

WHEREAS, the Certified Municipal Finance Officer has certified in Certificate No. **C-160065**, a copy of which is attached hereto, that sufficient funds are available;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1 and final, attached hereto and made a part hereof, in the amount of Eighty Thousand Two Hundred Seventy Five Dollars and Eighty Five Cents (\$80,275.85).

SO RESOLVED, as aforesaid.

R-4-2019-100

RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED BY Z BROTHERS IN CONNECTION WITH THE FEDERAL ROAD AND PERRINEVILLE ROAD INTERSECTION IMPROVEMENTS UPON THE POSTING OF A MAINTENANCE GUARANTEE.

WHEREAS, **Z Brothers** has posted Performance Guarantees for the Federal Road and Perrineville Road Intersection Improvements project; and

WHEREAS, **Z Brothers** has requested a release of the Performance Guarantees posted for this project; and

WHEREAS, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer, by copy of letter dated March 20, 2019, has recommended, release of the Performance Guarantees; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Performance Guarantees posted for the 2017 Township Wide Concrete Improvements project, be released as reflected in the Township Engineer's letter dated March 20, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$65,104.15**. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the Council.

SO RESOLVED, as aforesaid.

R-4-2019-101

RESOLUTION AUTHORIZING THE PLANNING BOARD ATTORNEY AND TOWNSHIP PLANNER TO REPRESENT THE TOWNSHIP WITH REGARD TO THE POTENTIAL DEVELOPMENT IN CRANBURY ADJACENT TO MONROE TOWNSHIP AS EXTRAORDINARY LITIGATION. (\$10,000)

WHEREAS, the Township of Monroe has the need for legal representation in connection with the potential warehouse development to be constructed on Block 13, Lot 13 and Block 13 in Cranbury, N.J. which borders Monroe Township; and

WHEREAS, two (2) warehouses are proposed to be constructed adjacent to the Stratford Development in Monroe Township on Halsey Reed and Ely Road; and

WHEREAS, in order to protect the interests of the Township and its residents, the Township wants to ensure its representation at the Cranbury Planning Board whenever the application is filed and prepare and testify at the future public hearings; and

WHEREAS, Jerome J. Convery, Esq., and Mark A. Remsa PP, CLA, AICP, ASLA. possess the expertise necessary to defend the interests of the township and these matters shall be treated as extraordinary litigation; and

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

WHEREAS, Jerome J. Convery, Esq. will render legal services at a cost not to exceed **\$5,000.00**, pending further authorization from the Township Council; and

WHEREAS, the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available in the budget, as evidenced by Certificate No C-1900017, a copy of which is annexed hereto as Exhibit “A”;

WHEREAS, Mark A. Remsa, PP, CLA, AICP, ASLA will render legal services at a cost not to exceed **\$5,000.00**, pending further authorization from the Township Council; and

WHEREAS, the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available in the budget, as evidenced by Certificate No. C-1900018, a copy of which is annexed hereto as Exhibit “A”;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to the extraordinary litigation for which legal services may be provided by Jerome J. Convery, Esq and Mark A. Remsa, PP, CLA, AICP, ASLA in an amount not to exceed \$10,000.00, pending further authorization from the Council.

SO RESOLVED, as aforesaid.

R-4-2019-102

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT FOR TRAFFIC STUDIES & IMPROVEMENTS WITH XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC. AND RIVERSIDE CENTER PROPERTY OWNERS’ ASSOCIATION.

WHEREAS, XXXIII Associates / Riverside Center, LLC (“XXXIII”), has obtained certain state, county and municipal land use approvals with respect to the proposed subdivision of and construction of improvements on its property located in the Township of Monroe (the “Riverside Center Project”); and

WHEREAS, XXXIII will seek certain state, county and municipal land use approvals with respect to the proposed subdivision of and construction of additional improvements within the Riverside Center Project in the future; and

WHEREAS, the Township, XXXIII and the Riverside Center Property Owners’ Association desire to confirm their mutual understanding and agreement concerning the preparation and delivery of certain traffic studies and warrant analyses for the signalization of the intersection of Farrington Boulevard and Jamesburg-Perrineville Road (CR 625) in Monroe by way of a developer’s agreement;

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex and State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute the Developer’s Agreement with XXXIII and the Riverside Center Property Owners’ Association annexed hereto as **Exhibit A**.

SO RESOLVED, as aforesaid.

R-4-2019-103

RESOLUTION AUTHORIZING A MODIFICATION TO A CONTRACT WITH JAMES H. LASKEY, ESQ. FOR LEGAL SERVICES RELATED TO THE CATV TELEVISION REFRANCHISE NEGOTIATIONS. (\$5,000)

WHEREAS, pursuant to Resolution No. R-5-2018-141, adopted by the Monroe Township Council at its meeting held on May 7, 2018, authorizes a Professional Service Contract with James Laskey, Esq. of Norris, McLaughlin & Marcus, PA related to the Municipal approval process and to make recommendations and oversee the Monroe Township Cable TV refranchise negotiations; and

WHEREAS, The Department of Finance was authorized and directed to pay Invoices for services rendered by **James H. Laskey, Esq** in an amount of \$199.00 per hour not to exceed **\$5,000.00** without prior approval of the Township Council; and

WHEREAS, after an extensive review of the franchise renewal the Cable Television Advisory Committee concluded that Comcast is not entitled to automatic renewal of its franchise because it has not substantially complied with the material terms and conditions of the 2007 ordinance or the subsequent Renewal Certificate of Approval issued by the New Jersey Board of Public Utilities (“BPU”), therefore creating additional legal services by James Laskey, Esq; and

WHEREAS, there is a need to authorize an additional **\$5,000.00** to James Laskey, Esq. for legal services related to the refranchise negotiations; 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-1800030**,, 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 Five Thousand Dollars (\$5,000.00);

SO RESOLVED, as aforesaid.

R-4-2019-104

RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER THE BANK OF PRINCETON v. JAMESBURG HOSPITALITY LLC. ET AL. AS EXTRAORDINARY LITIGATION. (\$3500)

WHEREAS, The Bank of Princeton has filed a foreclosure action entitled The Bank of Princeton V. Jamesburg Hospitality LLC. et al. under docket number SWC-F-003549-19 to foreclose property located at 390 Forsgate Drive, Monroe Township in which it disputes the privity of Monroe Township’s Tax Lien; and

WHEREAS, this case is extraordinary in complexity and scope; and

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

WHEREAS, the Mayor of the Township of Monroe has requested that Shain Schaffer PC, handle the matter of The Bank of Princeton v. Jamesburg Hospitality LLC et al. as extraordinary litigation, *nunc pro tunc*; and

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

WHEREAS, Shain Schaffer PC, will render legal services at a cost not to exceed \$3,500.00 with respect to the matter The Bank of Princeton v. Jamesburg Hospitality LLC et al. without further authorization from the Township Council; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds in Certificate No. **C-1900019**, 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, that it has rendered its advice and hereby consents to Shain Schaffer PC, handling the matter The Bank of Princeton v. Jamesburg Hospitality LLC et al. as extraordinary litigation, for which legal services may be provided in amount not to exceed \$3,500.00 without further authorization from the Council.

SO RESOLVED, as aforesaid.

R-4-2019-105

RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS AND PARKS DEPARTMENT UNDER NEW JERSEY STATE CONTRACT. (2 Mason Dump Trucks totaling \$89,735)

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase two (1) Vehicles from *Beyer Ford* under **New Jersey State Contract #A88214** one (1) for the Monroe Township Department of Public Works and one (1) for the Monroe Township Parks Department as hereinbelow set forth:

(1) 2019 Ford F-450 4WD REG CAB 145" WB,
Mason Dump Truck \$44,570.50

(1) 2019 Ford F-450 4WD REG CAB 145" WB
Mason Dump Truck \$45,164.50

TOTAL COST \$89,735.00; and

WHEREAS, *Beyer Ford* is an authorized vendor under New Jersey State Contract; 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 Avenue Morristown, N.J. 07936* has been awarded Contract No. A88214 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-1900020, 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*** is hereby awarded a contract for the purchase of two (2) 2019 Ford F-450 4WD REG CAB 145" WB Mason Dump Trucks for a total contract price of **\$89,735.00;**

SO RESOLVED, as aforesaid.

R-4-2019-106

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO H2M & ASSOCIATES, INC. FOR GENERAL ENGINEERING SERVICES IN RELATION TO HYDRAULIC MODELING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.")

WHEREAS, the Monroe Township Utility Department (M.T.U.D.) may have at times, during the year, a need for Professional Engineering Services in relation to performing hydraulic modeling services on our water and sewer systems; and

WHEREAS, on December 7, 2018 at 2:00 PM, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. website for not less than 10 days, Statements of Qualifications were publicly opened by the Township Business Administrator for calendar Year 2019; and

WHEREAS, after review of all the Statement of Qualifications by the review committee, H2M & Associates, Inc. was determined to be qualified to perform said engineering services; and

WHEREAS, H2M & Associates, Inc. has provided a proposal dated March 19, 2019 for the performance of hydraulic modeling services for an amount not to exceed \$10,000.00, a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Purchasing Agent has reviewed the proposal with the Director of the M.T.U.D., and based on their discussion has recommended that a contract be awarded to H2M & Associates, Inc. based on their proposal for the above referenced work in the amount not to exceed \$10,000.00, a copy of which is attached hereto as Exhibit C; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of funds in Certificate No. M-190010, 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 as follows:

(1) The Mayor and Township Clerk are hereby authorized to modify and enter into a contract with H2M & Associates, Inc., for Professional Engineering Services, in accordance with the proposal;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for services rendered by H2M & Associates, Inc. in accordance with the attached proposal;

(3) The contract 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) The contract award is subject to H2M & Associates, Inc. providing the required valid certificate of insurance and affirmative action forms.

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

SO RESOLVED, as aforesaid.

R-4-2019-107

RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF MAINTENANCE GUARANTEES FOR THE ORCHARDS @ MONROE – W&S 866.1, 866.2 (WATER-SEWER-IRRIGATION) PB#1089-10 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

WHEREAS, K. Hovnanian has posted Performance Guarantees with the Monroe Township Utility Department (“M.T.U.D.”) for W&S 866.1 water, 866.2 sewer; and

WHEREAS, K. Hovnanian has requested the release of the Performance Guarantees upon posting and acceptance of Maintenance Guarantees for water, irrigation and sewer; and

WHEREAS, as defined in N.J.S.A. 40:55Dd-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Township Council approve the release of the performance guarantee as detailed in a letter dated March 18, 2019, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Reduced Bond #1075739 for water Ph. 1 in the amount of \$339,552.00 to be released and replaced with a maintenance guarantee in the amount of \$127,332.00. (15% of original bond).

Reduced Bond #1075737 for sewer Ph. 1 in the amount of \$735,264.00 to be released and replaced with a maintenance guarantee in the amount of \$275,724.00. (15% of original bond).

Reduced Bond #1026288 for Irrigation in the amount of \$100,980.00 to be released and replaced with a maintenance guarantee in the amount of \$30,294.00 (15% of original bond).

Cash Performance Guarantees to be returned in full to the developer.

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantees posted for The Orchards @ Monroe, W&S 866.1 & 866.2 be released upon establishment of maintenance guarantees as reflected above and in the M.T.U.D. letter annexed hereto. Release of the Performance Guarantees and acceptance of Maintenance Guarantees is conditioned upon the posting of Maintenance Guarantees and the payment of any outstanding balances attached to the project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-4-2019-108

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT BY AND BETWEEN GARY FLEISCHHAUER AND THE TOWNSHIP OF MONROE FOR WATER AND SEWER SERVICES FROM THE MONROE TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (“M.T.U.D.”).

WHEREAS, Gary Fleischhauer (the “Developer”) is the owner, contract purchaser and/or lessee of certain real property located known as Block 62, Lots 15.02 and 16 in the Township of Monroe, County of Middlesex and State of New Jersey (hereinafter referred to as the “Property”); and

WHEREAS, the Developer proposes to develop seven (7) lots for residential use, one (1) lot for an existing dwelling, and one (1) for a detention basin/municipal use on the Property known and referred to as part of “Barclay Brook Estates” (hereinafter the “Barclay Brook Estates”); and

WHEREAS, Developer received Final Major Subdivision Approval with Bulk Variances on August 23, 2018 (PB# 12024-18) from the Monroe Township Planning Board; and

WHEREAS, after analysis and review, the Monroe Township Utility Department (“M.T.U.D”) has determined it is in its best interest to enter into a Developer’s Agreement with the Developer for the purpose of providing water and sewer service to Barclay Brooks Estates; and

WHEREAS, the Director of the M.T.U.D. has recommended that the Township enter into a Developer’s Agreement substantially in the form of the agreement attached and made a part hereof as Exhibit “A” (the “Agreement”); and

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

WHEREAS, Execution of the attached Agreement, is in the best interests of the Township of Monroe; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute a Developer’s Agreement with Gary Fleischhauer for the purpose of providing water and sewer services to Barclay Brooks Estates, attached hereto and made a part hereof.

SO RESOLVED, as aforesaid.

R-4-2019-109 **RESOLUTION AUTHORIZING EMERGENCY 2019 TEMPORARY BUDGET APPROPRIATIONS.**

WHEREAS, an emergent condition has arisen with respect to payment of normal operating expenses and no adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary Resolutions adopted in Year 2019, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20), including this Resolution, is **\$16,285,672.00;**

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for payment of the following entitled operating expenses:

<u>ACCOUNT NAME</u>	<u>TEMPORARY APPROPRIATION AMOUNT</u>
GENERAL GOVERNMENT:	
<u>Mayor</u>	
Salaries & Wages	\$ 2,000.00
Other Expenses	\$ 3,000.00
<u>Council</u>	
Salaries & Wages	\$ 6,000.00
Other Expenses	\$ 4,800.00
<u>Township Clerk</u>	
Salaries & Wages	\$ 60,000.00
Other Expenses	\$ 20,000.00
<u>Elections</u>	
Salaries & Wages	\$ 4,000.00
Other Expenses	\$ 6,000.00
ADMINISTRATION AND FINANCE:	
<u>Administration</u>	
Salaries & Wages	\$ 60,000.00
<u>Human Resources</u>	
Salaries & Wages	\$ 30,000.00
<u>Transportation</u>	
Salaries & Wages	\$ 100,000.00
Other Expenses	\$ 20,000.00
<u>Citizens Review Board</u>	
Salaries & Wages	\$ 500.00
<u>Insurance</u>	
General Liability	\$ 240,000.00
Workers Compensation	\$ 134,000.00
Group Health	\$2,425,000.00
Group Health-Broker	\$ 40,000.00
<u>Public Information and Public Advocate</u>	
Salaries & Wages	\$ 20,000.00
Other Expenses	\$ 20,000.00

Recreation

Salaries & Wages \$ 100,000.00
Other Expenses \$ 60,000.00

Parks

Salaries & Wages \$ 80,000.00
Other Expenses \$ 20,000.00

Finance

Salaries & Wages \$ 60,000.00
Data Processing \$ 40,000.00
Other Expenses \$ 6,000.00

Tax Collector

Salaries & Wages \$ 86,000.00
Other Expenses \$ 7,000.00

Tax Assessor

Salaries & Wages \$ 90,000.00
Other Expenses \$ 5,000.00

Ambulance Service

Salaries & Wages \$ 200,000.00
Other Expenses \$ 15,000.00

Police Department

Salaries & Wages \$2,300,000.00
Other Expenses \$ 150,000.00

Police Department-911

Salaries & Wages \$ 240,000.00
Other Expenses \$ 12,000.00

Emergency Mgt.

Salaries & Wages \$ 10,000.00

DEPARTMENT OF PUBLIC WORKS:

Streets and Roads

Salaries & Wages \$ 500,000.00
Other Expenses \$ 150,000.00

Vehicle Maintenance

Salaries & Wages \$ 40,000.00
Other Expenses \$ 120,000.00

Solid Waste and Recycling

Other Expenses \$ 8,000.00

Landfill

Other Expenses \$ 55,000.00

Building and Grounds

Salaries & Wages \$ 200,000.00
Other Expenses \$ 250,000.00

DEPARTMENT OF LAW:

Department of Law

Other Expenses \$ 200,000.00

Municipal Prosecutor

Salaries & Wages \$ 10,000.00

DEPARTMENT OF HEALTH AND WELFARE:

Animal Control

Salaries & Wages \$ 10,000.00
Other Expenses \$ 5,000.00

OTHER TOWNSHIP AGENCIES:

Zoning Board

Salaries & Wages \$ 5,000.00
Other Expenses \$ 9,600.00

Division of Planning
 Salaries & Wages \$ 20,000.00
 Other Expenses \$ 9,000.00

Environmental Commission
 Salaries & Wages \$ 1,200.00
 Other Expenses \$ 1,400.00

Cultural Arts Commission
 Salaries & Wages \$ 5,000.00
 Other Expenses \$ 20,000.00

Historic Pres. Commission
 Salaries & Wages \$ 500.00

Senior Services
 Salaries & Wages \$ 60,000.00
 Other Expenses \$ 12,000.00

Recreation Advisory Board
 Salaries & Wages \$ 1,200.00
 Other Expenses \$ 1,200.00

Construction Official
 Salaries & Wages \$ 100,000.00
 Other Expenses \$ 11,000.00

OTHER TOWNSHIP AGENCIES:

Utilities \$ 460,000.00

Central Mailing Equipment \$ 22,000.00

Unemployment Compensation \$ 10,000.00

Defined Contribution Retirement Plan \$ 6,000.00

Social Security System \$ 200,000.00

Municipal Court
 Salaries & Wages \$ 30,000.00
 Other Expenses \$ 4,000.00

Recycling Tax \$ 1,500.00

Public Defender
 Salaries & Wages \$ 4,000.00

Shared Services - Recycling \$ 90,000.00

911
 Salaries & Wages \$ 45,000.00
 Other Expenses \$ 12,000.00

Shared Services - Fire Dist. & Bd.
 Other Expenses \$ 10,000.00

Library \$ 900,000.00

Ambulance Service
 Salaries & Wages \$ 300,000.00
 Other Expenses \$ 100,000.00
 Clinical Co-Ord Training-Other Expenses
 \$2,000.00

PERS
 Other Expenses \$ 1,840,000.00

PFRS
 Other Expenses \$ 1,937,772.00

Subtotal \$14,455,672.00

<u>Water-Sewer Operations</u>	
Salaries & Wages	\$ 200,000.00
Other Expenses	\$ 600,000.00
Social Security	\$ 15,000.00
 <u>PERS</u>	
Other Expenses	\$ <u>380,000.00</u>
 Subtotal	 \$ 1,195,000.00
TOTAL BUDGET	\$15,650,672.00

- That said emergency temporary appropriations will be provided for in the 2019 Calendar Year Budget; and
- That one (1) certified copy of this resolution be filed with the Director of the Division of Government Services.

SO RESOLVED as aforesaid.

R-4-2019-110 RESOLUTION INTRODUCING THE 2019 MUNICIPAL BUDGET.

Section 1.

Municipal Budget of the TOWNSHIP of MONROE, County of MIDDLESEX for Fiscal Year 2019.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2019;

BE IT FURTHER RESOLVED that said Budget be published in the HOME NEWS TRIBUNE in the issue of APRIL 22, 2019.

The Governing Body of the TOWNSHIP of MONROE does hereby approve the following as the Budget for the Year 2019;

RECORDED VOTE

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro		X	X			
Council V.President Schneider			X			
Council President Dalina			X			

Notice is hereby given that the Budget and Tax Resolution was approved by the TOWNSHIP COUNCIL of the TOWNSHIP of MONROE, County of MIDDLESEX, on APRIL 1, 2019.

A Hearing on the Budget and Tax Resolution will be held at the MONROE TOWNSHIP MUNICIPAL COMPLEX, 1 MUNICIPAL PLAZA, on MAY 6, 2019 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

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

Long term planning also allowed us to keep our tax rate flat. In 2019, our surplus is \$12 Million, a healthy level that has been consistent for many years. Additionally, our utility surplus has grown by \$700,000 this past year. These efforts help contribute to a stable tax rate and will keep us the 2nd lowest overall tax rate in the County.

Importantly, our budget success also comes from our manageable and flat debt service. Together with the Council, we have carefully managed our debt for long-term stability. I am pleased to report today that Monroe Township uses only 20% of State Department of Community affairs debt capacity. Our percentage has gone down over the past 3 years and that continued effort helps us keep your taxes low.

Regarding taxes, I want to thank our residents. Monroe is a desirable community with amazing services and terrific people. We are the safest city in Middlesex County and 3rd safest community in the state. We have the most professional police department and first responders. We have the most impressive and active library in Central Jersey. I am always excited to see our kids, teenagers, parents, and seniors using this magnificent facility.

Speaking of services, for the 28th consecutive year, there will be no increase in basic residential water & sewer rates, which are the lowest in Middlesex County and among the lowest in all of central New Jersey.

I am also proud that Monroe delivers the best value for our kids with our affordable summer recreation camp. And this year, for the first time, we have been able to expand senior programming at the senior center to nights and the weekend to serve our working seniors.

Unfortunately, for the tenth consecutive year, municipal aid remains flat with no increase from the State of New Jersey. Last year, I helped lead the fight with Assembly Speaker Craig Coughlin to reverse the cuts on the homestead tax credit for seniors and the disabled. We succeeded and our residents received \$3.3 million in 2018. I am also pleased to announce that our state school funding budget has increased \$3 Million annually since 2017. While this is not nearly what we deserve, we all fought hard, including our Board of Education, and we must continue that fight alongside our legislators.

I am pleased to learn that the County will keep their tax rate flat in 2019 as well. All of these combined efforts, will help to allow us maintain our spot as the second lowest overall effective tax rate in Middlesex County.

As I close -- let me give you a breakout of your total property tax bill. The municipal portion, which is the only portion of property taxes that are under the direct control of the Mayor & Council, is 20% of your total property taxes. The Board of Education makes up the largest portion of property taxes at 56%; the County at 18%; and the Fire Districts at 6%. For the average taxpayer, all of your municipal services **cost less than \$1,500 a year.**

I would like to thank the Council for being a good partner and joining me in being good stewards of the public trust. I want to thank our municipal employees, who are dedicated to ensuring the excellent quality of life our residents deserve.

Finally, I want to close with the same pledge I made last year. I commit that we will continue to work together with Middlesex County, our Fire Districts, and the Board of Education for the betterment of our residents and our community. I know we will achieve more by working together and I pledge to continue that effort in 2019.

Mayor Tamburro added that the participation of our emergency services has been outstanding. There was an incident at the Regency where four women needed to be rescued after driving their car into the pond. Our police department jumped in with their uniforms to help these residents and I want to commend them for their outstanding efforts.

Administrator's Report – Thanked George our CFO and Lori our budget officer for all of their hard work with the budget. He stated that he appreciated the Mayor's guidance as we had no increase in taxes with no sacrifice of services which was our primary focus

One item on the agenda is an ordinance receiving 25 acres of land for our Affordable Housing Veteran's Housing Project, as well as, a resolution authorizing the RFQ process for this project.

It is a huge tribute to our Police, Emergency Services and residents that we are named one of the safest towns.

Late Friday, Mayor Tamburro received a call from Assemblyman Daniel Benson letting us know we were Awarded a \$557,000 State Municipal Aid Grant for the repair and improvements on Schoolhouse Road.

Engineer's Report – Engineer Rasimowicz reported that the detour plan for Perrineville Road and Prospect Plains Road has been approved at tonight's meeting. This will be a two-day project and begin once the weather breaks and have consistently warm temperatures in the evening.

New Jersey Natural Gas has been working on the restoration work to the pipeline that they installed last year.

The Daniel Ryan Concession and ADA Project is moving along great. Once the warmer temperatures come the contractor will be able to continue and finish up the work that needs to be on the outside.

We are out to bid for the 2019 Township Wide Paving Phase I which includes work being done on Centre Drive, Ericson Avenue, portions of Federal Road and portions of Union Valley Road. We anticipate to award at the May 6th meeting.

We awarded Monmouth Road paving last month which is anticipated to start later this month.

We also awarded last month Prospect Plains Road Soccer Field Concession Stand and Restrooms. The contractor has been given a notice to proceed and that project should begin next week.

COUNCIL REPORTS:

Council Vice-President Schneider –

- Attended the Library's 30th anniversary celebration today.
- Attended Maker's Fest which is very diverse. Home Depot was there helping children build things.
- Attended the Empty Bowls Project kick off breakfast. Last year there were 12 seniors in attendance and this year there were 58. In June, The Chelsea will be sponsoring homemade soups and bread served in these empty bowls. The cost to attend is \$5.00 and all proceeds are given to local food pantries. If you are unable to attend the event it is encouraged to make a donation.
- The future goal of the Senior Center building will include a refurbishment of the bocce court and shuffleboard, as well as, the shrubs and bushes.
- The Council authorized the purchase of panic buttons which is a great idea since we live in such a different world today.
- "Bonnie's Children" gather twice a month at the Senior Center, which are special needs young adults from the high school and gather there and play games, arts and crafts and have an ice cream social. The goal is to socialize these young adults.
- If you know of anyone turning 90 years old, Middlesex County will be holding their 90th birthday bash. The Township will provide two buses for those who would like to attend the event taking place in Old Bridge.

Councilman Dipierro –

- The Shade Tree Commission will be distributing seedlings started on April 6th. They can be picked up at the DPW from 9:00am – 11:00am, at the Library from 10:00am – 3:00pm and James Monroe Park from 10:00am – 12:00pm.
- April 6th starting at 12:00pm will be the kick off to Opening Day for baseball at James Monroe Park. Council President Dalina will throw out the first pitch.
- Watching our teams grow in sports and being a high school graduate here when we only had 110 to a class and now seeing our teams make it into the State Championships is very nice to see all of the recognition for what our teams do on the fields and courts. Hats off to all who participate.
- The bond referendum was defeated again. Thanks to the Clerk's Office for all of their hard work. The big question now is what is going to happen as the Board of Education and the Township is working hard to see what else can be done to make this happen.
- In regards to the water/sewer capacity test, Councilman Dipierro asked how we are doing with that report. Utilities Director Joe Stroin answered that the report is done and is in draft form. It is being reviewed and once complete it will be distributed to Council for their review. Councilman Dipierro added that another force main easement is on the agenda which he is not a fan of. The Zoning Board Meeting was moved to the Senior Center due to the overwhelming concern residents have with the water/sewer and all of the growth we have. Utilities Director Joe Stroin stated that it is the policy of the Utility Department to execute a Developer's Agreement with any new development so the residents do not bear any of the costs of infrastructure, improvement or expansion.
- Councilman Dipierro added that he would like to see the information regarding the detour for when they start paving on Perrineville Road and Prospect Plains Road put onto the Township website. Engineer Rasimowicz stated that they had anticipated starting this week but the weather is too cold. He added that the contractor has been in touch with the Police Department and they will be aware as well and a Nixle Alert will be sent as to when the work will begin.
- Attended the Library's 30th Anniversary celebration. It is a very impressive building and was a very nice celebration.
- Council Vice President Schneider added that the Friends of the Senior Center will be holding a Car Show from 10:00am – 2:00pm. There will be no charge to attend but donations for the food pantry will be accepted.

Councilman Baskin –

- Commended our Emergency Personnel for all of their hard work.
- In the Monroe Now online paper, they are soliciting residents, seniors, parents and students to a Community Committee regarding the failed school referendum.
- Attended the 1st Mayor's Cup event which is a bowling tournament being held at Knob Hill Country Lanes.
- On April 22nd at the Senior Center there will be a Monroe Community Garden Meeting. Applications are due May 1st.
- Had fun attending the Cub Scout Pack 105 "Arrow of Light" ceremony. Council Vice-President Schneider was also in attendance and took pictures with R2D2.
- Celebrated the Library's 30th Anniversary today. The Library is a terrific place and definitely the gem of the community.
- The Green Fair will be held on September 28th at the high school.

Councilwoman Cohen -

- The Cultural Arts Commission will be sponsoring a production of Cinderella on May 19th at the Marasco Performing Arts Center. Anyone interested in tickets can call the Township Municipal Building at 732-521-4400 from 8:30am – 4:30pm.
- Another Commission member was appointed at tonight's meeting to the Cultural Arts Commission. The work they do is important and we have been receiving some assistance from the Senior Center. It is important for everyone to share in all of the wonderful things this Commission does.
- As the liaison to the Mayor's Youth Advisory Committee, on April 5th there will be the annual drunk driving event for the high school students, "You Save a life, you save a generation". We have worked with the Police Department and EMS to provide a valuable experience for all. The committee will also be hosting a sexual assault program.
- Very nice to see all of our sports teams receive awards for their hard work.

Council President Dalina –

- Wished the Library a very Happy 30th Birthday. The Library has provided 30 years of great public service to the citizens of Monroe Township.
- On Saturday, April 13th at 12:00pm there will be an Easter Egg Hunt and Easter Bonnet Contest at the Community Center.
- Seeing the unity of the teams here earlier was truly amazing and it has been great to see them grow over the years. Years ago, we started buddy ball and now to see these children in high school and continuing in recreation and sporting events and watch their progression has been amazing.
- The Budget Workshop that was held by Council gave a good opportunity to have a discussion with the Department Heads. This was the first time seeing such a collaborative effort by all of the Department Heads for one purpose which was the residents.
- Tonight the budget was introduced and it will soon go onto the Township website for the public to review. May 6th will be the public hearing and the adoption of the budget.

PUBLIC:

Mark Klein, 7 Crenshaw Ct. – Mr. Klein would like to congratulate the Mayor, Alan and Council for keeping the budget flat. Unfortunately, the Board of Education cannot do the same thing.

He also wanted to congratulate the Mayor for being instrumental for having the Zoning Board turn down a development. Mr. Klein asked Engineer Rasimowicz that in coming down Applegarth Road is there not a ruling as to how many units can go onto one acre because it looks disgusting and is a fire hazard; Engineer Rasimowicz responded that those applications were Gateway and Shared Properties who went before the Zoning Board when Mr. Klein was on the Board.

Mr. Klein commented that in regards to R-4-2019-092 regarding the affordable housing for the Veteran's, it is positively appreciated but he thought it was supposed to go in the area by Make-A-Wish.

Frank Stuto, 225 Fernhead Ave. – Mr. Stuto thanked the Mayor and Council for the budget.

Mr. Stuto asked if there were any plans for Tyndale and Ashmall Avenue, such as a park or recreation center there; Council President Dalina answered that it is essentially passive Open Space. Mr. Stuto stated that he lives in an area that seems to just have people hanging out and doing drugs and it would be nice to see something else there like a Community Garden. Council President Dalina stated that this is something that we can look into and advised Administrator Weinberg to get the police involved in patrolling that area.

Hy Grossman, 15 Doral Dr. – Mr. Grossman gave kudos to all the awardees tonight adding that it makes him feel extra proud to live in Monroe Township.

In regards to the school referendum it failed again even though he voted yes. He added that this tells him that our Planning and Zoning Board members need to educate themselves because when they award housing units to be developed, the consequences are rapidly growing school enrollment. He reiterated that the Council has control and the members need to be educated.

Mr. Grossman spoke about his frustration with medical marijuana being linked to recreational marijuana. They are not one in the same he stated and those that need medical marijuana for different ailments should not be punished because of those who choose to use it recreationally.

Lastly, Mr. Grossman commented that he is very proud of the library and wished for them to continue doing the great work that they do.

Andy Paluri, 16 St. James St. – Mr. Paluri stated that unfortunately the school referendum was defeated and last week he had an opportunity to speak with Governor Murphy and in doing so Mr. Paluri requested that he look into Monroe to give some of the school funding to.

Thanked the Council for approving to help the residents with the potential development going up in Cranbury. The residents in Stratford are very concerned with the proposed warehouse being built.

Mr. Paluri noted that Engineer Rasimowicz mentioned several traffic improvement projects that will be going on and he asked that he make sure the traffic patterns are looked at to avoid the impediment to the flow of traffic.

The Middle School will be putting on Alice in Wonderland April 6, 7 and 8. The performances start at 7:00pm. These children have worked very hard. The tickets are \$10.00 at the door and Mr. Paluri invited the Council and the community to come out and see the wonderful performance.

Lauren Dipierro, 225 Fernhead Ave. – Ms. Dipierro stated that in the Mayor's budget message she was under the impression that there was an increase to water and sewer rates last year; Administrator Weinberg stated that there was an increase for the high-end users and for those who use an extreme amount of water. Council President Dalina added that it did not really have an impact. Ms. Dipierro asked if there is a particular number that constitutes a high amount of water; Administrator Weinberg answered that he would get her that number.

Roger Meaney, 22 Harrigan Ave. – Mr. Meaney asked if there was a speculated number of units set to be built for the Veteran's Housing Project; Council President Dalina answered that there will be 37 units. Mr. Meaney asked if that counts towards our obligation; Council President Dalina answered yes.

Mr. Meaney asked about the force main going in on Docks Corner Road and stated that it would affect all of those residents living there as they are not given an opportunity to tie in. A gravity main would have been able to serve the same purpose and give residents an option so they do not have to live in the stone age.

Mr. Meaney commented that he has heard the Planning, Zoning and School board members feel there is a gap between the boards. He feels that it may be smart to get those boards together and have a brain storming meeting to see where each of the boards stand. He added that the design for the Middle School was a waste as there was no reason for the courtyard to be in the center where classrooms could have gone. He added that every 90 days these boards should get together so the needs of the community can be met.

Councilman Dipierro stated that now that the golf range has been acquired and the school referendum has been defeated twice how much more can we help. He asked if we can form a group that can help get things accomplished and can we legally do anything more to help the Board of Education. Township Attorney Schaffer responded that there is no reason as to why a councilmember could not be a liaison to the Board of Education. She added that we have taken all of the steps at this juncture to help them achieve their goals by buying the property. Administrator Weinberg stated that the Board of Education is very aware of all of the developments being built. We are under a court ordered settlement with the Mt. Laurel case. There was an extraordinary fight to lessen the impact to Monroe. That ruling forces towns to build affordable housing and developers intervene saying they are more than happy to build if the towns cannot afford to build the requirement themselves. They were trying to impose 11,600 units to be built in our Township and we were able to fight to get the number down to 850 with the 4 to 1 ratio being a total of 4,300 units. It is extremely difficult because it is mandated by the Court. We do communicate with the Board of Education with what our challenges are and we try to preserve the community the best we can. Councilman Dipierro added that he feels we went wrong when we started granting variances to developers.

Prakash Parab, 33 Dayna Dr. – Mr. Parab stated that he does not want to hear anymore lectures regarding affordable housing. There is no state law and the courts passed the judgements in favor of the builders. He stated that we have to ask the legislatures to have a fair state law. We have to lobby in Trenton. On April 29th in Princeton there will be a round table discussion and the cost to attend is \$25.00.

Congratulations to our Township in being recognized as the 12th safest in the United States.

Mr. Parab commented that he likes the fact that the budget is flat. The County is not increasing their taxes but unfortunately, the Board of Education is.

Additionally, Mr. Parab stated that when you sit on the Planning and Zoning Board the members cannot legally tell them to stop building because of overcrowding. The only way to legally stop them is by not allowing variances to be given.

Mr. Parab stated that in regards to fair funding from 2008 they owe us about \$65-\$75 million due to this. Our special education is underfunded. Lakewood went to Trenton and spoke to the State and then sued them and they received additional funding. The current funding formula takes into consideration at the age of 70 ½ years old and this should not be included into the funding formula calculation.

Councilwoman Cohen asked if we could sue the State for fair funding for our schools or does it have to be done by the Board of Education; Township Attorney Schaffer stated that if we believe the residents are not being treated fairly by the state we can in conjunction with the Board of Education.

Councilman Baskin added his thoughts about the State's formula calculation and would like an explanation as to how they arrive at, interpret and implement that formula.

Gyaneshwar Sadamastula, 283 Morning Glory Dr. – Mr. Sadamastula stated that he is very disappointed with the defeated referendum. Being that he cannot vote it is frustrating that those who can voted such a necessity for our children down.

Mr. Sadamastula suggested that a deer-crossing sign go up on Applegarth Road near the golf range to help with deer incidents as the road is very dark. Council President Dalina stated that if it is a continuous problem then the police will recognize that and reach out accordingly to make sure a sign goes up.

Lastly, he commented that he feels a public place should be built on that side of town. It would be nice if the Council could look into more public places in that area. Council President Dalina stated that as part of the Mayor's budget we will be looking into more recreational facilities throughout the Township.

Tom Bartley, 599 Spotswood Englishtown Rd. – Mr. Bartley commented on the force mains going up in town. Mr. Bartley asked for the Council to not let the developers take over this town as he would like to see it continue to be good for everyone and not just the developers. He proposed that an ordinance be implemented right now that whenever possible there are no force mains as it affects all of us and it costs about \$500,000 for each one we have out there.

Michael Olesky, 50 Mayberry Ave. – Mr. Olesky commented in regard to the affordable housing obligation he said it has taken him about two years to understand the disconnect between the obligation and where we are with our schools. He asked how the government can help and suggested that we try and find a better way to explain it to the residents, that way the next time there is another bond referendum people will be more educated and vote yes.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman commented in regards to O-3-2019-011 which deals with Energy Aggregation; he reminded Council to look into more green and renewable options.

Mr. Gunkelman asked in regards to O-4-2019-013 why we are exceeding the cap if there is no increase; Council President stated that this is done every year and Administrator Weinberg answered that there are two caps. One is an appropriation cap from 1977 which is what this ordinance is and the other is the 2% levy cap. This is the appropriation cap which 98% of the towns do. It is for good fiscal planning because you are allowed to bank the cap up to \$1.4 million should we need it. And in order to use it we need to pass an ordinance to allow us to bank. Mr. Gunkelman asked what the total amount in the fund to date; Administrator Weinberg answered that on the appropriations side we have \$1.1 million dollars from 2017, \$379,000 from 2018 and \$1.4 million from this year with the total being \$2,252,000. He offered to explain it further if needed after the meeting.

Mr. Gunkelman commented that there is a lot of talk about our affordable housing and our 4 to 1 ratio. He asked if we ever looked into the ongoing cost of what the four is. He believes that we only looked into what it would cost just for the 1. He thinks we would have been able to build it ourselves which would have benefited the school budget. Administrator Weinberg answered that the Veteran's Housing project will cost us about \$11 million dollars. The court forces you to put monies up front right now and the cost to the residents would be extraordinary. Mr. Gunkelman commented his thoughts about Administrator Weinberg's explanation.

Robert Alfonzo, 23 Drummond Way – Mr. Alfonzo commented that on Mounts Mills Road there is a rough patch with many potholes and with that many drivers try avoiding them by swerving into oncoming traffic. Engineer Rasimowicz answered that the roadway is in Phase 2 of the paving program. He asked who is responsible for the trees by the curb line; Engineer Rasimowicz answered that if it is not in the right of way or in an easement then it is the property owner's responsibility. Mr. Alfonzo added that his issue is that years ago, a few neighbors got together and we were told it was our responsibility to take care of the trees. We all laid out \$300. Other neighbors who did not get in on this with us went to the town and it is my understanding that the Township paid to have these trees taken down and replaced. Mr. Alfonzo wants to know why the Township paid for this for the neighbors who did not join in on having them removed initially when the neighbors who got together and split the cost to remove the trees had to pay. Administrator Weinberg stated that he would look into this.

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider the Regular Meeting was Adjourned at 9:22pm.

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

Patricia Reid

PATRICIA REID, Township Clerk

Stephen Dalina

STEPHEN DALINA, Council President

Minutes were adopted on: May 6, 2019.